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DATE: 10-31-2012
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REASON: 1.4 (c)
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[redacted] (OGC) (FBI)

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From: [redacted] (OGC) (FBI)
Sent: Thursday, January 22, 2009 12:30 PM
To: [redacted] (OGC) (FBI)
Subject: FW: New Tech [redacted]

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FYI

[redacted]
Assistant General Counsel
[redacted]
Office of General Counsel FBI
[redacted] Voice
Pager
Secure Fax
Fax

From: [redacted] (OGC) (FBI)
Sent: Tuesday, January 13, 2009 7:25 PM
To: [redacted]
Subject: New Tech [redacted]

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~~RECORD 319~~

[redacted]

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(S) [redacted]

CELLSITE-9482

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[redacted]
Assistant General Counsel
[redacted]
Office of General Counsel FBI
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ALL INFORMATION CONTAINED
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DATE 04-09-2013 BY NSICG J76J18T80

From:
To:
Date: 2/21/03 10:16AM
Subject: Re: Collection of Cell Site Location Data

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Thanks for the info. The question from the field stems from a disparity between the ELSUR guide produced by OEO and analysis. It appears that an SA got hold of both these, noticed the differing opinions, and pointed that out to the CDC I don't know if it was related to a specific case or not.

B-5 b5

I'll find out if there is a specific case which requires appropriate advisement, or whether this was just a question raised for interesting conversation between a SA and CDC. That will help to determine the priority for this.

Thanks.

>>> 02/14/03 04:23PM >>>

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Did the question from the field involve a use where they would not otherwise need to get a (d) order?

>>> 02/14 2:16 PM >>>

B-5

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B-5

Thanks.

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DATE 04-09-2013 BY NSICG J76J18T80

From: [redacted]
To:
Date: 2/11/03 10:56AM
Subject: Electronic Surveillance Issue

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b7C
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[redacted] B-5

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-09-2013 BY NSICG J76J18I80

From:
To:
Date: 1/23/02 12:15PM
Subject: Re: CCIPS NEW PR/T&T TriggerFish Interpretation

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B5 and has advised CCIPS of that.
We are in the process of putting together an analysis, but in general here are my thoughts:

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see note ①

B5

[redacted] b6 b7C b5 b7E

B-1

[redacted]

>> [redacted] 01/23/02 11:36AM >>>
[redacted] Lets get [redacted] comments before we change the ELSUR Guide. I read the opinion and agree with your assessment. Thanks [redacted]

>>> [redacted] 01/23 11:31 AM >>>
[redacted] I've reviewed the CCIPS analysis and concur [redacted] B-5
[redacted] Has there been any additional discussion on this yet?

[redacted] This will result in additional changes to the ELSUR manual. Unless advised to the contrary, I'll ensure these changes are made. b5 b6 b7C b7E

>> [redacted] 01/17/02 06:27PM >>>
Attached is the most recent legal analysis issued by CCIPS to all AUSA/CTCs recommending that AUSAs [redacted]

I have requested that CCIPS delay further dissemination of this opinion until we have had an opportunity to review it. They have not yet responded back.

[redacted] AGC
Technology Law Unit
Office of the General Counsel
FEDERAL BUREAU OF INVESTIGATION
935 Pennsylvania Ave., N.W. Rm [redacted]
Washington, D.C. 20535-0001
Tel.
Fax [redacted]

Engineering Research Facility
Bldg. 27958A, Rm [redacted]
Quantico, VA 22135
Tel
Fax [redacted]

TDY Rochester RA
FBI, Room [redacted]
100 State Street
Rochester, NY 14614
Tel
Fax [redacted]

Pag [redacted]
Internet E-mail with advance notice to: [redacted]@leo.gov

[redacted] B-5 b5 b6 b7C

b5 b6 b7C

CC: [redacted]

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DATE 04-09-2013 BY NSICG J76J18T80

Operating a Cell Site Simulator, or "WITT"Gear, to Locate a Cell Phone

Operation of a Cell Site Simulator (CSS), or "WITT" gear, requires different court orders under different circumstances. In order to determine which court order(s) is/are needed in a particular case, a "Cell Phone Location Quick Reference Guide" is attached as Appendix C. To the extent that a pen register order, or Rule 41 warrant is required, the emergency provisions for each are discussed above, as are the consent exceptions.

Attorney/client privileged

From - Emergency Authority Guide 2008

[redacted]

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Appendix C
[Cell Phone Location Quick Reference Guide]

Technique(s) To Be Used	Legal Process Needed	Legal Standard
b5 b7E	b5	b5

Note: the exceptions for the consent or implied consent of the subscriber, and the exigent circumstance exception to the Fourth Amendment are discussed above. These exceptions may be applicable for cell phone location, depending on the facts.

Attorney/Client privileged

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b7C

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DATE 04-09-2013 BY NSICG J76J18T80

Date: 01/14/2002 09:28 am -0500 (Monday)
From: [redacted]
To: Ccips att; [redacted]
CC: [redacted]
Subject: please forward to CTC's

Attached is an analysis of the appropriate legal process for locating cell phones, in light of the changes enacted in the USA PATRIOT Act.

[redacted] B-5

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The attached analysis will also be available soon in USA Book.

Feel free to contact [redacted] in the Computer Crime and Intellectual Property Section, or [redacted] in the Office of Enforcement Operations if you have any questions or comments.

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From:
To:
Date: 1/17/02 6:27PM
Subject: CCIPS NEW PR/T&T TriggerFish Interpretation

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Attached is the most recent legal analysis issued by CCIPS to all AUSA/CTCs recommending that

B-5?

I have requested that CCIPS delay further dissemination of this opinion until we have had an opportunity to review it. They have not yet responded back.

AGC
Technology Law Unit
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execute such an order at one central point and not require the "use" of the device outside of the court's jurisdiction.

II. Collection of Cell Phone Location Information Directly by Law Enforcement

Law enforcement possesses electronic devices that allow agents to determine the location of certain cellular phones by the electronic signals that they broadcast. This equipment includes an antenna, an electronic device that processes the signals transmitted on cell phone frequencies, and a laptop computer that analyzes the signals and allows the agent to configure the collection of information. Working together, these devices allow the agent to identify the direction (on a 360 degree display) and signal strength of a particular cellular phone while the user is making a call. By shifting the location of the device, the operator can determine the phone's location more precisely using triangulation.

In order to use such a device the investigator generally must know the target phone's telephone number (also known as a Mobile Identification Number or MIN). After the operator enters this information into the tracking device, it scans the surrounding airwaves. When the user of that phone places or receives a call, the phone transmits its unique identifying information to the provider's local cell tower. The provider's system then automatically assigns the phone a particular frequency and transmits other information that will allow the phone properly to transmit the user's voice to the cell tower. By gathering this information, the tracking device determines which call (out of the potentially thousands of nearby users) on which to home in. While the user remains on the phone, the tracking device can then register the direction and signal strength (and therefore the approximate distance) of the target phone.

A. Use of Law Enforcement Cell Phone Tracking Devices Prior to the USA PATRIOT Act of 2001

In 1994, the Office of Enforcement Operations opined that investigators did not need to obtain any legal process in order to use cell phone tracking devices so long as they did not capture

the numbers dialed or other information "traditionally" collected using a pen/trap device. This analysis concluded that the "signaling information" automatically transmitted between a cell phone and the provider's tower does not implicate either the Fourth Amendment or the wiretap statute because it does not constitute the "contents" of a communication. Moreover, the analysis reasoned – prior to the 2001 amendments – that the pen/trap statute did not apply to the collection of such information because of the narrow definitions of "pen register" and "trap and trace device." Therefore, the guidance concluded, since neither the constitution nor any statute regulated their use, such devices did not require any legal authorization to operate.

B. The Pen/Trap Statute, As Amended By The USA PATRIOT Act of 2001

Although the analysis remains unchanged with respect to the Fourth Amendment and the wiretap statute, substantial amendments to the definitions of "pen register" and "trap and trace device" in the USA PATRIOT Act alter the applicability of the pen/trap statute. The new definitions, on their face, strongly suggest that the statute now governs the use of such devices. Where the old definition of "pen register" applied only to "numbers dialed or otherwise transmitted," "pen register" now means

> a device or process which records or decodes dialing, routing, addressing, and signaling information transmitted by an instrument or facility from which a wire or electronic communication is transmitted....

18 U.S.C. § 3127(3). "Signaling information" is a broader term that encompasses other kinds of non-content information used by a communication system to process communications. This definition appears to encompass all of the non-content information passed between a cell phone and the provider's tower.

Similarly, the USA PATRIOT Act broadened the definition of "trap and trace device." Where before the definition included only "the originating number of an instrument or device," the new definition covers "the originating number or other dialing, routing, addressing, and signaling information reasonably likely to identify the source of a wire or electronic communication...." 18 U.S.C. § 3127(4). Like the definition of "pen register," this broader definition appears to include

such information as the transmission of a MIN, which identifies the source of a communication.

Moreover, the scant legislative history that accompanied passage of the Act suggests Congress intended that the new definitions apply to all communications media, instead of focusing solely on traditional telephone calls. Although the House Report cannot definitively state the intent of both houses of Congress when passing the final bill, it does strongly suggest that Congress intended that the statute would apply to all technologies:

> This section updates the language of the statute to clarify that the pen/register [sic] authority applies to modern communication technologies. Current statutory references to the target "line," for example, are revised to encompass a "line or other facility." Such a facility includes: *a cellular telephone number*; *a specific cellular telephone identified by its electronic serial number (ESN)*; an Internet user account or e-mail address; or an Internet Protocol (IP) address, port number, or similar computer network address or range of addresses. In addition, because the statute takes into account a wide variety of such facilities, section 3123(b)(1)(C) allows applicants for pen register or trap and trace orders to submit a description of the communications to be traced using any of these or other identifiers.
>
> Moreover, the section clarifies that orders for the installation of pen register and trap and trace devices may obtain *any* non-content information – "dialing, routing, addressing, and signaling information" – utilized in the processing and transmitting of wire or electronic communications....
>
> This concept, that the information properly obtained by using a pen register or trap and trace device is non-content information, *applies across the board to all communications media* ... ([and includes] packets that merely request a telnet connection in the Internet context).

H.R. Rept 107-236, at 52-53 (emphasis added). Indeed, this last reference to a packet requesting a telnet session – a piece of information passing between machines in order to establish a communication session for the human user – provides a close analogy to the information passing between a cell phone and the nearest tower in the initial stages of a cell phone call.

Finally, the House Report recognizes that pen registers and trap and trace devices could include devices that collect information remotely. The Report states:

> Further, *because the pen register or trap and trace 'device' is often incapable of being physically 'attached' to the target facility due to the nature of modern communication technology*, section 101 makes two other related changes.

> First, in recognition of the fact that such functions are commonly performed today by software instead of physical mechanisms, the section allows the pen register or trap and trace device to be 'attached or applied' to the target facility [such as an ESN]. Likewise, the definitions of 'pen register' and 'trap and trace device' in section 3127 are revised to include an intangible 'process' (such as a software routine) which collects the same information as a physical device.

H.R. Rept 107-236, at 53 (emphasis added). Thus, the statutory text and legislative history strongly suggest that the pen/trap statute governs the collection of cell phone location information directly by law enforcement authorities.

C. The Inapplicability of CALEA's Prohibition on Collection Using Pen/Trap Authority

In passing CALEA in 1994, Congress required providers to isolate and provide to the government certain information relating to telephone communications. At the same time that it created these obligations, it created an exception: carriers shall not provide law enforcement with "any information that may disclose the physical location of the subscriber" in response to a pen/trap order. (A fuller quotation of the language appears, above, in Section I.B.). By its very terms, this prohibition applies only to information collected by a provider and not to information collected directly by law enforcement authorities. Thus, CALEA does not bar the use of pen/trap orders to authorize the use of cell phone tracking devices used to locate targeted cell phones.

D. Conclusion

The amended text of the pen/trap statute and the limited legislative history accompanying the 2001 amendments strongly suggest that the non-content information that passes between a cellular phone and the provider's tower falls into the definition of "dialing, routing, addressing, and signaling information" for purposes of the definitions of "pen register" and "trap and trace device." A pen/trap authorization is therefore the safest method of allowing law enforcement to collect such transmissions directly using its own devices.

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From:
Sent: Friday, October 21, 2011 2:43 PM
To:
Subject: PRIVILEGED AND CONFIDENTIAL/FOR REPRESENTATION PURPOSES ONLY -

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Hi

I received the FBI's letter endorsing the request for

Just one point of clarification: the memo mentions that the FBI considers the details concerning

Please let me know if I understand the FBI's position correctly and if I do not, let me know.

I can be reached at

Thanks,

From:
Sent: Friday, October 21, 2011 3:04 PM
To:
Subject: RE: PRIVILEGED AND CONFIDENTIAL/FOR REPRESENTATION PURPOSES ONLY -

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b7C
b7E

Thank you for your email. My understanding is that you have correctly summarized the FBI's position regarding the I am going to circle back internally on this issue. I will then get back in touch with you.

Please let me know if you have any questions. Thanks again.

Federal Bureau of Investigation
Office of the General Counsel

THIS IS A PRIVILEGED AND CONFIDENTIAL ATTORNEY-CLIENT AND ATTORNEY WORK PRODUCT COMMUNICATION

From:
Sent: Friday, October 21, 2011 2:43 PM
To:
Subject: PRIVILEGED AND CONFIDENTIAL/FOR REPRESENTATION PURPOSES ONLY -

Hi

I received the FBI's letter endorsing the request for

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Just one point of clarification: the memo mentions that the FBI considers the details concerning

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I can be reached at

[redacted]

From: [redacted]
Sent: Friday, October 21, 2011 3:06 PM
To: [redacted]
Subject: RE: PRIVILEGED AND CONFIDENTIAL/FOR REPRESENTATION PURPOSES ONLY - [redacted]

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Ok. Thanks.

Have a nice weekend,

[redacted]

From: [redacted]
Sent: Friday, October 21, 2011 3:04 PM
To: [redacted]
Subject: RE: PRIVILEGED AND CONFIDENTIAL/FOR REPRESENTATION PURPOSES ONLY - [redacted]

[redacted]

Thank you for your email. My understanding is that you have correctly summarized the FBI's position regarding the [redacted] I am going to circle back internally on this issue. I will then get back in touch with you.

Please let me know if you have any questions. Thanks again.

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[redacted]
Federal Bureau of Investigation
Office of the General Counsel
[redacted]

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From: [redacted]
Sent: Friday, October 21, 2011 2:43 PM
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Subject: PRIVILEGED AND CONFIDENTIAL/FOR REPRESENTATION PURPOSES ONLY - [redacted]

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[redacted]

Hi [redacted]

I received the FBI's letter endorsing the request for [redacted]

Just one point of clarification: the memo mentions that the FBI considers the details concerning [redacted]

[redacted]

Please let me know if I understand the FBI's position correctly and if I do not, let me know.

I can be reached at [redacted]

Thanks

[redacted]

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[redacted]

From: [redacted]
Sent: Friday, October 21, 2011 3:18 PM
To: [redacted]
Subject: RE: PRIVILEGED AND CONFIDENTIAL/FOR REPRESENTATION PURPOSES ONLY - [redacted]

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Thanks, [redacted] You have a nice weekend as well.

[redacted]
Federal Bureau of Investigation
Office of the General Counsel
[redacted]

THIS IS A PRIVILEGED AND CONFIDENTIAL ATTORNEY-CLIENT AND ATTORNEY WORK PRODUCT COMMUNICATION

From [redacted]
Sent: Friday, October 21, 2011 3:06 PM
To [redacted]
Subject: RE: PRIVILEGED AND CONFIDENTIAL/FOR REPRESENTATION PURPOSES ONLY [redacted]

Ok. Thanks.

Have a nice weekend,

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[redacted]

From: [redacted]
Sent: Friday, October 21, 2011 3:04 PM
To: [redacted]
Subject: RE: PRIVILEGED AND CONFIDENTIAL/FOR REPRESENTATION PURPOSES ONLY [redacted]

[redacted]

Thank you for your email. My understanding is that you have correctly summarized the FBI's position regarding the [redacted] I am going to circle back internally on this issue. I will then get back in touch with you.

Please let me know if you have any questions. Thanks again.

[redacted]
Federal Bureau of Investigation
Office of the General Counsel
[redacted]

THIS IS A PRIVILEGED AND CONFIDENTIAL ATTORNEY-CLIENT AND ATTORNEY WORK

PRODUCT COMMUNICATION

From
Sent: Friday, October 21, 2011 2:43 PM
To
Subject: PRIVILEGED AND CONFIDENTIAL/FOR REPRESENTATION PURPOSES ONLY -

Hi

I received the FBI's letter endorsing the request for

Just one point of clarification: the memo mentions that the FBI considers the details concerning

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Please let me know if I understand the FBI's position correctly and if I do not, let me know.

I can be reached at

Thanks,

[redacted]

From: [redacted]
Sent: Friday, October 21, 2011 3:34 PM
To: [redacted]
Subject: FW: PRIVILEGED AND CONFIDENTIAL/FOR REPRESENTATION PURPOSES ONLY - [redacted]

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[redacted]

As discussed, here is the email from [redacted]

[redacted]

[redacted]
Federal Bureau of Investigation
Office of the General Counsel
[redacted]

THIS IS A PRIVILEGED AND CONFIDENTIAL ATTORNEY-CLIENT AND ATTORNEY WORK PRODUCT COMMUNICATION

From: [redacted]
Sent: Friday, October 21, 2011 2:43 PM
To: [redacted]
Subject: PRIVILEGED AND CONFIDENTIAL/FOR REPRESENTATION PURPOSES ONLY - [redacted]

[redacted]

Hi [redacted]

I received the FBI's letter endorsing the request for [redacted]

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[redacted]

Just one point of clarification: the memo mentions that the FBI considers the details concerning [redacted]

[redacted]

Please let me know if I understand the FBI's position correctly and if I do not, let me know.

I can be reached at [redacted]

Thanks,

[redacted]

[redacted]

b6
b7C

From: [redacted]
Sent: Friday, October 21, 2011 3:40 PM
To: [redacted]
Subject: RE: PRIVILEGED AND CONFIDENTIAL/FOR REPRESENTATION PURPOSES ONLY - [redacted]

You may have missed my recommended edit on page 5 of the memo. It went to this issue.

[redacted]
Associate General Counsel
Office of the General Counsel
Federal Bureau of Investigation
[redacted]

THIS COMMUNICATION MAY CONTAIN PRIVILEGED AND CONFIDENTIAL ATTORNEY-CLIENT AND ATTORNEY WORK PRODUCT MATERIAL.

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From: [redacted]
Sent: Friday, October 21, 2011 3:34 PM
To: [redacted]
Subject: FW: PRIVILEGED AND CONFIDENTIAL/FOR REPRESENTATION PURPOSES ONLY [redacted]

As discussed, here is the email from [redacted] Let me know what you think. I will call you back to discuss.

[redacted]
Federal Bureau of Investigation
Office of the General Counsel
[redacted]

THIS IS A PRIVILEGED AND CONFIDENTIAL ATTORNEY-CLIENT AND ATTORNEY WORK PRODUCT COMMUNICATION

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From: [redacted]
Sent: Friday, October 21, 2011 2:43 PM
To: [redacted]
Subject: PRIVILEGED AND CONFIDENTIAL/FOR REPRESENTATION PURPOSES ONLY [redacted]

Hi [redacted]

I received the FBI's letter endorsing the request for [redacted]

Just one point of clarification: the memo mentions that the FBI considers the details concerning [redacted]

[redacted] b3 b5 b6 b7C b7E

Please let me know if I understand the FBI's position correctly and if I do not, let me know.

I can be reached at [redacted]

Thanks,

[redacted]

To: [redacted]
Subject: RE: PRIVILEGED AND CONFIDENTIAL/FOR REPRESENTATION PURPOSES ONLY [redacted]

Ok. Thanks.

Have a nice weekend, [redacted]

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b7C

From: [redacted]
Sent: Friday, October 21, 2011 3:04 PM
To: [redacted]
Subject: RE: PRIVILEGED AND CONFIDENTIAL/FOR REPRESENTATION PURPOSES ONLY [redacted]

Thank you for your email. My understanding is that you have correctly summarized the FBI's position regarding the [redacted] I am going to circle back internally on this issue. I will then get back in touch with you.

Please let me know if you have any questions. Thanks again.

[redacted]

Federal Bureau of Investigation
Office of the General Counsel
[redacted]

THIS IS A PRIVILEGED AND CONFIDENTIAL ATTORNEY-CLIENT AND ATTORNEY WORK PRODUCT COMMUNICATION

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From: [redacted]
Sent: Friday, October 21, 2011 2:43 PM
To: [redacted]
Subject: PRIVILEGED AND CONFIDENTIAL/FOR REPRESENTATION PURPOSES ONLY [redacted]

Hi [redacted]

I received the FBI's letter endorsing the request for [redacted]

Just one point of clarification: the memo mentions that the FBI considers the details [redacted]

Please let me know if I understand the FBI's position correctly and if I do not, let me know.

I can be reached at [redacted]

Thanks,

[redacted]

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FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

Total Deleted Page(s) = 149
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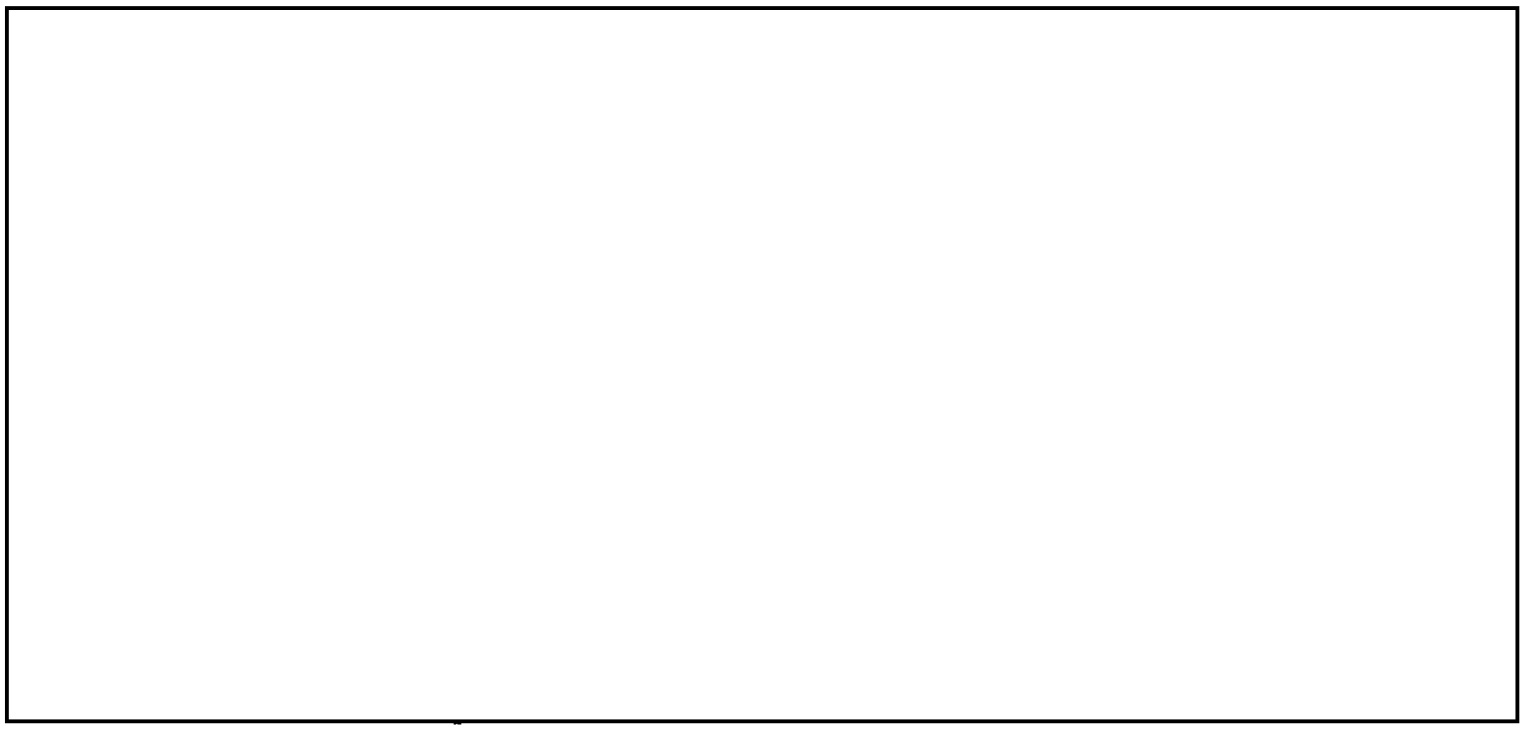

Take care,

[redacted]

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From: [redacted]
Sent: Friday, October 22, 2010 4:31 PM
To: [redacted]
Subject: FW: [redacted]

[redacted]

Is there any way you could check on this? Just would like to know what is going out before it hits the shelf. I'll be in Orlando all next week wit[redacted] If you need us please just call on the BB. I think I've handled al[redacted] DOJ) requests.

SSA [redacted]
Violent Crimes/Major Offenders Unit -FBIHQ
"Project Pin-Point" & "Cellular Analysis and Survey Team"

[redacted]

From: [redacted] OTD) (FBI)
Sent: Tuesday, October 19, 2010 1:56 PM

THIS MESSAGE MAY CONTAIN PRIVILEGED ATTORNEY-CLIENT COMMUNICATION AND ATTORNEY WORK PRODUCT. DO NOT DISSEMINATE WITHOUT OGC APPROVAL.

[redacted]
Assistant General Counsel
Investigative Law Unit
Office of the General Counsel
[redacted]

b6
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WITT

Wireless Intercept and Tracking Team

Cellular Tracking Legal Issues

March 3, 2005

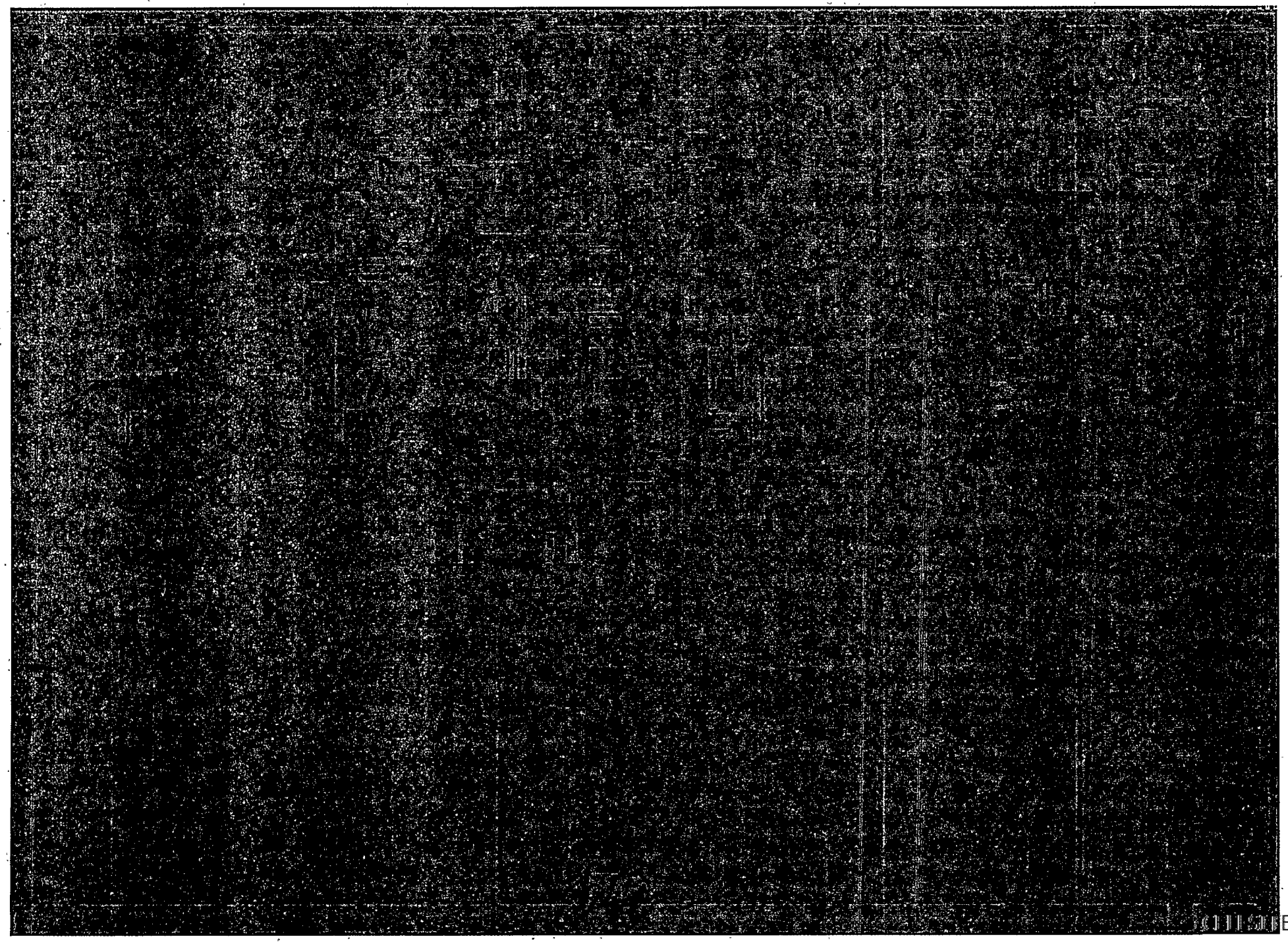
WITT

Wireless Intercept and Tracking Team

Overview

- Pen Register Device (18 U.S.C. § 3127(3))
  - Old Law vs. New Law
  - Non-Target users (Privacy Interest)
  - Potential Interference
- Sample app & order
- Protecting Technique
  - Use as evidence
  - Qualified Privilege

CELLSITE-2276


E-2277

OLD Policy

- **Prior Policy**
  - DOJ view: autonomous registration data not "dialed number" [redacted] and .
  - Not content, so [redacted]

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CELLSITE-2279

Pen Register Device: 18 USC 3127(3)

Old Definition

- "pen register" means a device which records or decodes electronic or other impulses which **identify the numbers dialed or otherwise transmitted on the telephone line to which such device is attached….**

New Definition

- "pen register" means a device ***or process*** which records or decodes ***dialing, routing, addressing, or*** **signaling** ***information*** **transmitted by an instrument or facility from which a wire or electronic communication is transmitted,** ***provided, however, that such information shall not include the contents of any communication***….

CELLSITE-2280

WITT
Wireless Intercept and Tracking Team

New Law: USA Patriot Act

b5
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- **§ 3127 Pen Register device or process:**
  - "records or decodes dialing, routing, addressing, or signaling information
  - transmitted by an instrument or facility from which a wire or electronic communication is transmitted"

DOJ:

CELLSITE-2281

WiTT
Wireless Intercept and Tracking Team

The Debate:

[redacted]

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Statutory language: [redacted]

- data "utilized in the processing" of a communication see 3121(c) since 1994 LE obligated to restrict recording to "dialing and signaling information utilized in call processing"
- at the time of the call--i.e., occurring in real-time
  - "***from which a wire or electronic communication is transmitted***" not may be transmitted see 3127(3)
- [redacted]

CELLSITE-2283

WITT
Wireless Intercept and Tracking Team

Debate Cont.

- IF Signaling Information:
  - –Implied Consent? – 18 U.S.C. § 3121(b)(3)

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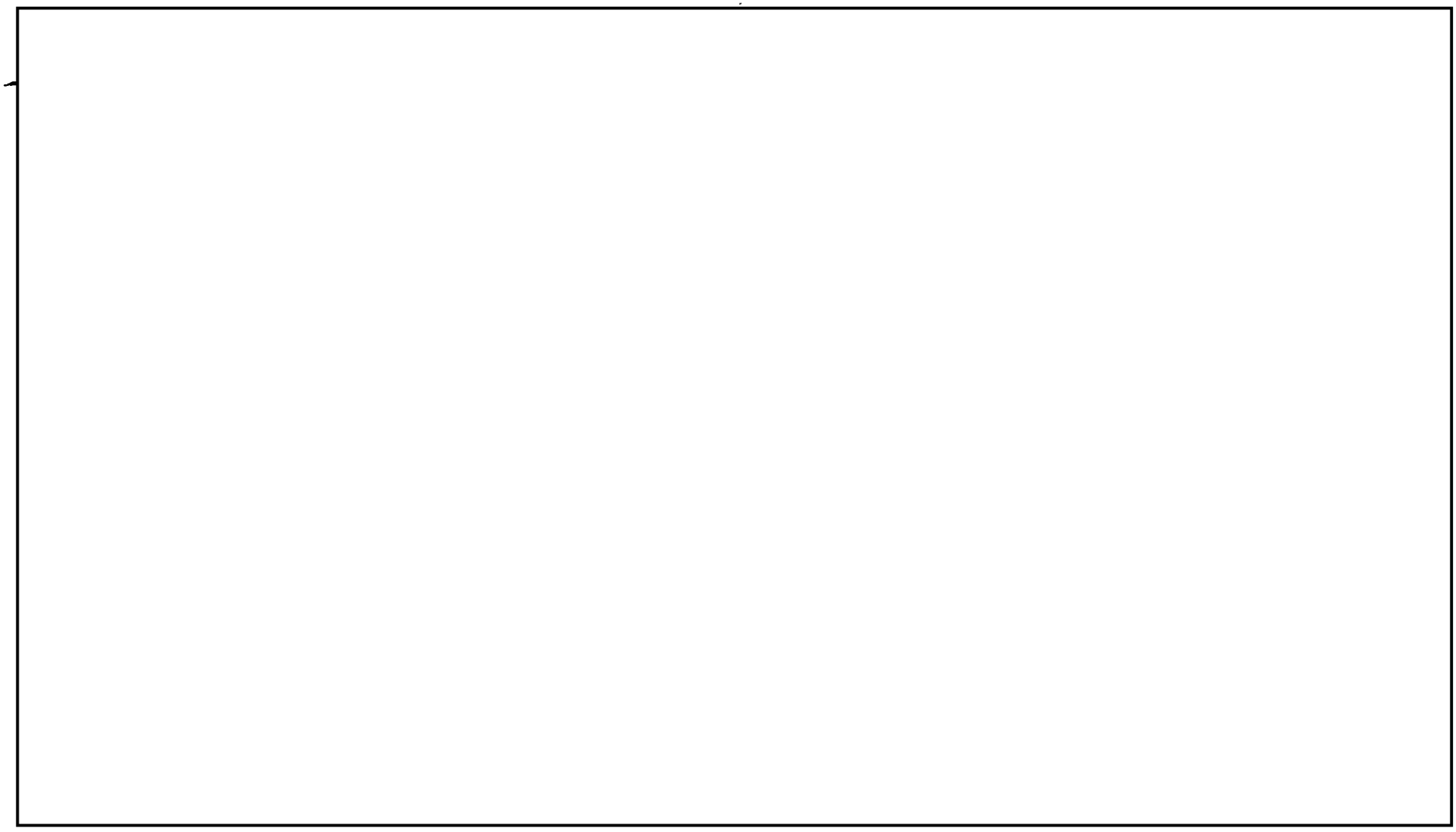
    - adequate **Notice** of monitoring by cellular provider to show ACTUAL knowledge
    - Misplaced trust

CELLSITE-2284

WITT
Wireless Intercept and Tracking Team

Debate Cont.

The dilemma:



b5

WITT
Wireless Intercept and Tracking Team

Emergency Provision

§ 3125(a)(1)

[redacted]

- [redacted]
  - DOJ command Center
  - OEO (business hours)
- Emergencies involving:
  - Immediate danger of death or serious injury

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[redacted]

- [redacted]
- MIOG, Part 2, 10-10.7.1 ([redacted]

[redacted]

CELLSITE-2287

WiTT
Wireless Intercept and Tracking Team

Purging Data Collected

- ? Whether it applies to [redacted] b5 b7E
- [redacted]
  - [redacted] preserve 1st Amendment rights & Minimize [redacted] data

[redacted]

CELLSITE-2291

[redacted]

From: [redacted]
Sent: Friday, February 04, 2011 9:28 AM
To: [redacted]
Subject: FW: WITT - OGC

[redacted] I know you had asked about this some time ago and we were sort of going around and around on it – think the below is a decent road map to follow re use of WITT [redacted]

[redacted]

Hope all is well in [redacted]

[redacted]

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From: [redacted]
Sent: Tuesday, January 25, 2011 2:51 PM
To: [redacted]
Cc: [redacted]
Subject: RE: WITT - OGC

[redacted] Hello. Hope all is well.

Here's my 2 cents:

[redacted]

[redacted]

From: [redacted]
Sent: Friday, November 05, 2010 3:15 PM
To: [redacted]
Subject: RE: Comment 519.

UNCLASSIFIED
NON-RECORD

I think the service provider can/should get us from point A to point B if they are able... [redacted] has been trying to get some clarity on this....I'm not sure I have been able to help him!

Thx,
[redacted]

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From: [redacted]
Sent: Friday, November 05, 2010 3:10 PM
To: [redacted]
Subject: RE: Comment 519.

[redacted]

From: [redacted]
Sent: Friday, November 05, 2010 2:01 PM
To: [redacted]
Cc: [redacted]
Subject: FW: Comment 519.

UNCLASSIFIED
NON-RECORD

[redacted]

Thanks,

From:
Sent: Friday, November 05, 2010 2:41 PM
To:
Subject: FW: Comment 519.

From:
Sent: Thursday, November 04, 2010 3:35 PM
To
Cc
Subject: RE: Comment 519.

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UNCLASSIFIED
NON-RECORD

I agree with your recommendation in your last paragraph below, and request that

From:
Sent: Thursday, November 04, 2010 3:45 PM
To:
Cc:
Subject: RE: Comment 519.

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Assistant General Counsel
Investigative Law Unit
Office of the General Counsel

From: [redacted]
Sent: Thursday, November 04, 2010 10:15 AM
To: [redacted]
Subject: RE: Comment 519.

UNCLASSIFIED
NON-RECORD

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This I can support. Thanks.

From: [redacted]
Sent: Thursday, November 04, 2010 10:20 AM
To: [redacted]
Cc: [redacted]
Subject: RE: Comment 519.

[redacted]

THIS MESSAGE MAY CONTAIN PRIVILEGED ATTORNEY-CLIENT COMMUNICATION AND ATTORNEY WORK PRODUCT. DO NOT DISSEMINATE WITHOUT OGC APPROVAL.

[redacted]
Assistant General Counsel
Investigative Law Unit
Office of the General Counsel
[redacted]

From: [redacted]
Sent: Thursday, November 04, 2010 9:11 AM

To:
Subject: RE: Comment 519.

UNCLASSIFIED
NON-RECORD

Okay, and I have to say I'm disturbed by the lack of clarity in the statute could you please refer this to ? It would be some time before I could do it.

Thanks

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From:
Sent: Thursday, November 04, 2010 10:01 AM
To:
Cc:
Subject: RE: Comment 519.

THIS MESSAGE MAY CONTAIN PRIVILEGED ATTORNEY-CLIENT COMMUNICATION AND ATTORNEY WORK PRODUCT. DO NOT DISSEMINATE WITHOUT OGC APPROVAL.

Assistant General Counsel
Investigative Law Unit
Office of the General Counsel

From:
Sent: Thursday, November 04, 2010 8:58 AM
To:
Cc:
MAZEL,
Subject: RE: Comment 519.

UNCLASSIFIED
NON-RECORD

[redacted]

[redacted]

From: [redacted]
Sent: Thursday, November 04, 2010 9:30 AM
To: [redacted]
Cc:
Subject: RE: Comment 519.

[redacted]

THIS MESSAGE MAY CONTAIN PRIVILEGED ATTORNEY-CLIENT COMMUNICATION AND ATTORNEY WORK PRODUCT. DO NOT DISSEMINATE WITHOUT OGC APPROVAL.

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[redacted]
Assistant General Counsel
Investigative Law Unit
Office of the General Counsel

[redacted]

From: [redacted]
Sent: Thursday, November 04, 2010 8:27 AM
To: [redacted]
Cc:
Subject: RE: Comment 519.

UNCLASSIFIED
NON-RECORD

[redacted]

From: [redacted]
Sent: Thursday, November 04, 2010 9:16 AM
To: [redacted]
Cc:
Subject: FW: Comment 519.

[redacted]

[redacted]

Thanks!

THIS MESSAGE MAY CONTAIN PRIVILEGED ATTORNEY-CLIENT COMMUNICATION AND ATTORNEY WORK PRODUCT. DO NOT DISSEMINATE WITHOUT OGC APPROVAL.

[redacted]
Assistant General Counsel
Investigative Law Unit
Office of the General Counsel
[redacted]

From: [redacted]
Sent: Thursday, November 04, 2010 7:52 AM
To: [redacted]
Subject: RE: Comment 519.

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UNCLASSIFIED
NON-RECORD

Thanks for copying me. Did you happen to discuss this with [redacted] as they advise the WITT [redacted]

From: [redacted]
Sent: Wednesday, November 03, 2010 9:39 AM
To: [redacted]
Cc: [redacted]
Subject: FW: Comment 519.

[redacted]

[redacted]

From: [redacted]
Sent: Thursday, October 28, 2010 2:47 PM
To: [redacted]
Subject: FW: New WITT Policy

Hey short timer! If you get a second can you look this email over? I haven't read it yet but it doesn't look like anything is nailed down on the DIOG regarding the use of the gear.

I'm in all next week if you want to talk.

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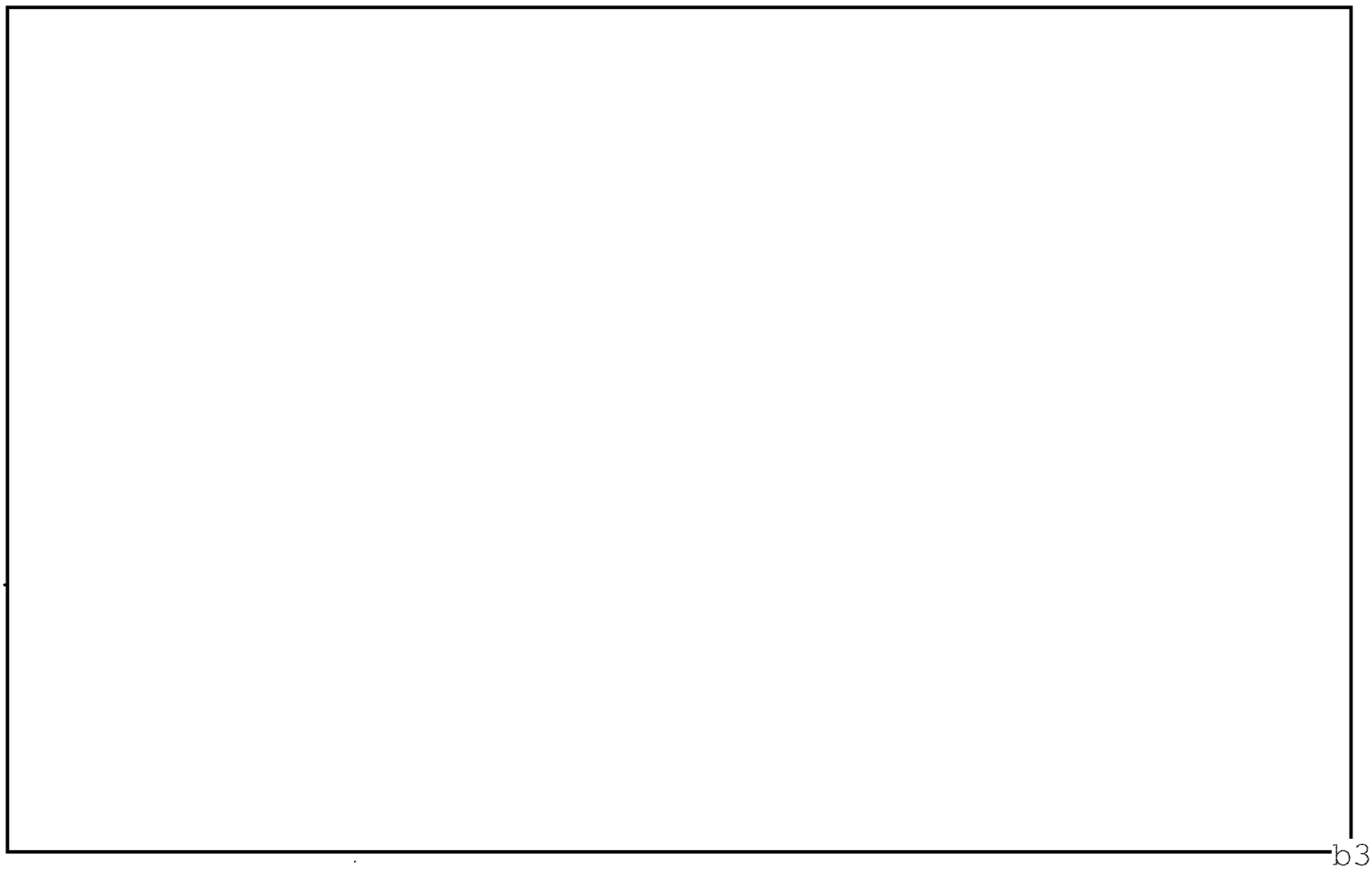
[redacted]
Violent Crimes/Major Offenders Unit -FBIHQ
"Project Pin-Point" & "Cellular Analysis and Survey Team"
[redacted]

From: [redacted]
Sent: Tuesday, October 26, 2010 11:04 AM
To: [redacted]
Subject: RE: New WITT Policy

UNCLASSIFIED
NON-RECORD

[redacted]



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Take care,

[redacted]

From: [redacted]
Sent: Friday, October 22, 2010 4:31 PM
To: [redacted]
Subject: FW: New WITT Policy

[redacted]

Is there any way you could check on this? Just would like to know what is going out before it hits the shelf. I'll be in Orlando all next week with [redacted] If you need us please just call on the BB. I think I've handled all [redacted] (DOJ) requests.

[redacted]

Violent Crimes/Major Offenders Unit -FBIHQ
"Project Pin-Point" & "Cellular Analysis and Survey Team"

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FEDERAL BUREAU OF INVESTIGATION
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23-Mar	Travel (Arrive)		
	Inform Coordinator of arrival / issues		
	Equipment Delivery		
24-Mar	830	Arrive / Introductions	
	900	Scenario Description	5
		Goals / Objectives	10
		Pre-Deployment Functions	5
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	1200	Lunch (1.5 HOURS)	
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	1430		
	1530		
	1630		
25-Mar	830	Arrive / Issues	
	900		
	1100		
	1200	Lunch (1.5 HOURS)	
	1330		
	1630		
26-Mar	830	Arrive Station	
??			
27-Mar	83		
??			
28-Mar	1200	Lunch (1.5 HOURS)	
	2100	Event	
29-Mar		NO EVENT	
30-Mar	830	Arrive / Issues	
	900		
	1100		
	1200	Lunch (1.5 HOURS)	
	1330	In-house Demonstrations / Exercises	
	1630	End	
31-Mar		Practice Sessions	
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2-Apr		Practice Sesions / Packup (Noon)	
3-Apr	Travel (Return)		

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NOTES:

If you encounter any problems or have questions, please contac [redacted] *at* [redacted]

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Cell Tracking

Misc.

CDMA Glossary A-Z

Access Attempt
: A sequence of one or more access probe sequences on the Access Channel containing the same message. See also access probe and access probe sequence.

Access Channel
: A Reverse CDMA Channel used by mobile stations for communicating to base stations . The Access Channel is used for short signaling message exchanges such as call originations, responses to pages, and registrations.

Access Channel Message
: The information part of an access probe conssiteing of the message body, length field, and CRC.

Access Channel Preamble
: A sequence of all-zero frames sent at the 4800 bps rate preceeding an Access Channel message. It aids the base station receiver in detecting and syncronizing the Access Probe.

Access Channel Request Message
: An Access Channel message that is autonomously generated by a mobile station.

Access Channel Response Message
: An Access Channel message that is generated to reply to a message received from a base station.

Access Channel Slot
: The assigned time interval for an access probe. An access channel slot consists of an integer number of frames. The transmission of an access probe is performed within the boundaries of an Access Channel slot.

Access Probe
: One Access Channel transmission consisting of a preamble and a message. The transmission is an integer number of frames in length and carries one Access Channel message.

Access Probe Sequence
: A sequence of one or more access probes. The transmitted power escalates during an access probe sequence from a prescribed minimum power until acknowledged by the base station, or until a presribed maxixum power is reached. One or more repetitions of an access probe sequence constitute an access attempt.

Acknowledgement
: A link layer response by a mobile station or a base station confirming that a signaling message was received correctly.

Action time
: The time at which an action implied by a signaling message should take place.

Active set
: The set of pilots associated with the CDMA Channels containing Forward Traffic Channels assigned to a particular mobile station.

Aging
: A mechanism through which the mobile station maintains in its Neighbor Set the pilots that have been recently sent to it from the base station and the pilots whose drop timers have recently expired.

A-key
: A concealed 64-bit pattern stored in the mobile station. It is used to generate and update the mobile station's shared secret data, which is used for authentication. See also authentication and shared secret data.

Analog Paging Channel

A forward analog control channel that is used to page mobile stations and send orders.

Analog Voice Channel
A channel on which a voice conversation occurs and on which brief digital messages may be sent from a base station to a mobile station or from a mobile station to a base station.

Application Layer
The application layer of the IS-95 air interface provides control of the cellular telephone system. Signaling messages originate and terminate at the application layer. See also Layering, Physical layer and Link layer.

Area Propatation Model
A propagation model in which median transmission loss calculations are based on generalized characteristics of the area surrounding the transmitter and receiver, as well as the intervening area. Features such as local environment, terrain roughness, building density are used to modify a median transmission loss equation in order to adopt it to the service area.

Authentication
A procedure used by base stations to validate a mobile station identity at system access and other times, and by mobile stations to validate a base station identity when ordered to update the shared secret data.

Autonomous Registration
A method of registration in which the mobile station registers without an explicit command from the base station.

Base Station
A fixed station used for communicating with mobile stations. Depending upon the context, the term base station may refer to a cell, a sector within a cell, an MSC, or other part of the cellular system. It is sometimes used loosely in the standards to mean any land side functionality. See also Mobile Switching Center.

BCH Code
See Bose-Chaudhuri-Hocquenghem Code.

BER
See bit error rate.

Bose-Chaudhuri-Hocquenghem Code (BCH Code)
A large class of error-correcting cyclic codes. For any positive integers m, $m > 3$, and $t < 2^{m-1}$, there is a binary BCH code with a block length n equal to $2^m - 1$ and $n - k < mt$ parity check bits, where k is the number of information bits. The BCH code has a minimum distance of at least $2t + 1$.

Bit Error Rate (BER)
Numerically equal to the number of errored bits divided by the total number of bits. Care should be taken when reporting or interpreting "bit error rate" in systems that use encapsulated data or otherwise add overhead to the payload bits. It is normally not meaningful in the CDMA context because whole frames are erased, or not, according to the result of the frame quality check. See Frame Error Rate and Message Error Rate.

Blank and burst
The pre-emption of an entire Traffic Channel frame's primary traffic by signaling traffic or secondary traffic.

Blocking
Failure of a telecommunication system to provide service in response to a call attempt. Blocking in a CDMA system can be due to hard causes, such as lack of a necessary resource, or to soft causes, such as excessive interference in an air interface.

bps
Bits per second.

Calling rate
The number of originations per unit time in a designated service area. See also Erlang load.

Candidate set
The set of pilots that have been received by the mobile station with sufficient strength to be successfully demodulated, but have not been placed in the Active Set by the Base station. See also Active Set, Neighbor Set, and Remaining Set.

CDMA
See Code Division Multiple Access.

CDMA Channel
The set of channels transmitted between the base station and the mobile stations within a given CDMA frequency assignment. See also Forward CDMA Channel and Reverse CDMA Channel.

CDMA Channel Number
An 11-bit number identifying the center of the CDMA frequency assignment.

CDMA Frequency Assignment
A 1.23 MHz segment of spectrum centered at a discrete frequency identified by the CDMA channel number. The allowable channels are centered on one of the 30 kHz channels of the AMPS system.

Cell
Loosely, one or more collocated base stations. They can service different angular sectors, different frequencies, or both.

Cell Site
The physical location of a cell's radio equipment and supporting systems. This term is also used to refer to the equipment located at the cell site.

CELP
See Code Excited Linear Prediction

Chip
Informal term used to refer to either a binary element of a spreading sequence, or to the time interval that it occupies, or 1/1.2288 MHz = 813.8 ns, or, at the speed of light, a distance of c/f = (0.3 m/ns)/1.2288 MHz = 244.1 meters.

Channel Coder
A device that adds redundancy to digital data before transmission for the purpose of reducing the end-to-end error rate. See also Convolutional Coder.

Channel Decoder
A device that performs error correction on coded data by exploiting the redundancy introduced by the channel coder. See also Viterbi Decoder.

Clone
A fraudulent subscriber station created by copying a MIN-ESN pair from a legitimate subscriber's over-the-air transactions.

Code Channel
One of the orthogonal subchannels of a CDMA Forward CDMA Channel. Code channel zero is the pilot channel. Code channels 1 through 7 may be assigned to either Paging Channels or Traffic Channels. Code channel 32 may be assigned to either the Sync Channel or to Traffic Channels.

Code Division Multiple Access
A technique for spread-spectrum multiple access digital communication that creates channels through the use of noise-like carrier waves.

Code Excited Linear Prediction (CELP)

A technique of voice coding that makes use of linear prediction filters excited by a stimulus looked up from a pre-stored table, based on its similarity to the residue from the LPC filter solution.

Code Symbol
: A symbol from a finite alphabet that is the output of an error-correcting-code encoder. Information bits enter the encoder and code symbols leave the encoder. The alphabet may be binary, or may have larger dimensionality.

Codec
: A combination of encoder and decoder, frequently used in the context of speech codec, meaning both components of the speech coding and decoding process, operating in full duplex mode.

Convolutional Code
: An error-correcting code that is generated by finite-field division of the data sequence, regarded as a polynomial over a finite field, by a generator polynomial. Such a division resembles a discrete convolution.

Coverage Area
: A geographical area in which a mobile will receive satisfactory signal-to-noise ratio (E_b/N_0) in both forward and reverse links. Evaluation of coverage for a CDMA system must take into account the effects of soft handoff and multipath, as well as signal strength.

CRC
: See Cyclic Redundancy Code.

Cyclic Redundancy Code (CRC)
: A class of linear error detecting codes that generate a parity check bits as the remainder of a polynomial division of the data, regarded as a polynomial, by a generator polynomial. They are often based on a BCH code, used only for its error detection capability.

Data Burst Randomization
: The pseudo-random process that determines which power control groups are transmitted by a mobile station when its transmitted bit rate is less than full rate.

dBc
: The ratio, in dB, of the sideband power of a signal, measured in a given bandwidth at a given frequency offset from the same signal, to the total power of the signal. For a CDMA signal, the signal power is measured in a 1.23 MHz bandwidth.

dBm
: Power measured in dB relative to one milliwatt.

dBW
: Power measured in dB relative to one Watt.

Deinterleaving
: The process of unpermuting the symbols that were permuted by an interleaver.

Dim-and-Burst
: The process by which primary rate traffic is forced to a lower-than-maximum rate and transmitted together with signaling or secondary traffic in the same frame.

Distance-Based Registration
: An autonomous registration method in which the mobile station registers whenever it enters a cell whose distance from the cell in which the mobile station last registered exceeds a given threshold.

Ducting
: Guiding of electromagnetic radiation by refraction due to index gradients in the atmosphere.

E_b
: The energy of an information bit. E_b is measured in Joules, or equivalently in Watts per Hertz.

Effective Antenna Elevation (Base Station)

The height of the radiation center of the base station antenna above the average elevation of the ground midway between the base station and the mobile. Particular ranges of distance are invoked by the Federal Communications Commission to define height above average terrain (HAAT) for various services.

Effective Antenna Elevation (Mobile Station)

The height of the radiation center of the mobile station antenna above the ground.

Effective Isotropic Radiated Power (EIRP)

The transmitted power multiplied by the antenna gain referenced to an ideal isotropic radiator. EIRP is larger that ERP in the same direction by the gain of an ideal dipole relative to an isotropic radiator, which is 2.1 dB.

Effective Radiated Power (ERP)

The transmitted power multiplied by the antenna gain referenced to a half-wave dipole.

EIRP

See Effective Isotropic Radiated Power.

Electronic Serial Number (ESN)

A 32-bit number assigned by the mobile station equipment manufacturer, uniquely identifying the mobile station equipment.

Encoder Tail Bits

Fixed value bits appended to a block of data in order to flush a convolutional encoder so that it is left in a known state. Leaving the encoder in a known state aids the decoding.

Erlang

A dimensionless unit of telephone traffic intensity. It is numerically equal to the calling rate times the average holding time. It is named for the Norwegian telephone engineer who first popularized the concept.

Erlang B

Also called *Lost Calls Cleared* model. A mathematical model of telephone traffic blocking in which blocked calls are not queued. The Erlang B blocking probability for N resources, calling intensity y Erlangs, is

$$P = \frac{y^N/N!}{\sum_{k=0}^{N} y^k/k!}$$

Cf. Erlang C Model and Poisson Blocking Model.

Erlang C

Also called *Lost Calls Delayed* model. A mathematical model of telephone traffic blocking in which blocked calls are queued. It is similar to the Poisson Blocking Model, with which it is sometimes confused. The Erlang C blocking probability for N resources, calling intensity y Erlangs, is

(Need to figure out Erlang C Formula!)

ERP

See Effective Radiated Power.

ESN

See Electronic Serial Number.

Fade Timer

A timer kept by the mobile station as a measure of Forward Traffic Channel continuity. If the fade timer expires, the mobile station drops the call.

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FEC

See Forward Error Correction

FER

See Frame Error Rate

Flash

An indication sent on a CDMA Traffic Channel indicating that the user directed the mobile station to invoke special processing.

Flat Fading

Radio signal fading characteristic of a multipath environment where the delay spread is less than the reciprocal bandwidth of the signal. Under these circumstances the fading is uniform across the bandwidth of the signal, and thus is essentially just an amplitude change. Also known as frequency-independent fading. Cf. Frequency Selective Fading, Rayleigh Fading, Ricean Fading.

Foreign NID Roamer

A mobile station operating in the same system (SID) but a different network (NID) from the one in which service was subscribed. See also Foreign SID roamer.

Foreign SID Roamer

A mobile station operating in a system (SID) other than the one in which service was subscribed. See also Foreign NID roamer.

Forward CDMA Channel

A CDMA Channel from a base station to mobile stations. The Forward CDMA Channel comprises one or more code channels that are transmitted on a CDMA frequency assignment using a particular pilot PN offset. The code channels are associated with the Pilot Channel, Sync Channel, Paging Channels, and Traffic Channels. The Forward CDMA Channel always includes a Pilot Channel and may include a Sync Channel, up to seven Paging Channels, and up to 63 Traffic Channels. The total number of code channels, including the Pilot Channel, cannot exceed 64.

Forward Error Correction (FEC)

A technique for improving performance of a digital communication channel that applies an error-correcting code in the transmitter and performs correction in the receiver without feedback to the transmitter. "Forward" here refers to the lack of feedback, not the transmission direction.

Forward Traffic Channel

A code channel used to transport service option (usually voice) and signaling traffic from the base station to the mobile station.

Frame

A basic timing interval in a CDMA system. For the Access Channel, Paging Channel, and Traffic Channels, a frame is 20 ms in duration. For the Sync Channel a frame is 80/3 = 26.666 ms in duration.

Frame Category

A classification of a received Traffic Channel frame based upon transmission data rate, the frame contents (primary traffic, secondary traffic, or signaling traffic), and whether there are detected errors in the frame.

Frame Erasure Rate

Ratio of erased frames to total frames. Care should be used to distinguish between frame erasure rate and frame error rate. They are similar, but not identical. Erased frames usually are counted as errored frames, but not all errored frames are erased, that is, some may be undetected by the receiver.

Frame Error Rate (FER)

Ratio of errored frames to total frames. For purposes of this calculation, erased frames count as errored.

Frame Offset

A time skewing of Traffic Channel frames from System Time in integer multiples of 1.25 ms. The maximum frame offset is 18.75 ms.

Frame Quality Indicator

The CRC check applied to 9600 bps and 4800 bps Traffic Channel frames.

Frequency Selective Fading

Radio signal fading characteristic of a multipath environment where the delay spread is greater than the reciprocal bandwidth of the signal. Under these circumstances the fading is non-uniform across the bandwidth of the signal. The multipath produces deep notches in the spectrum, and thus strong distortion of the time-domain signal shape. Cf. Flat Fading, Rayleigh Fading, Ricean Fading.

Fresnel Radius

The radius r of the circle formed by the intersection of the first Fresnel zone with a plane perpendicular to the line of sight between the transmitting and receiving antennas. In meters it is given by

$$r = 548\sqrt{\frac{d_1 d_2}{f(d_1 + d_2)}}, \; d_1, \; d_2 \text{ in km and } f \text{ in MHz}$$

Fresnel Zone

1. The region in space between successive ellipsoids of revolution whose foci are the transmitting and receiving antennas. The ellipsoids are defined as the locus of points such that the sum of distances to the transmitting and receiving antennas differs from the line-of-sight distance by an interger number of half-wavelengths.

2. The area formed by the intersection of the regions of definition 1 with a plane perpendicular to the line of sight between the transmitting and receiving antennas.

CDMA Glossary G-M

Global Challenge Procedure

An exchange of information between a mobile station and a base station for the purpose of authenticating the mobile station identity. The base station broadcasts a challenge and each mobile station responds with its unique response when performing a system access. Cf. Unique Challenge-Response Procedure.

Global Positioning System (GPS)

A US government satellite system that provides location and time information to users. See Navstar GPS Space Segment / Navigation User Interfaces ICD-GPS-200 for specifications.

GPS

See Global Positioning System.

Handoff

The act of transferring control of a mobile station from one base station to another. See also Soft Handoff, Hard Handoff.

Handover

Synonym for Handoff.

Hard Handoff

A handoff characterized by a temporary disconnection of the Traffic Channel. Hard handoffs occur when the mobile station is transferred between disjoint Active Sets, the CDMA frequency assignment changes, the frame offset changes, or the mobile station is directed from a CDMA Traffic Channel to an analog voice channel. Cf. Soft Handoff.

Hash Function

A mathematical function used by the mobile station to select one out of N available resources. The hash function ensures statistically uniform use of the resources.

Height Above Average Terrain (height AAT)
See Effective antenna elevation.

HLR
See Home Location Register.

Home Location Register (HLR)
The database in a wireless communication network that contains registration and user profile information for the system subscribers.

Home System
The system which is transmitting a system identification (SID) which is recognized by the mobile station as its Home SID, normally the system in which service was subscribed (see System Identification).

Idle Handoff
The act of transferring reception of the Paging Channel from one base station to another, when the mobile station is in the Mobile Station Idle State.

Implicit Registration
A registration achieved by a successful transmission of an origination or page response on the Access Channel.

IMSI
See International Mobile Subscriber Station Identity.

Interleaving
The process of reordering code symbols for transmission. Interleaving decorrelates channel fading between adjacent symbols as they enter the decoder, thereby improving the effectiveness of the code.

International Mobile Subscriber Station Identity (IMSI)
A method of identifying stations in the land mobile service as specifed in ITU-T Recommendation E.212.

kHz
Kilohertz (10^3 Hertz).

ksps
Kilosymbols per second (10^3 symbols per second).

Layering
A conceptual structuring of communication protocols. A layer is defined in terms of its communnication protocol to a peer layer in another entity, and the services it provides to the next higher layer in its own entity.

Layer 1
See Physical layer.

Layer 2
See Link layer.

Layer 3
See Application layer.

LFSR
See Linear Feedback Shift Register

Linear FeedbackShift Register (LFSR)

A logic circuit that produces pseudo-random binary sequences. They are used to produce the Short Code and Long Code that are used for spreading and for other purposes in the CDMA system. See the LFSR page for more details.

Linear Predictive Coding

A low bit rate coding technique for analog signal sources, usually speech, that models the production process by a filter whose parameters change slowly with time. It is a component of CELP coders. See Code Excited Linear Prediction.

Link Layer

The link layer of the IS-95 air interface provides for the reliable transmission and reception of signaling messages, including error detection, partial duplicate detection and loss. See also Layering, Physical layer, and Application layer.

Log Normal Distribution

The distribution of a random variable whose logarithm follows a normal distribution. A log-normal distribution is characterized by two parameter: its median and its standard deviation. The logarithm radix is often taken as 10, so that both the median and the standard deviaion are conveniently measured in decibel values, *m* and *s*. The density function of such a log-normal variable *X* is then:

$$p_X(x) = \frac{10}{\sqrt{2\pi}\ln(10)\sigma x}\exp\left\{-\frac{[10\log(x)-m]^2}{2\sigma^2}\right\}$$

In the dB measure this is

$$p_Y(y) = \frac{1}{\sqrt{2\pi}\sigma}\exp\left\{-\frac{(y-m)^2}{2\sigma^2}\right\}$$

where $Y = 10 \log X$.

Long Code

A maximal length sequence with period 2^{42}-1. A unique phase of the long code identifies each mobile station. It is used for data scrambling on the Forward CDMA Channel, spreading on the Reverse CDMA Channel, and other purposes. See also Maximal length sequence.

Long Code Mask

A 42-bit binary number that creates the unique long code phase. See also public long code, private long code, public long code mask, and private long code mask.

LPC

See Linear Predictive Coding.

LSB

Least significant bit.

Maximal Length Sequence (m-sequence)

A periodic binary sequence of period 2^n-1, *n* a positive integer, with no internal periodicities and other curious mathematical properties [Golomb]. A maximal length sequence can be generated by either of two equivalent linear feedback shift register configurations (see LFSR).

Mcps

Megachips per second (10^6 chips per second).

MER

See Message Error Rate

Message

In IS-95, a data structure consisting of a length field, message body (or *payload*), and CRC for detection of errors.

Message Error Rate

Ratio of errored messages to total messages. This is a concept having limited value because an errored message may be incorrectly fragmented or coalesced with a neighboring message by the receiver, making the message counts incorrect.

MHz

Megahertz (10^6 Hertz).

MIN

See Mobile Identification Number.

Mobile Assisted Handoff (MAHO)

A means of initiating handoff based on signal quality measurements performed by the mobile station and reported to the base station.

Mobile Identification Number (MIN)

The 34-bit number that is a digital representation of the 10-digit directory number assigned to a mobile station.

Mobile Station

A subscriber station in the Domestic Public Cellular Radio Telecommunications Service, normally intended to be used while in motion or during halts at unspecified points. The category my include both true mobile stations, handheld portable stations, fixed stations, and other devices.

Mobile Station Class

A code that defines mobile station maximum transmitter power, slotted operation capability, and dual-mode CDMA/AMPS capability.

Mobile Station Identification Number (MSIN)

A part of the E.212 IMSI identifying the mobile station within its home network. See ITU-T Recommendation E.212.

Mobile Switching Center (MSC)

A configuration of equipment designed to provide interconnection services among wireless subscriber stations, and between wireless subscriber stations and the public switched telephone network via one or more base stations under its control.

Mobile Telephone Switching Office (MTSO)

An out-of-fashion synonym for Mobile Switching Center.

Modulation Symbol

A symbol from a discrete alphabet that identifies a unit of modulation. In the Forward CDMA Channel, the modulation symbols are binary, each one representing one interleaved binary symbol from the rate 1/2 convolutional encoder. In the Reverse CDMA Channel the modulation symbols are six-bit entities comprised of interleaved bits from the rate 1/3 encoder; the six bits select one of the 64-Walsh functions for transmission.

MOS Mean Opinion Score

The result of a subjective voice quality test, often used to compare speech codec algorithms, where listeners associate a one to five quality score to speech samples. The arithmetic mean for a large number of samples is the resulting MOS number. Care must be used when comparing MOS scores taken in different tests, as the results for any particular cohort depend very much on the mix of algorithms under test.

ms

Millisecond (10^{-3} second).

MSB

Most significant bit.

MSC

See Mobile Switching Center

MSIN

See Mobile Station Identification Number.

MTSO

See Mobile Telephone Switching Office.

Multiplex Option

One of the alternative designs of the multiplex sublayer. Multiplex options permit tailoring such characteristics as the data rate set, frame structure, frame partitioning rules, and rate decision rules for special applications.

Multiplex Sublayer

One of the conceptual layers of the system that multiplexes and demultiplexes primary traffic, secondary traffic, and signaling. The multiplex sublayer resides between the physical layer and the link layer in the conceptual protocol stack.

CDMA Glossary N-S

NAM

See Number assignment module.

Neighbor Set

The set of pilots associated with the CDMA Channels that are probable candidates for handoff. Normally the Neighbor Set consists of the pilots associated with CDMA Channels that cover geographical areas near the mobile station. See also Active Set, Candidate Set, and Remaining Set.

Network

A network is a logical subset of the base stations in a cellular system, as identified by a SID. The network is identified by a unique (SID, NID) pair. A network can be as small or as large as needed, but must be totally contained within a single system.

Non-Autonomous Registration

A registration method in which the base station initiates registration. See also Autonomous Registration.

Non-Slotted Mode

An operation mode of the mobile station in which the mobile station continuously monitors the Paging Channel.

ns

Nanosecond (10^{-9} second).

Null Traffic Channel Data

One or more frames of 16 '1's followed bu eight '0's sent at the 1200 bps rate. Null traffic channel data is sent when no service option is active and no signaling message is being sent. Null traffic channel data serves to maintain the connectivity between the mobile station and the base station.

Number Assignment Module

A set of MIN-related parameters stored in the mobile station. The NAM encapsulate the mobile station's network identity. Multiple NAMs are sometimes provided in a mobile stations so that, for example, the mobile can have local identities in adjoining service areas. Use of the NAM is not specified in IS-95, beyond identifying those semi-permanent station numeric indicators that should be stored in it [IS-95, Appendix F].

OLC

See Overload class.

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Ordered Registration
A registration method in which the base station orders the mobile station to send registration related parameters.

Overhead Message
A message sent by the base station on the Paging Channel to communicate base-station-specific and system-wide information to mobile stations.

Overload Class (OLC)
The means used to control system access by mobile stations, typically in emergency or other overloaded conditions. Mobile stations are assigned one (or more) of sixteen overload classes. Access to the CDMA system can then be controlled on a per class basis by persistence values transmitted by the base station.

Overload Control
A means to restrict reverse analog control channel accesses by mobile stations. Mobile stations are assigned one (or more) of sixteen control levels. Access is selectively restricted by a base station setting one or more OLC bits in the Overload Control Global Action Message.

Paging
The act of seeking a mobile station in order to deliver an incoming call.

Paging Channel
A forward communication channel used by a base station to communication to a mobile station when it is not assigned to a traffic channel.

Parameter-Change Registration
A registration method in which the mobile station registers when certain of its stored parameters change.

Parity Check Bits
Bits added to a sequence of information bits to provide error detection, correction, or both.

Persistence
A probability measure used by the mobile station to determine if it should transmit in a given Access Channel Slot.

Physical Layer
The part of the communication protocol between the mobile station and thebase station that is responsible for the transmission and reception of data. The physical layer in the transmitting station is presented a frame by the multiplex sublayer and transforms it into an over-the-air waveform. The physical layer in the receiving station transforms the waveform back into a frame and presents it to the multiplex sublayer above it.

Pilot Channel
An unmodulated, direct-sequence spread spectrum signal transmitted continuously by each CDMA base station. The Pilot Channel allows a mobile station to acquire the timing of the Forward CDMA Channel, provides a phase reference for coherent demodulation, and provides a means for signal strength comparisons between base stations for determining when to handoff.

Pilot PN Sequence
A pair of modified maximal length PN sequences with period 2^{15} used to spread the Forward CDMA Channel and the Reverse CDMA Channel. Different base stations are identified by different pilot PN sequence offsets.

Pilot PN Sequence Offset Index
The PN offset in units of 64 PN chips of a pilot, relative to the zero offset pilot PN sequence.

Pilot Strength
The ratio of received pilot energy to overall received energy. See also E_c/I_0.

PN Sequence.

Pseudonoise sequence. A periodic binary sequence approximating, in some sense, a Bernoulli (coin tossing) process with equiprobable outcomes.

Point to Point Propagation Model

A propagation model in which median transmission loss calculations are based on specific characteristics and terrain profile of the path along the great circle between the transmitter and receiver.

Poisson Blocking Model

Also called *Lost Calls Held* or *Molina* model. A mathematical model of telephone traffic blocking in which blocked calls persist for their normal holding time, even though unserviced. It is similar to the Erlang C blocking model, with which it is sometimes confused. The Poisson blocking probability for N resources, callinsity y Erlangs, is

$$P = e^{-y} \sum_{k=N+1}^{\infty} y^k / k!$$

Power Control Bit

A bit sent in every 1.25 ms interval on the Forward Traffic Channel to signal the mobile station to increase or decrease its transmit power.

Power Control Group

A 1.25 ms interval on the Forward Traffic Channel and the Reverse Traffic Channel. See also Power Control Bit.

Power-Down Registration

An autonomous registration method in which the mobile station registers on power-down.

Power-Up Registration

An autonomous registration method in which the mobile station registers on power-up.

Privacy

Protection of traffic by means of encryption or other means specifically applied for that purpose.

Propagation Loss

The total reduction in radiant power density between the transmitting antenna and the receiving antenna. Propagation loss includes both spreading (free space diffraction) loss and attenuation loss. For non-line of sight situations it also includes diffraction loss around obstacles. It does not include antenna gain or feeder loss. Sometimes called *isotropic* propagation loss.

Rayleigh Distribution

The single-parameter probability distribution given by

$$F_R(r) = 1 - \exp\left(-\frac{r^2}{2\sigma^2}\right)$$

or the equivalent density

$$p_R(r) = \frac{r}{2\sigma^2}\exp\left(-\frac{r^2}{2\sigma^2}\right)$$

Rayleigh Fading

The deep fading process characteristic of narrowband radio signals in a severe multipath propagation environment. The probability distribution of complex amplitude tends toward a bandlimited Gaussian, which has a Rayleigh distribution of amplitude. Cf. Flat Fading, Frequency Selective Fading, Ricean Fading.

Receive Objective Loudness Rating (ROLR)

A perceptually weighted transducer gain of telephone receivers relating electrical excitation from a reference generator to sound pressure at the earphone. The receive objective loudness rating is

normally specified in dB relative to one Pascal per millivolt. See IEEE Standard 269-1992, IEEE Standard 661-1979, ITU-T Recommendations P.76 and P.79.

Registration
: The process by which a mobile station makes its presence known to a base station to facilitate call delivery.

Registration Zone
: A collection of one or more base stations treated as a unit when determining whether a mobile station should perform zone-based registration.

Release
: A process that the mobile station and base station use to inform each other of call disconnect.

Reverse CDMA Channel
: The CDMA Channel from the mobile station to the base station. From the base station's perspective, the Reverse CDMA Channel is the sum of all mobile station transmissions on a CDMA frequency assignment.

Reverse Traffic Channel
: A Reverse CDMA Channel used to transport user and signaling traffic from a single mobile station to one or more base stations.

Rice (or Rician) Distribution
: The probability distribution of the amplitude of a signal composed of a steady component plus independent IID quadrature Gaussian processes. It is applicable when a signal arrives at a receiver by both a line of sight path and by multiple indirect paths. This two-parameter distribution can be represented as

$$p_R(r) = \frac{r}{\sigma^2}\exp\left[-\frac{(r^2+a^2)}{2\sigma^2}\right]I_0\left(\frac{ra}{\sigma^2}\right)$$

: where I_0 is the modified Bessel function of the first kind and order zero and a is the amplitude of the steady component. Note that this reduces to a Rayleigh distribution for $a = 0$.

Rician Fading
: The fading process characteristic of radio signals when there is a strong line-of-sight signal path and multiple non-direct signal paths. The probability distribution of complex amplitude tends toward a bandlimited Gaussian with a nonzero mean, which has a Rician distribution of amplitude. Cf. Rayleigh Fading, Flat Fading, Frequency Selective Fading.

Roamer
: A mobile station that is operating in a cellular system other than its home system.

ROLR
: See Receive Objective Loudness Rating.

Sector
: Normally one angular segment of the coverage area of a cell, served by one base station. Also used to denote any non-traditional partitioning of the service area, such one strand of a cable-based delivery system.

Service Option
: A specific type of user traffic supported by a cellular system. The major service options are speech codecs, facsimile, and various types of data. Service options may be negotiated between base and mobile stations during call setup.

Serving MSC
: The MSC which currently has the mobile station obtaining service at one of its cell sites within its coverage area.

Shared Secret Data (SSD)
: A bit pattern stored in the mobile station and known by the base station. SSD is used to support the authentication procedures and voice privacy. Shared Secret Data is maintained during power off.

Signal-to-Noise Ratio (SNR)
: The dimensionless ratio $E_b/(N_0+I_0)$, or energy per bit divided by the noise-plus-interference power spectral density. It is usually stated in dB.

Signaling
: The information exchanged between the mobile station and the network, or within the network, for the purposes of service provision (e.g., connection establishment).

Slot Cycle
: A periodic interval at which a mobile station operating in the slotted mode monitors the Paging Channel.

Slotted Mode
: An operation mode of the mobile station in which the mobile station monitors only selected time slots on the Paging Channel when in the Mobile Station Idle State. The primary purpose of slotted mode is power conservation.

SNR
: See Signal to Noise Ratio.

Soft Handoff
: A handoff occurring while the mobile station is in the Mobile Station Control on the Traffic Channel State. This handoff is characterized by commencing communications with a new base station on the same CDMA frequency assignment before terminating communications with the old base station. Cf. Hard Handoff.

Symbol
: See Code Symbol.

System Identification (SID)
: A number uniquely identifying a cellular system

CDMA Glossary T-Z

Timer-Based Registration
: A registration method in which the mobile station registers whenever a counter reaches a predetermined value. The counter is incremented an average of once per 80 ms period.

Time Reference
: A reference established by the mobile station that is synchronous with the earliest arriving multipath component used for demodulation.

TOLR
: See Transmit Objective Loudness Rating.

Traffic Channel
: A communication path between a mobile station and a base station used for user and signaling traffic. The term Traffic Channel implies a Forward Traffic Channel and Reverse Traffic Channel pair. See also Forward Traffic Channel and Reverse Traffic Channel.

Transmit Objective Loudness Rating (TOLR)
: A perceptually weighted transducer gain of telephone transmitters relating sound pressure at the microphone to voltage at a reference electrical termination. It is normally specified in dB relative to

one millivolt per Pascal. See IEEE Standard 269-1992, IEEE Standard 661-1979, ITU-T Recommendations P.76 and P.79.

Transcoder
A device that transforms signals from one type of digital representation to another.

Unique Challenge-Response Procedure
An exchange of information between a mobile station and a base station for the purpose of authenticating the mobile station identity. The procedure is initiated by the base station and is characterized by the use of a challenge-specific random number. Cf. Global Challenge Procedure.

Visited System
The cellular system that is providing service to a roaming mobile station.

Visitor Location Register (VLR)
The database used by a visited system to maintain information about recently-served roaming subscribers.

Voice Privacy
The process by which user voice transmitted over a traffic channel is afforded a modest degree of cryptographic protection against air-interface eavesdropping.

Walsh Function, or Walsh Code
One of a set of orthogonal waveforms, based on the Walsh-Hadamard matrices. Walsh functions are used for two purposes in CDMA. In the forward link they are used as orthogonal cover to create independent transmission channels. In the reverse link they are use as orthogonal modulation.

Zone-Based Registration
An autonomous registration method in which the mobile station registers whenever it enters a zone that is not in the mobile station's zone list.

[redacted] SOP

[redacted]

b3
b7E

1930 Model A Ford

[redacted]

b6
b7C

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07DEC05 [redacted] (Proposed) b6 b7C

Standard Operating Procedure (SOP) for Case Squads requesting Cell Phone Tracking assistance during *"Exigent Circumstances"*

Definition: Exigent Circumstances - An emergency exists that involves the immediate danger of death or serious physical injury to a person. Our threshold for utilizing the below procedure is that the situation demands immediate action to prevent death or serious bodily injury.

[redacted]

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Step 1. [redacted]

[redacted]

Step 2. [redacted]

[redacted]

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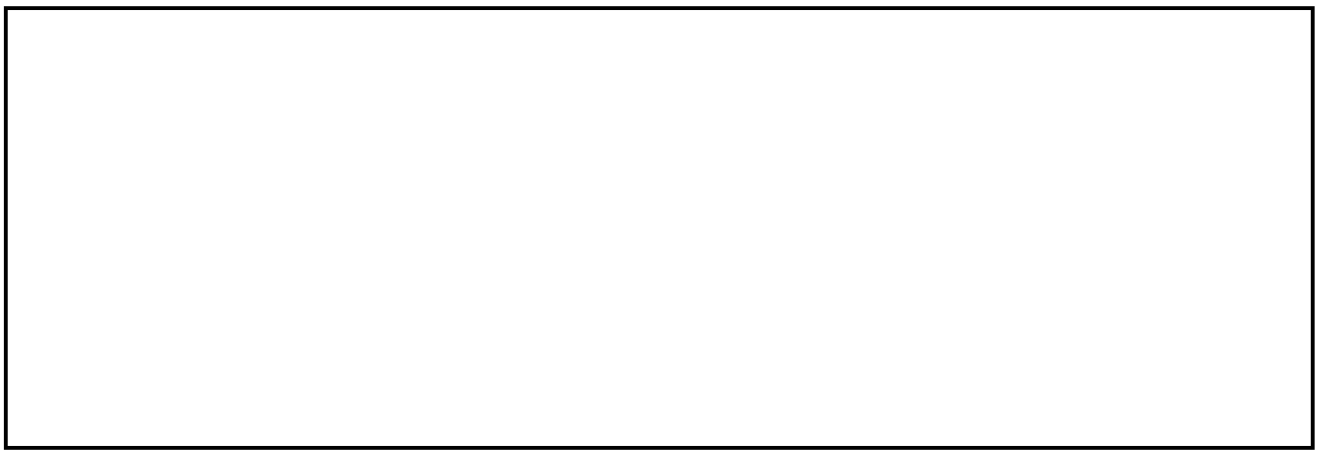

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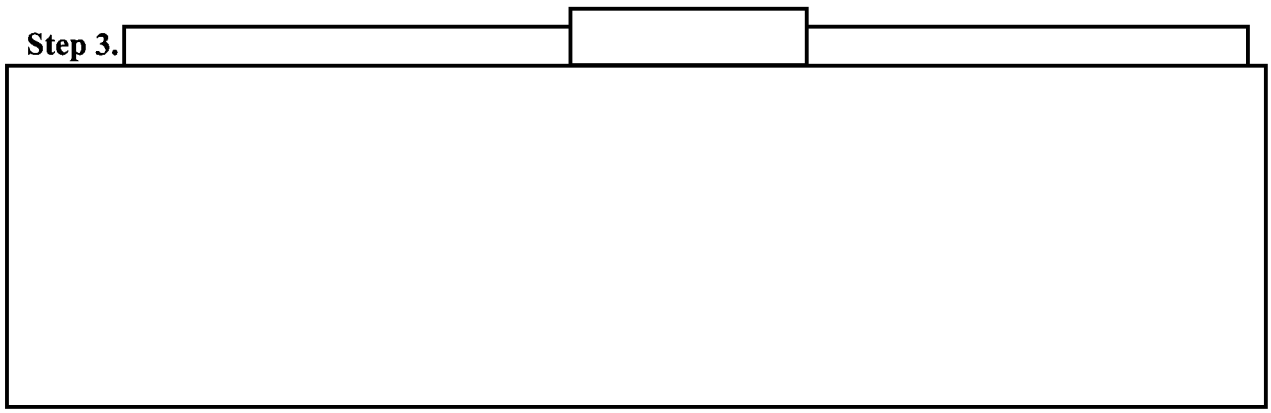
Step 3.



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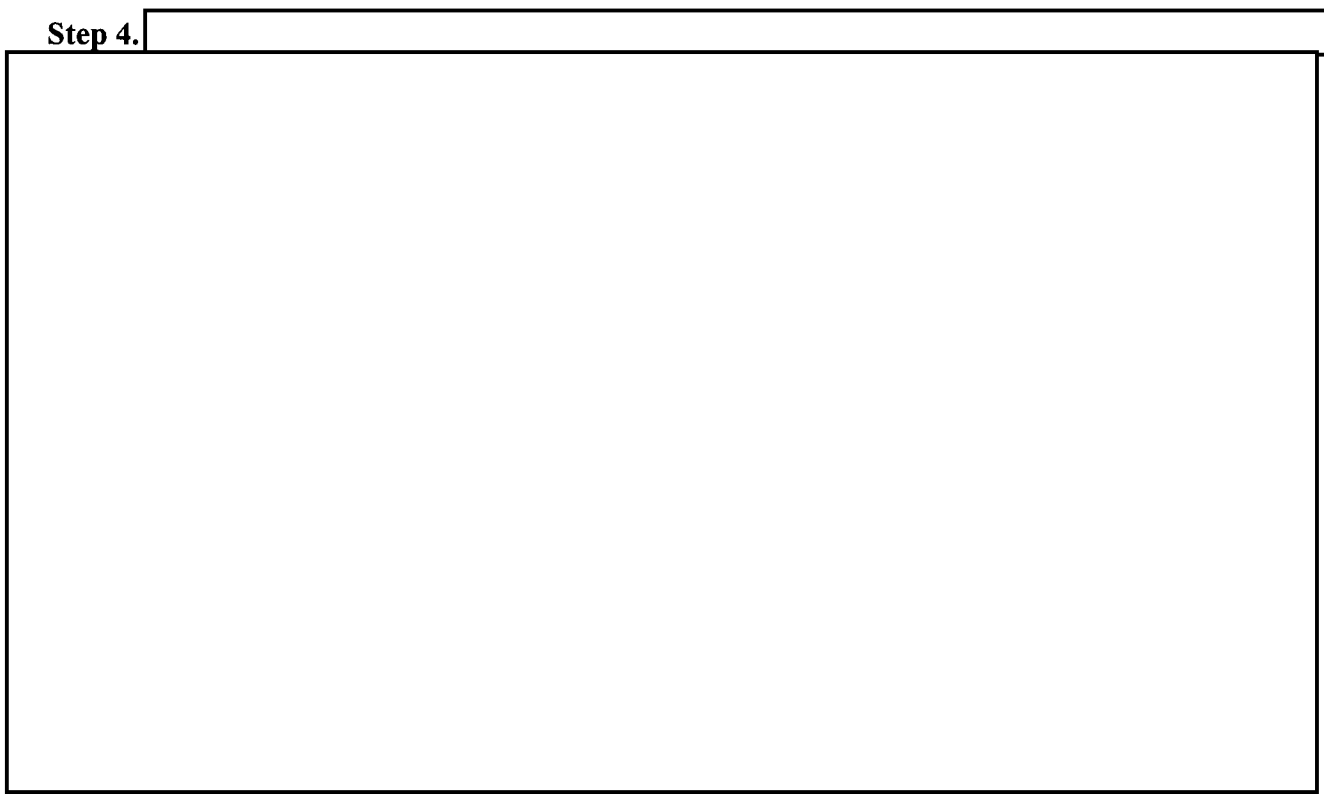
Step 4.



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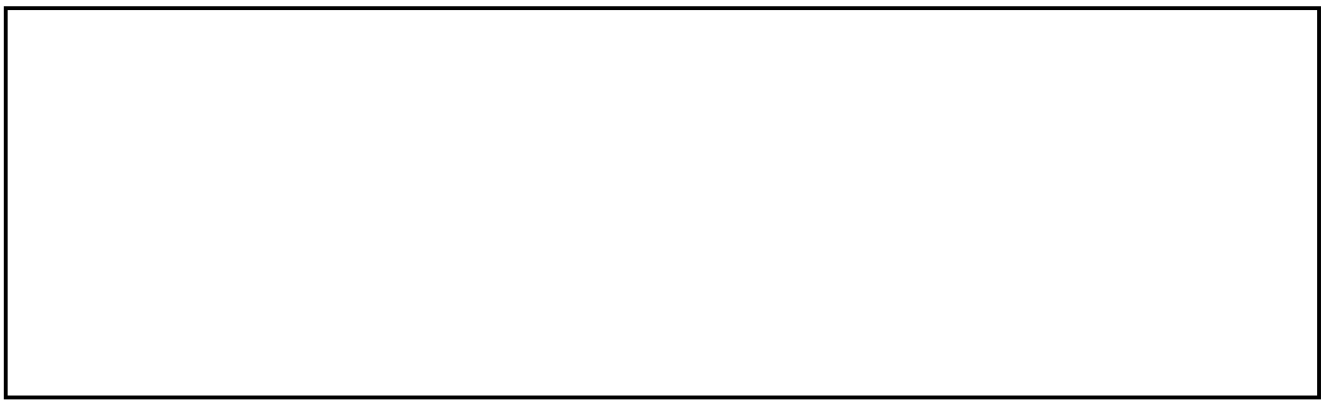

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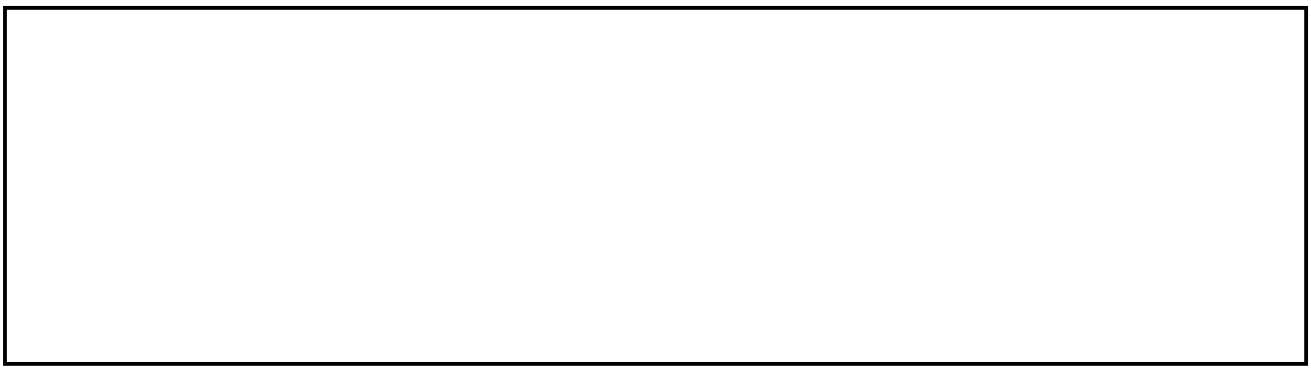

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Step 5.

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Step 6.

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Step 7. [redacted] b7E

Step 8. [redacted] b7E

Step 9. [redacted]

Step 10. [redacted] b7E

Step 11. [redacted]

*** **Recommendations:** Any case squad that foresees the use of Cell Tracking should:

a. Be familiar with the sample Pen Register/2703(d) Orders.
b. Pro-actively meet with their perspective AUSA's and discuss the specifics of the Order.
c. Ensure squad members are familiar with the use of the [redacted] Pen Registers. b7E

Revision: 10/26/2005 [redacted] b6 b7C

GSM Cell Phone Tracking For Dummies

[redacted] StingRay, [redacted]

Prior to tracking, answer the following questions:

1. [redacted]
2.
3.
4.
5.
6.
7.
8.
9.
10

b3 b7E

[redacted]

b3 b7E

STEP 1

[redacted]

STEP 2

Turn StingRay system on. [redacted]

STEP 3

[redacted]

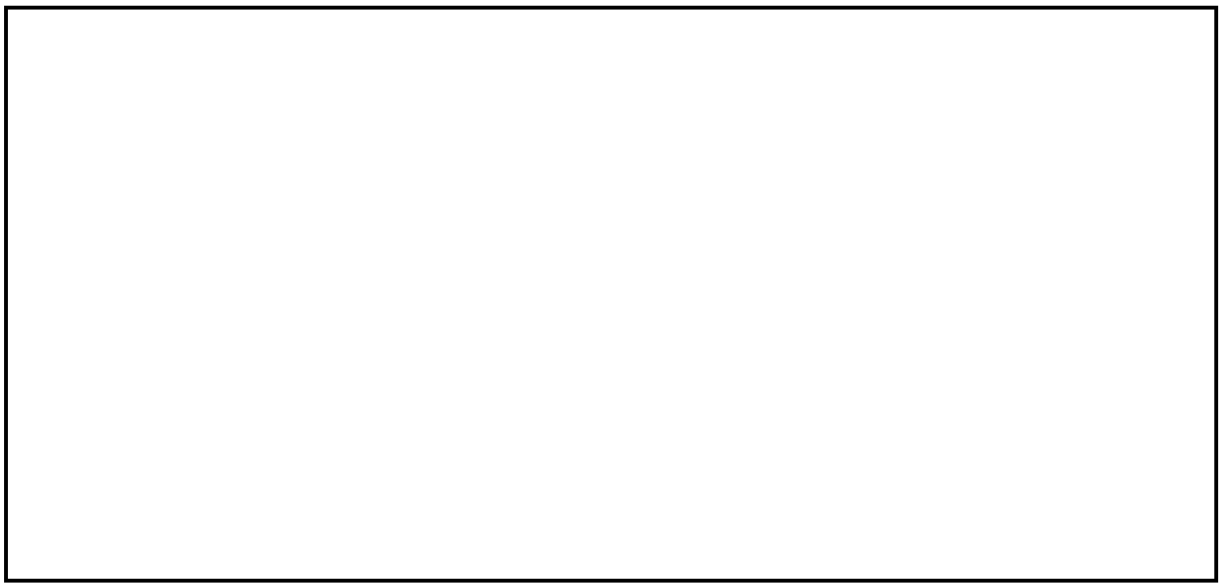
b3 b7E

STEP 4

b3
b7E

STEP 5

STEP 6



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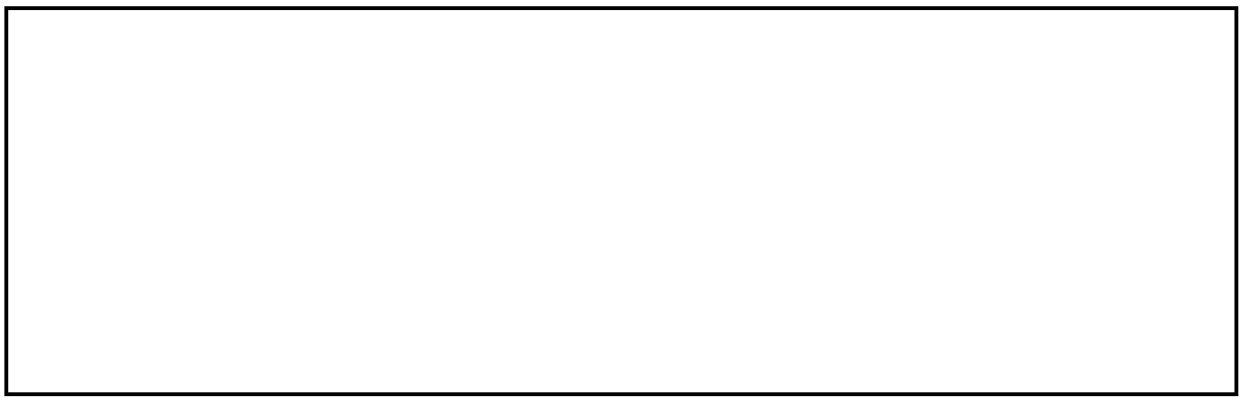
STEP 7



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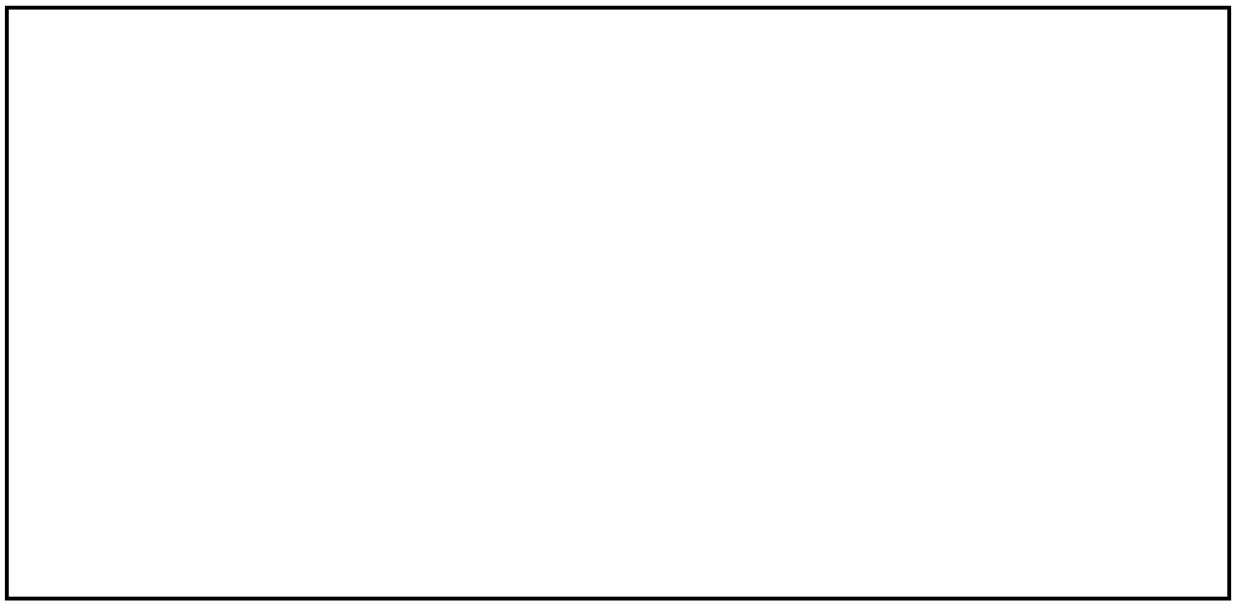
STEP 8



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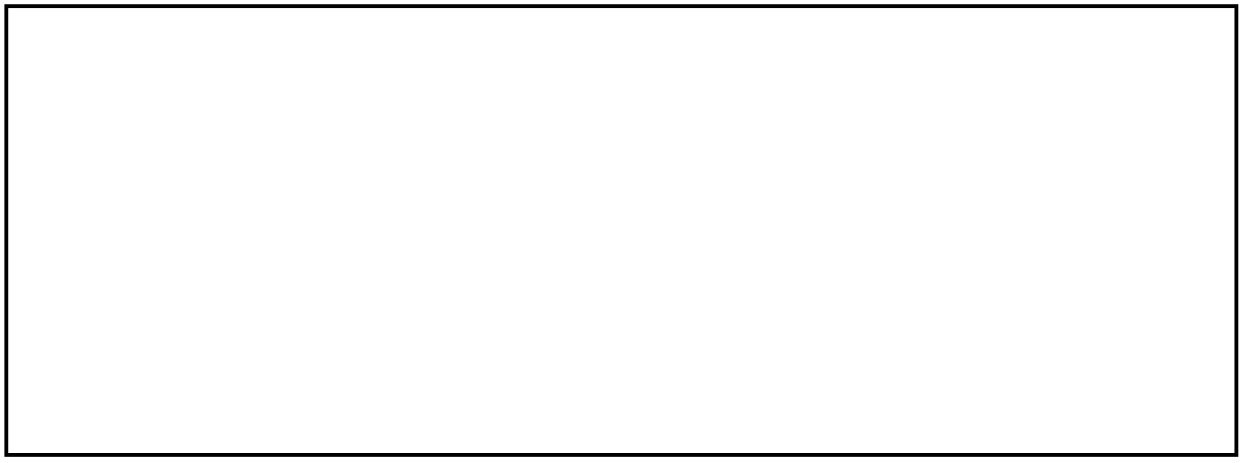

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STEP 9

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Important Reminders:

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b7E

Revision: 10/26/2005 [redacted] b6 b7C

CDMA Cell Phone Tracking For Dummies

[redacted] StingRay [redacted]

CDMA TECHNOLOGY IS RESPONSIBLE FOR APPROXIMATELY 50% OF THE CELL PHONE BUSINESS IN THIS COUNTRY. THIS APPLIES PRIMARILY TO SPRINT, VERIZON, VIRGIN (PREPAID PHONE) AND A FEW OF THE SMALLER CELL PHONE COMPANIES b3 b7E

[redacted]

Prior to tracking, answer the following questions:

1. [redacted]
2.
3.
4.
5.
6. b3 b7E
7.
8.
9.

Prior to starting up the Stingray system, [redacted]

STEP 1

[redacted]

b3 b7E

STEP 2

Turn StingRay system on. [redacted]

STEP 3

STEP 4

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STEP 5

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b7E

STEP 6

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b7E

STEP 7

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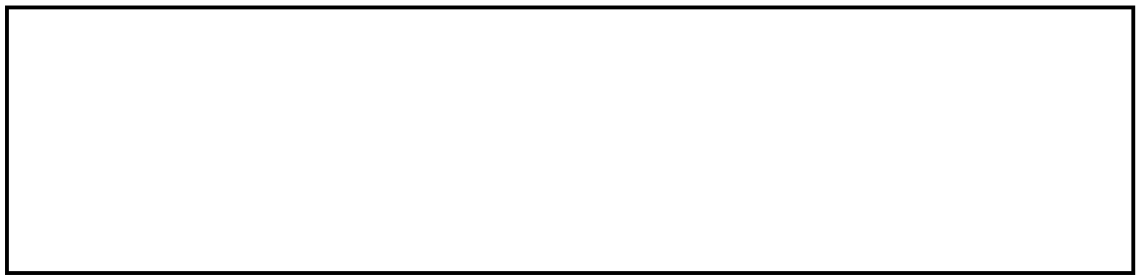
b7E



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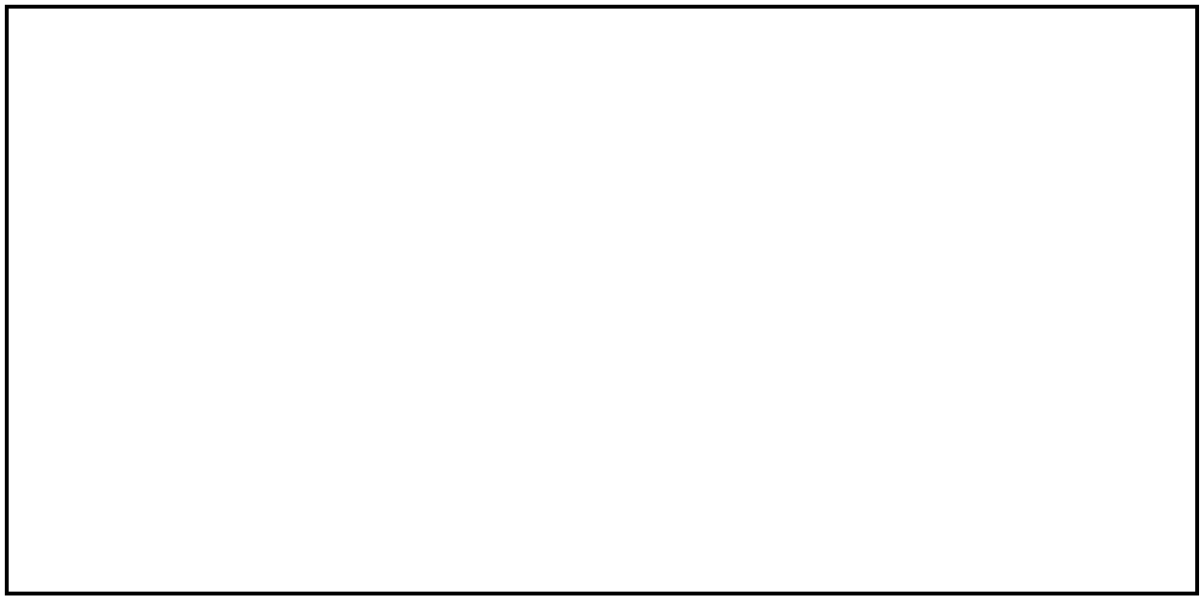
STEP 8



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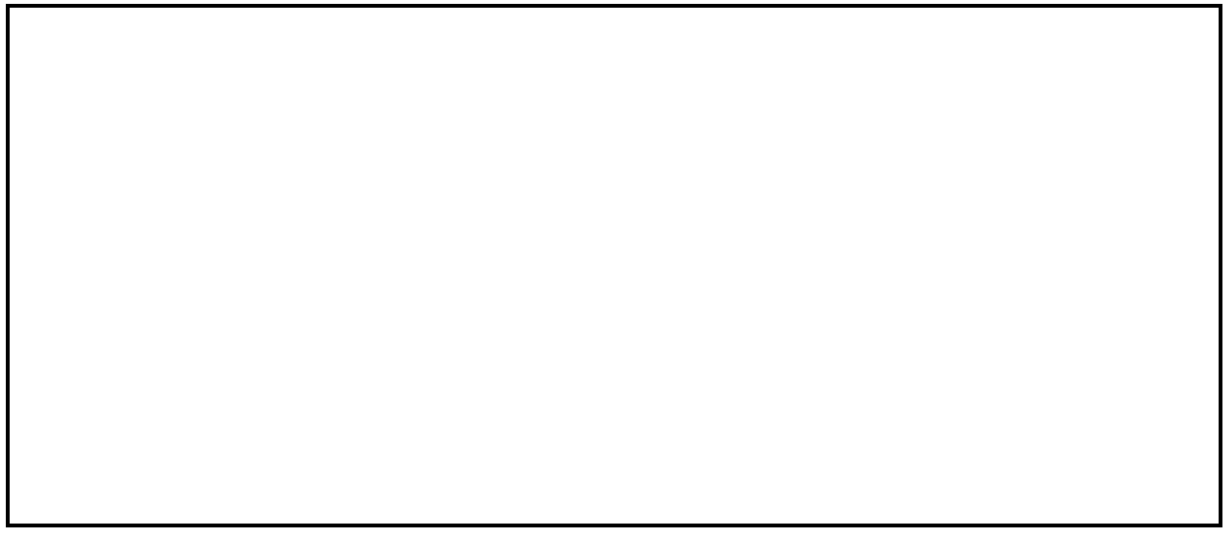
STEP 9



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STEP 10

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STEP 11

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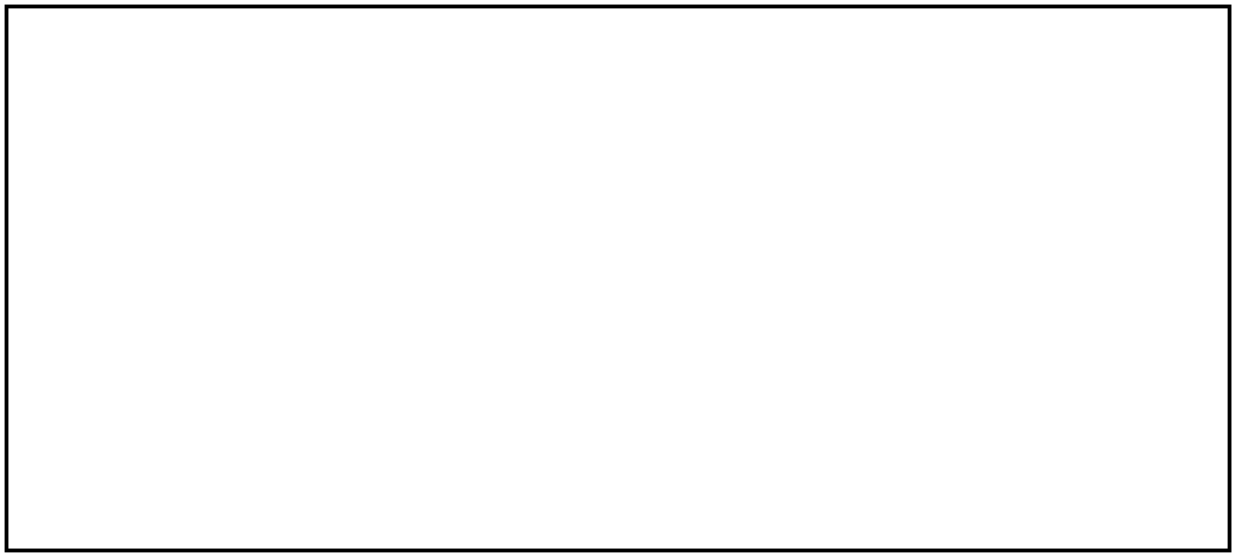
STEP 12

STEP 13



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Important Reminders

1.
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12.
13.

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ADDED INFORMATION:

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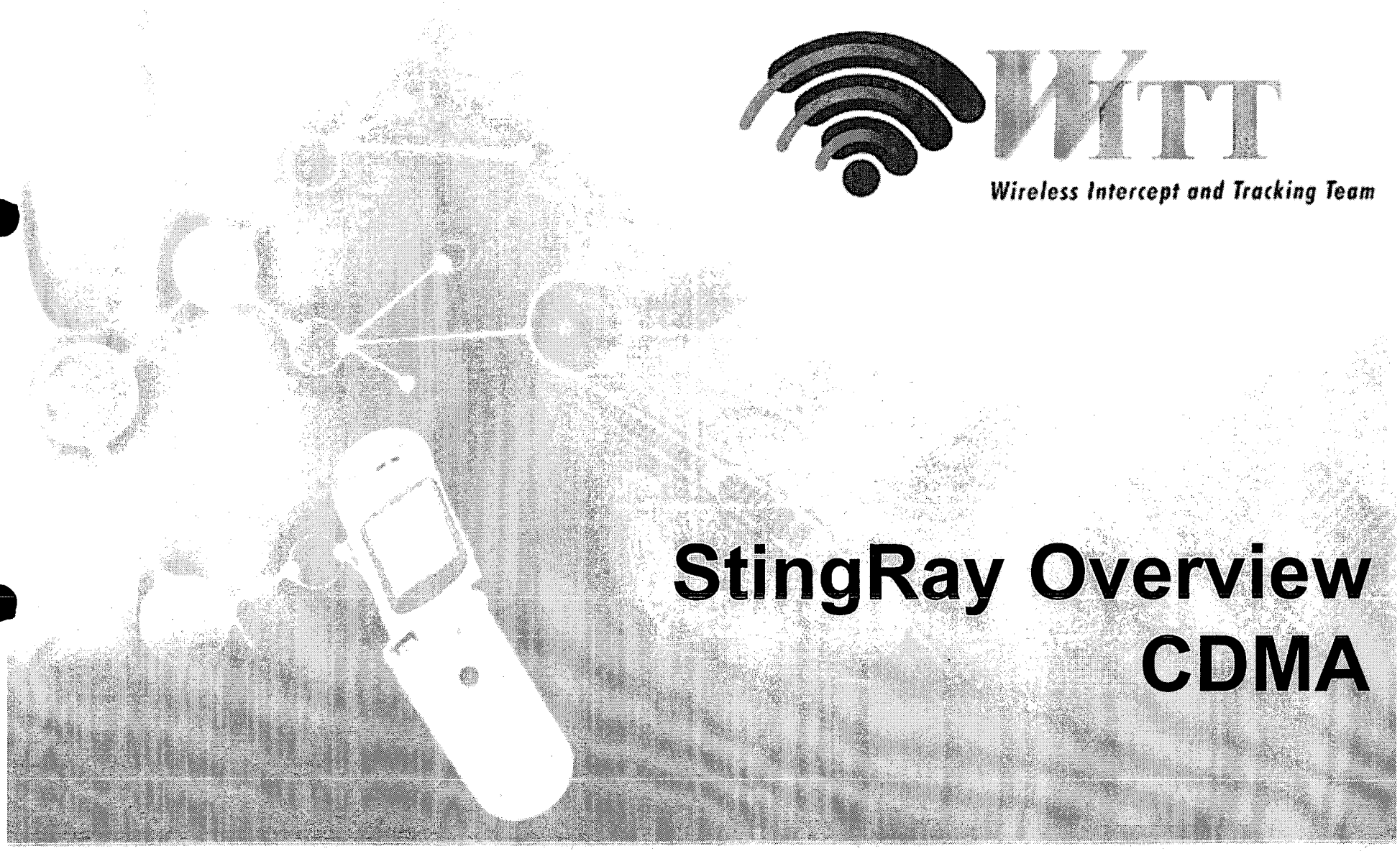
CELL/OTD 002632



WITT

Wireless Intercept and Tracking Team

StingRay Overview
CDMA

CELL/OTD 002636

WITT
Wireless Intercept and Tracking Team

Introduction to StingRay

StingRay is a [redacted]

[redacted]

[redacted]

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CELL/OID 002637

WITT
Wireless Intercept and Tracking Team

Who uses CDMA?

From our technology matrix, Sprint and Verizon use CDMA in addition to many smaller regional operators

TECH	NATIONWIDE SERVICE PROVIDERS
CDMA	verizon wireless, Sprint
TDMA/ Analog	cingular fits you best
GSM	T-Mobile, cingular fits you best
iDEN	NEXTEL

[redacted]

CELL/OTD 002638

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CELLSITE-6422

WITT

Wireless Intercept and Tracking Team

StingRay

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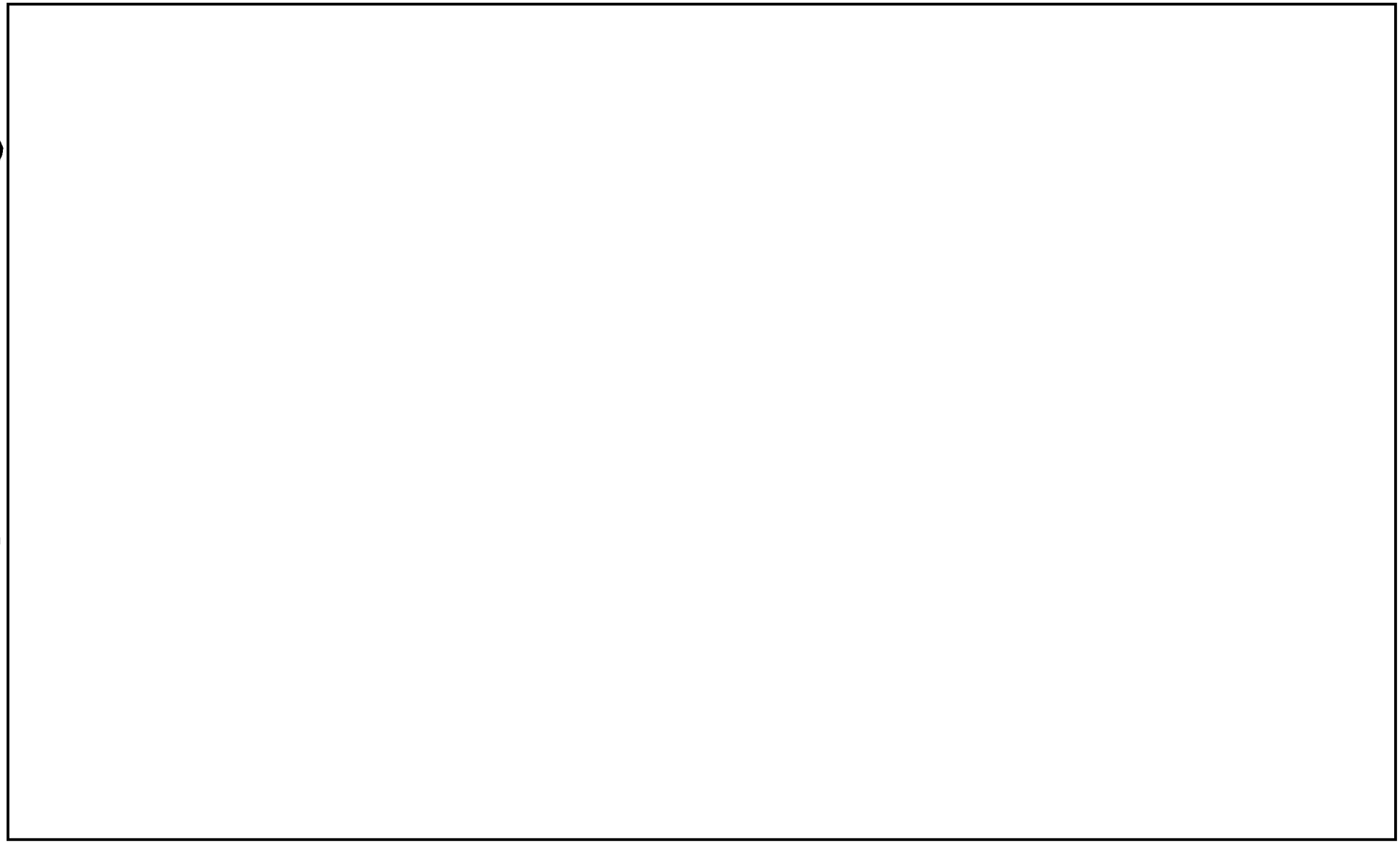

CELL/OTD 002639

WITT

Wireless Intercept and Tracking Team

StingRay Setup

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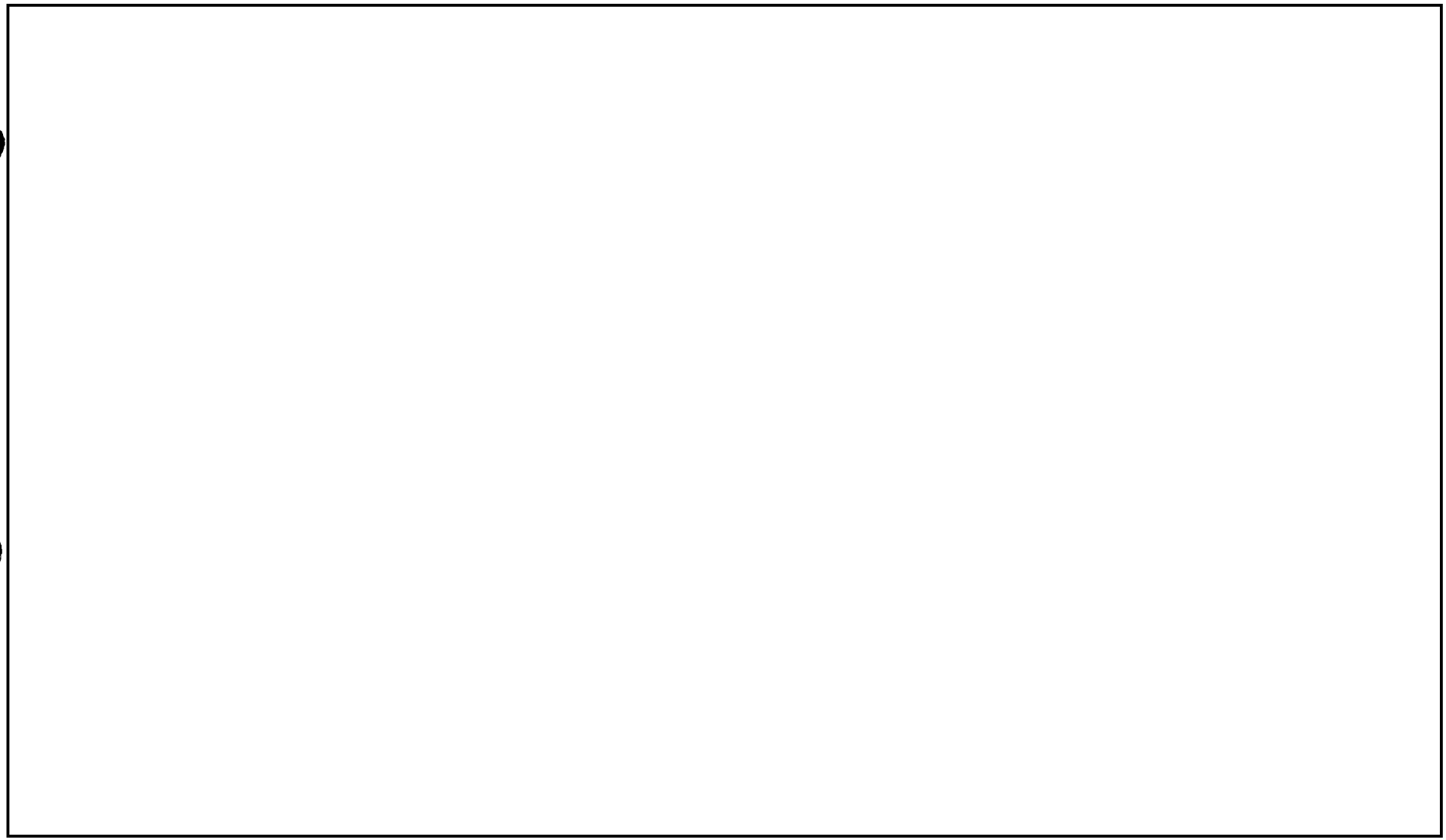
CELL/BID 002640

CELLSITE-6424

WITT
Wireless Intercept and Tracking Team

Modes of Operation



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CELL/OTD 002641

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WITT

Wireless Intercept and Tracking Team

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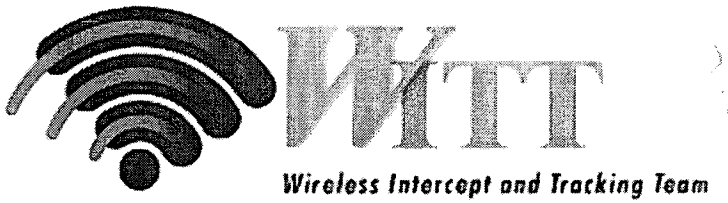
FBI/DOJ



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WITT

Wireless Intercept and Tracking Team

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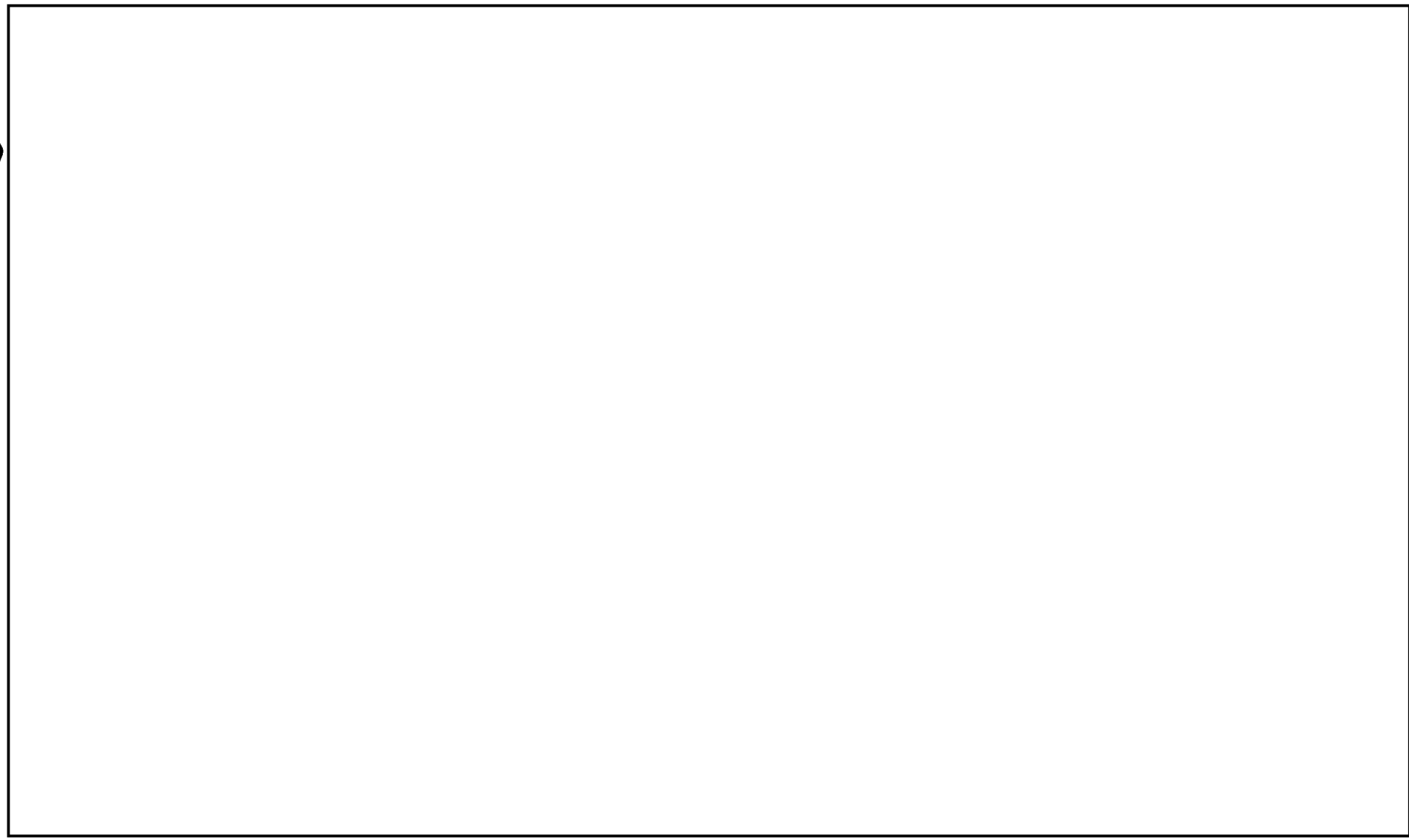

CELLOTD 002644

CELLSITE-6428

WITT

Wireless Intercept and Tracking Team

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CELL/OTD 002645

CELLSITE-6429

WITT

Wireless Intercept and Tracking Team

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CELLSITE 002646

WITT

Wireless Intercept and Tracking Team

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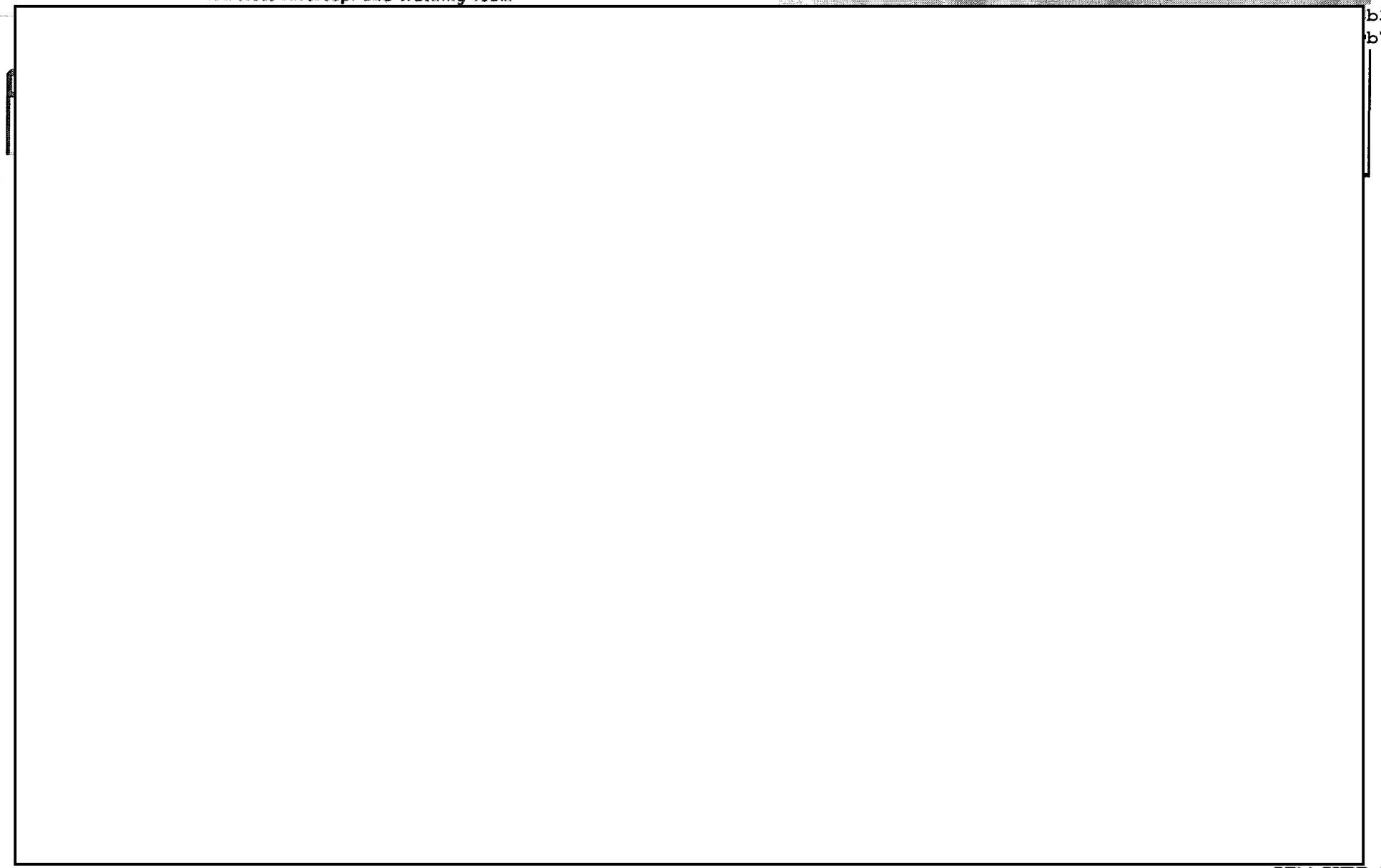

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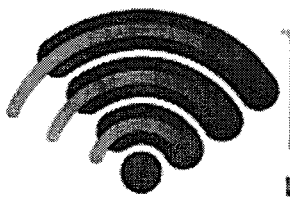

WITT

Wireless Intercept and Tracking Team

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CELL/DTD 002648

CELLSITE-6432

WITT

Wireless Intercept and Tracking Team

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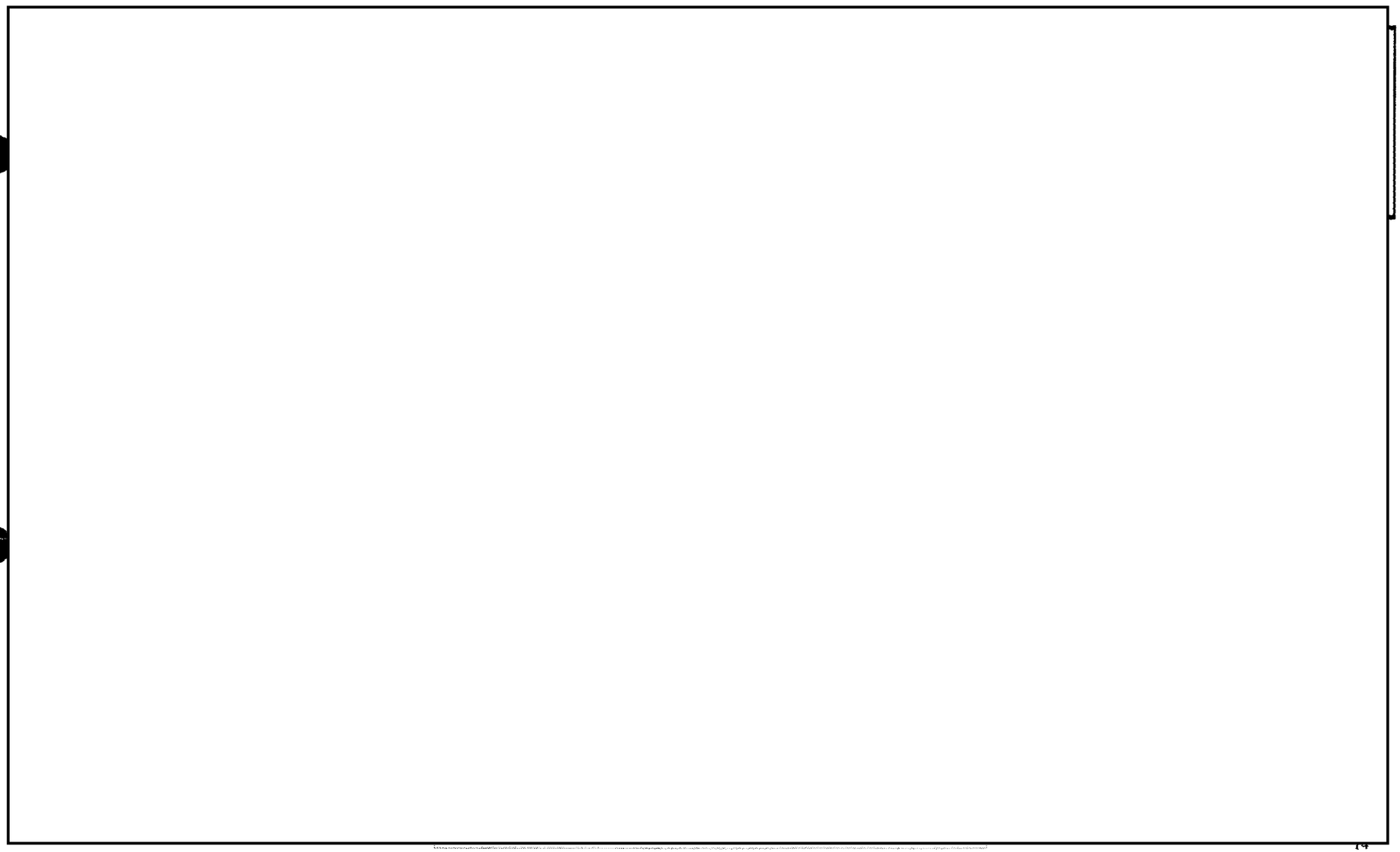
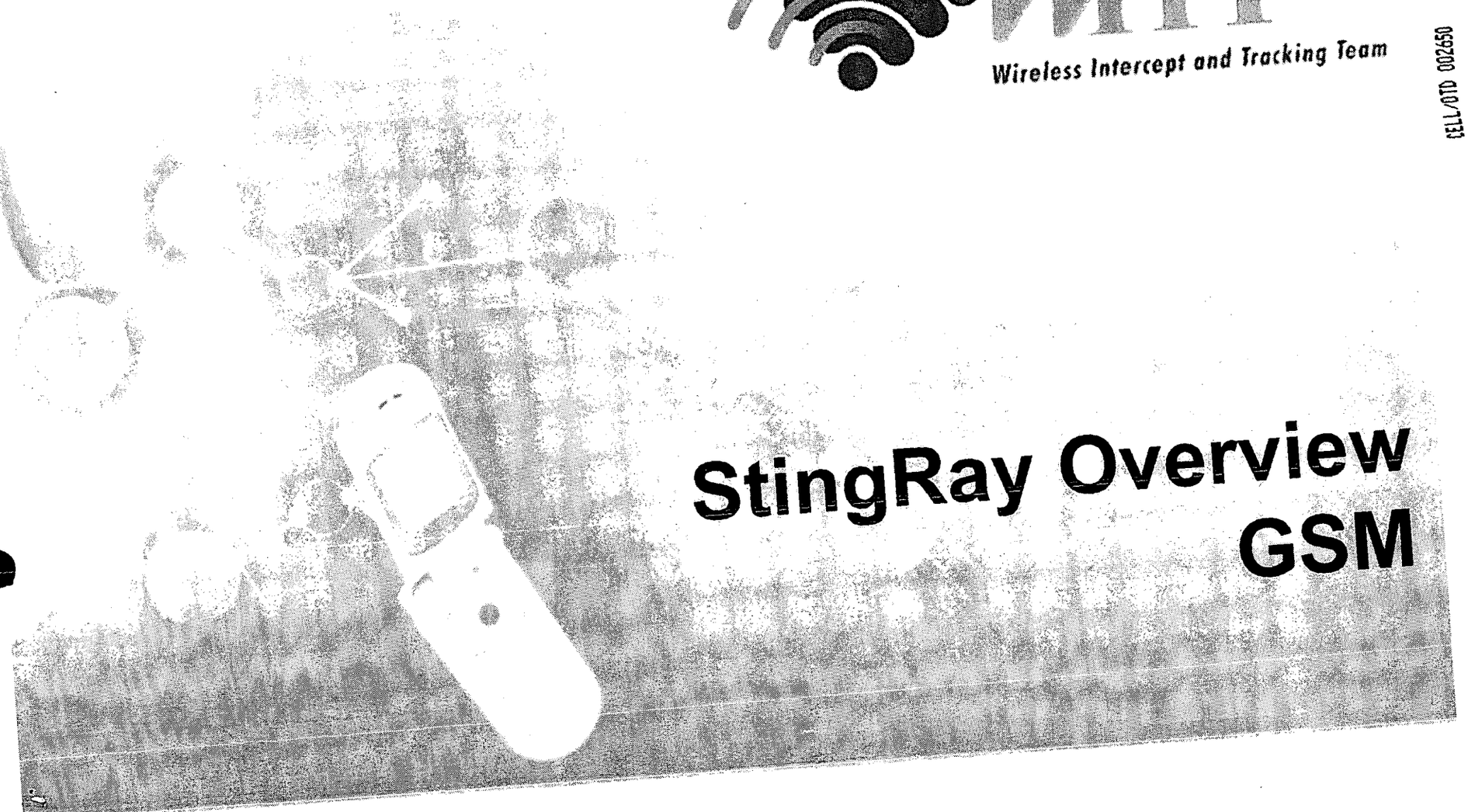


CELL/OTD 002649

WITT

Wireless Intercept and Tracking Team

CELL/OTD 002650



StingRay Overview GSM

WITT
Wireless Intercept and Tracking Team

Introduction to StingRay

StingRay is a [redacted]

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[redacted]

[redacted]

CELL/OTD 002651

WITT
Wireless Intercept and Tracking Team

Who uses GSM?

From our technology matrix, Cingular and T Mobile use GSM technology. In addition, majority of non- U.S. carriers operate with GSM technologies

TECH	NATIONWIDE SERVICE PROVIDERS
CDMA	verizon wireless, Sprint
TDMA/ Analog	cingular fits you best
GSM	T-Mobile, cingular fits you best
iDEN	NEXTEL

CELL/OTD 002652
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CELLSITE-6436

WITT

Wireless Intercept and Tracking Team

StingRay

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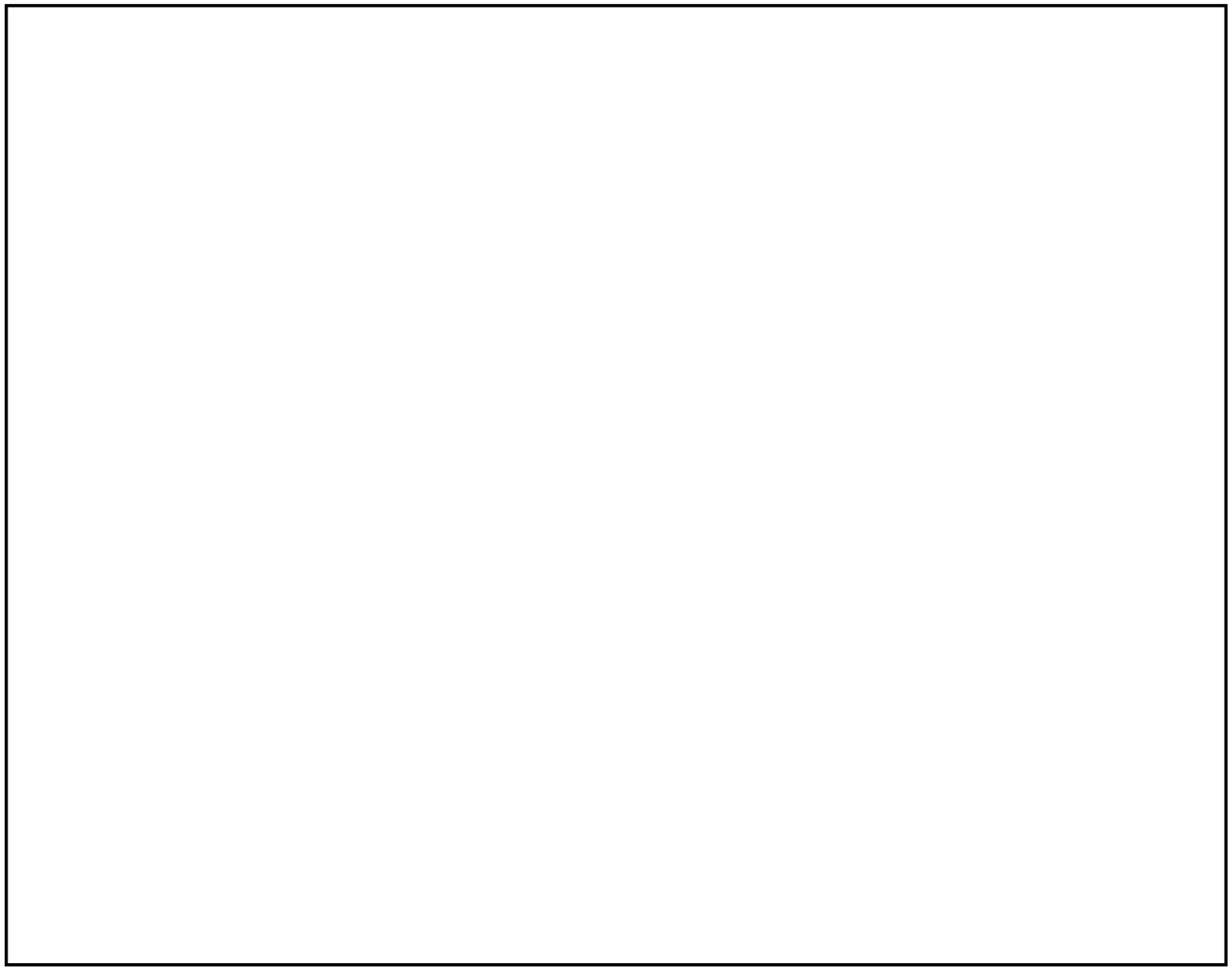
CELL/OTD 002653

CELLSITE-6437

WITT

Wireless Intercept and Tracking Team

StingRay Setup



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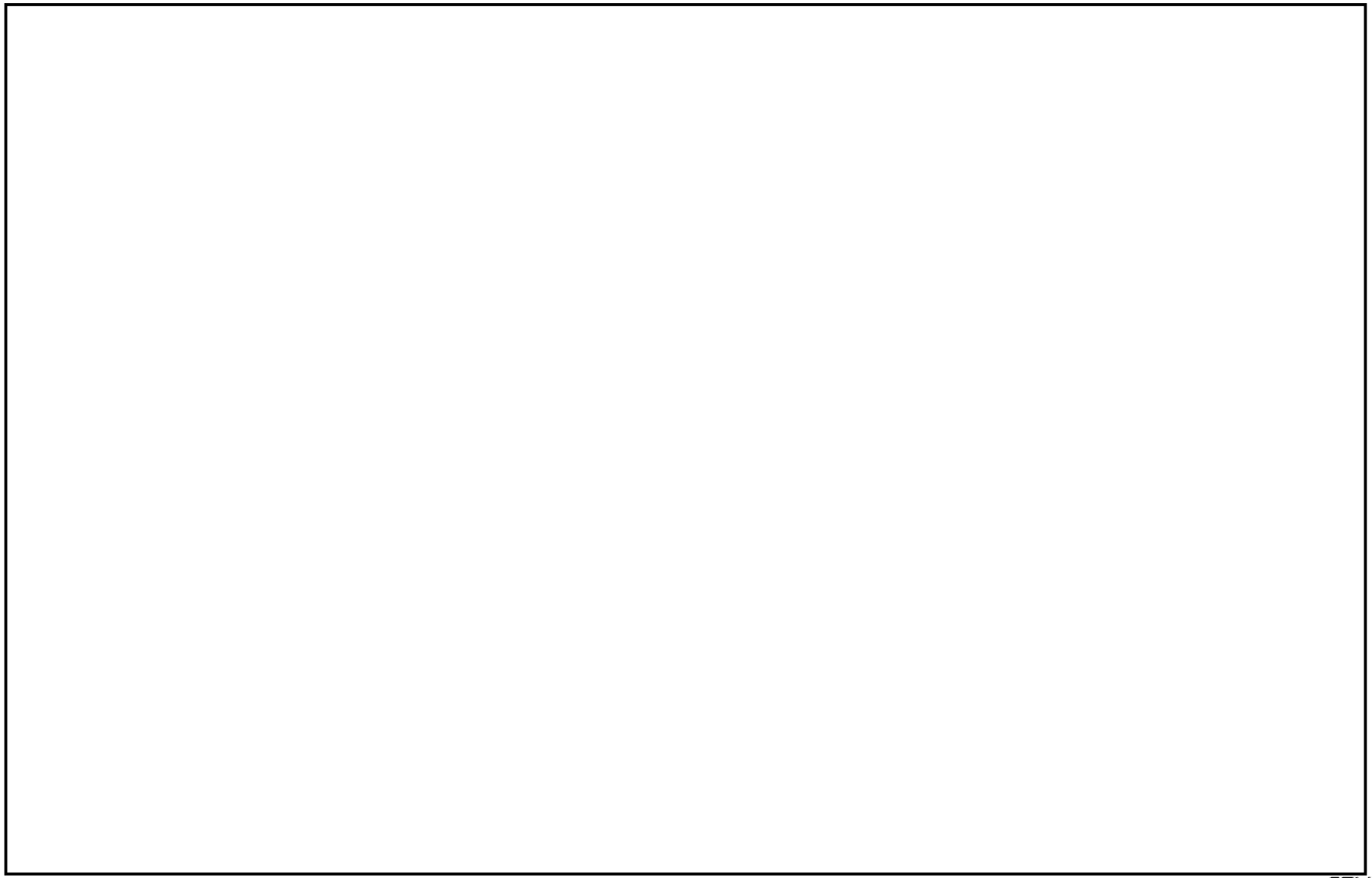
WITT
Wireless Intercept and Tracking Team

Modes of Operation



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CELL/OTD 002655

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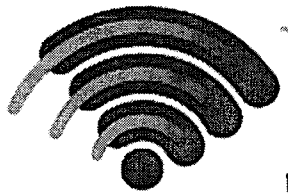

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CELL/OTD 002656

CELLSITE-6440

CELL/OTD 002657

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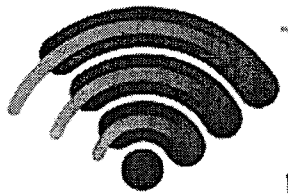
CELLSITE-6441



WITT

Wireless Intercept and Tracking Team

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CELL/OTD 002658

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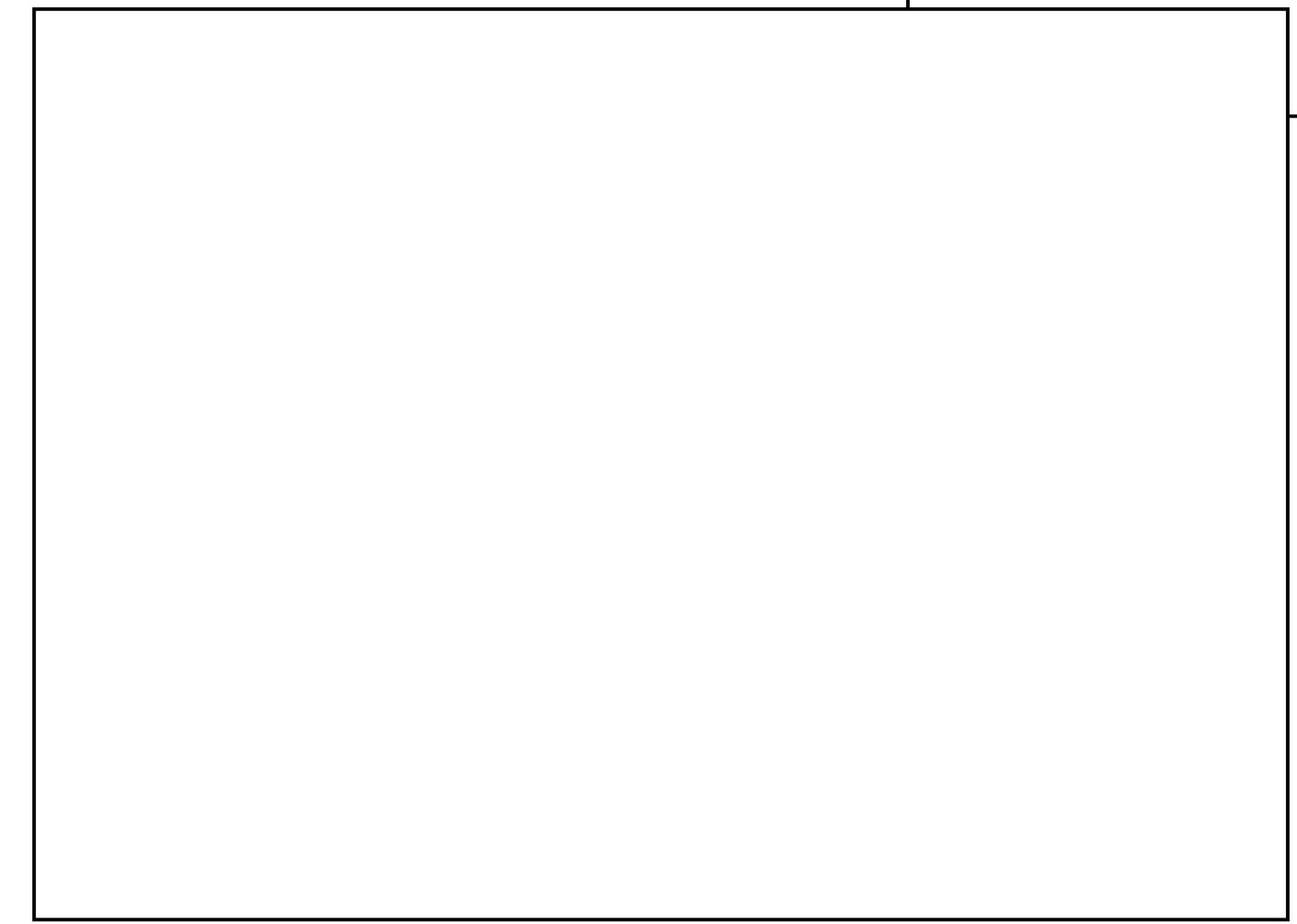
WITT

Wireless Intercept and Tracking Team



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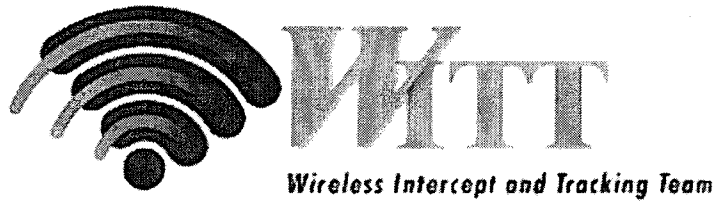
CELLSITE-6443



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CELL/OTD 002660

WITT

Wireless Intercept and Tracking Team

CELL/OTD 002661

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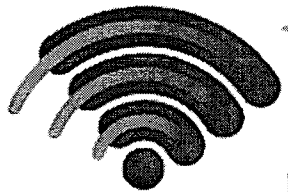
CELLSITE-6445



WITT

Wireless Intercept and Tracking Team

CELL/OTD 002662

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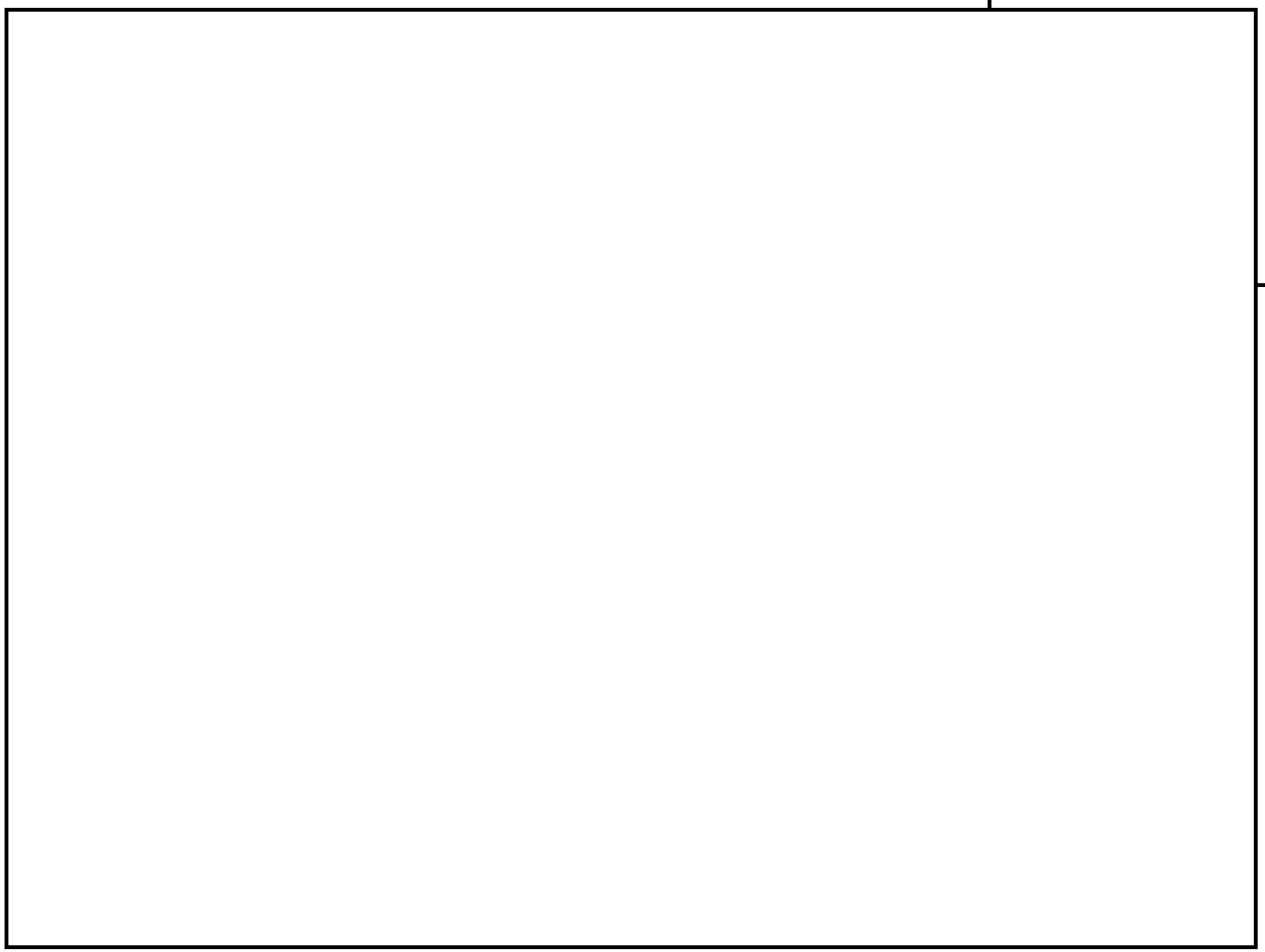
LSITE-6446

WITT

Wireless Intercept and Tracking Team

CELL/OTD 002663



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CELLSITE-6447

WITT

Wireless Intercept and Tracking Team

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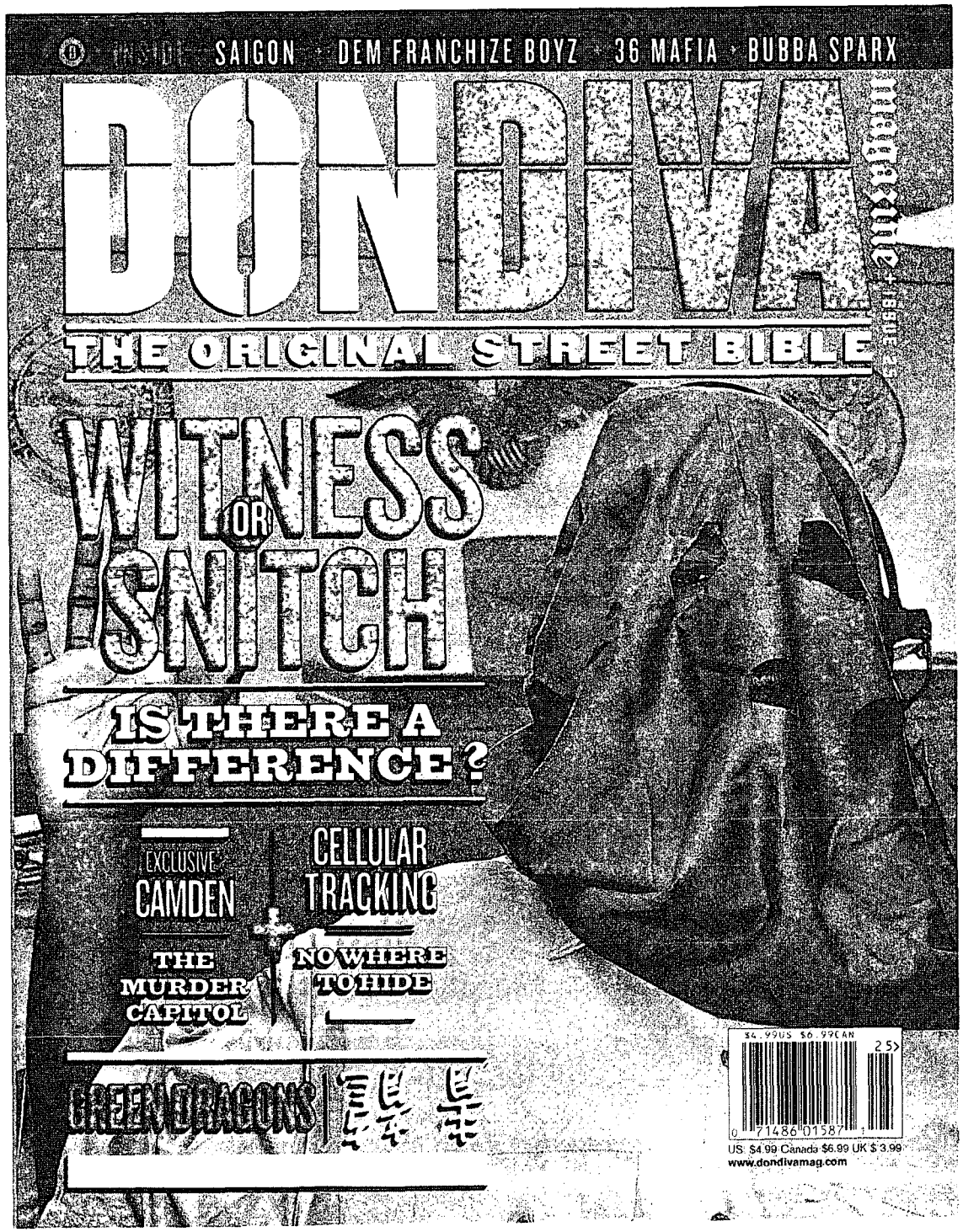
16 Blocks



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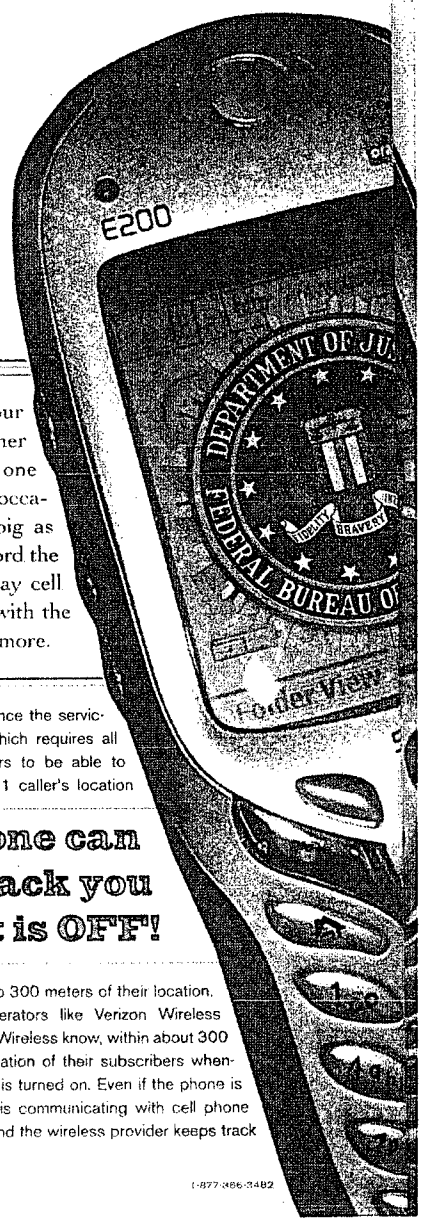
CELLSITE-6449

NEWSYOUCANUSE
ISSUE : 25
2006

CELLULAR SURVEILLANCE!

The Feds know where you are right now!



In 2006 carrying a cell phone is as common as carrying your ID. When cell phones were first introduced to the consumer market in 1983, the only people you would see carrying one were professionals like doctors and lawyers and of course your occasional drug dealer- this was back when cell phones were as big as bricks. At this time these people were the only ones who could afford the $3,995 to buy the phone and the inevitable $1000 cell bill. Today cell phones themselves are cheap and the bills are even cheaper and with the advent of prepaid cell phones you don't even need good credit anymore.

Why have cell phones become so easily accessible in our society? Is it really all about corporate competition bringing down the prices of cell phone plans, that are making cell phones so convenient and easy for everyone to get their hands on? If you believe in the idea of Conspiracy Theory then you are more likely to believe that cell phones have been made more readily available to ANYONE because it benefits big brother.

Most Americans carry cell phones, but many may not know that government agencies can track a persons movements through the signals that emanate from their cell phone.

Beginning in October of 2001, the Federal Communications Commission required cellular carriers to make cell phones Global Positioning System* (GPS) enabled. (GPS- A system of satellites, computers, and receivers that is able to determine the latitude and longitude of a receiver on Earth by calculating the time difference for signals from different satellites to reach the receiver. Basically some shit that track exactly where you are on earth.) This was done in an effort to enhance the services of 911, which requires all cellular carriers to be able to pinpoint a 911 caller's location to within 50 to 300 meters of their location.

Your cell phone can be used to track you even when it is OFF!

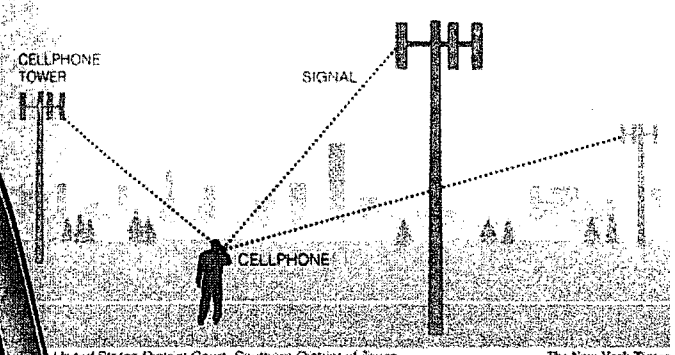
Cellular operators like Verizon Wireless and Cingular Wireless know, within about 300 yards, the location of their subscribers whenever a phone is turned on. Even if the phone is not in use it is communicating with cell phone tower sites, and the wireless provider keeps track

1-877-486-3482

CELLSITE-6450

Tracking a Cellphone

Cellphones act like low-power radio transmitters. By using multiple cell towers to measure a signal transmitted by the phone, providers can determine the location of that phone with an accuracy of about 300 yards.



United States District Court, Southern District of Texas — The New York Times

of the phone's position as it travels. The operators have said that they turn over location information when presented with a court order to do so.

Prosecutors argue that having such information is crucial to finding suspects, corroborating their whereabouts with witness accounts, or helping build a case for a wiretap on the phone.

The government has routinely used records of cellphone calls and caller locations to show where a suspect was at a particular time, with access to those records obtainable under a lower legal standard. (Wireless operators keep cellphone location records for varying lengths of time, from several months to years.)

But it is unclear how often prosecutors have asked courts for the right to obtain cell-tracking data as a suspect is moving. And the government is not required to report publicly when it makes such requests.

Legal experts say that such live tracking has tended to happen in drug-trafficking cases. In a 2003 Ohio case, for example, federal drug agents used cell tracking data to arrest and convict two men on drug charges.

In recent months there have been four requests from the U.S. Department of Justice to track people through their cell phones with not showing probable cause.* (Probable Cause- Reasonable grounds for belief that an accused person may be subject to arrest or the issuance of a warrant.)

Of the four such motions made, judges in New York, Texas and Maryland denied the Department of Justice's requests, stating that the government lacked statutorial authority to track cell phone location without a warrant.

In the New York and Texas cases, the courts approved FBI requests for other information from the wireless carriers, including logs of numbers a cell phone user called and received calls from. Court orders for that information require law enforcement agencies to show only that the information is relevant to an ongoing investigation.

But the FBI also sought cell-site locations, which the courts said amounted to the ability to monitor someone's movements. The judges ruled that such information requires law enforcement to show "probable cause" that a crime has been or is being committed.

But most recently, on Dec. 20, 2005 a fourth judge, in New York, ruled in the government's favor, finding that the USA Patriot Act and federal wiretapping laws allow police to track cell phone signals without showing probable cause.

What does this all mean to you? The bottom line is this. The technology in your cell phone makes it possible for the government to track your whereabouts in real time. If they have the technology it would be in your best interest to assume that they are using. Whether it is legal and constitutional is of no consequence- do you really have the money or time to test it. Not only do you need to watch what you say on the cell phone you need to be mindful of where you take it! You've been warned.

GPS Ain't All Bad!

The basic concept behind GPS is a great thing. The technology makes it possible for you to remotely track your children in the event they are abducted or get lost. There are dozens of devices popping up using GPS technology that can be purchased for as little as $50 that may save the life of your child. GPS also allows 911 operators to locate you in an emergency when you call them from your cell phone. Companies like On-Star use GPS to track vehicles' whereabouts and allows motorists to summon emergency help or to ask directions. So the Technology used as it was intended is beneficial to all of us- its the misuse and invasion of privacy that we must concern ourselves with.

CELL/OTD 002667

CELLSITE-6451

3.1.3.1005

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

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X For this Page X
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REASON: 1.4 (c,g)
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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEP b6
WHERE SHOWN OTHERWISE b7C

From: [redacted]
To:
Date: Thu, May 8, 2003 3:12 PM
Subject: FYI - Info you requested - (* * * ~~SECRET~~ * * *)

* * * ~~SECRET~~ * * *

[redacted]

Two units are available: [redacted] **and** [redacted] b3 b7E

[redacted]

(S) [redacted] b1 b3

~~SECRET~~
CELL/OTD

001525

CELLSITE-594

(S) [redacted] b1 b3

If you have additional questions or need more info feel free to holla'!

Thanks

[redacted]

* * * ~~SECRET~~ * * *

CC: [redacted] b6 b7C

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DATE 10-11-2012 BY 65179/dmh/stp/aa

FBI

Portable Electronic Device Security Management Plan (SMP) for Legacy [redacted]

From

Investigative Technology Division

[redacted]

Wireless Intercept and Tracking Team (WITT)

09/7/2004

Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Room 9364
Washington, DC 20530

Prepared By:
[redacted] *WITT Program Manager*
[redacted] *WITT Chief Technician*
[redacted]
Engineering Research Facility, Building [redacted]
Quantico, Virginia 22135
[redacted]

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1 INTRODUCTION

This document serves as the instrument for the Mobile Computing Security Program to identify requirements and assess risk, with the objective of providing an approval-to-operate. The information required for this assessment includes, but is not limited to, a complete scope of need, justification, concept of operations, technical specifications, configuration management and residual risk relative to the device being placed into service. Once completed, and if residual risk is deemed acceptable, an official EC will be generated granting a Security Management Plan (SMP) for those device(s) described within, in the manner set forth in the concept of operations. Attachments 1 and 2 are "living" documents. That is they are updated each time there is a change in the configuration, or when new devices are fielded under this SMP. Attachment 1 is the Configuration Management control document that lists the specific applications in use under this SMP. Attachment 2 is a complete listing of all devices fielded under this SMP.

2 MISSION BACKGROUND

The WITT provides

The first area of focus for WITT

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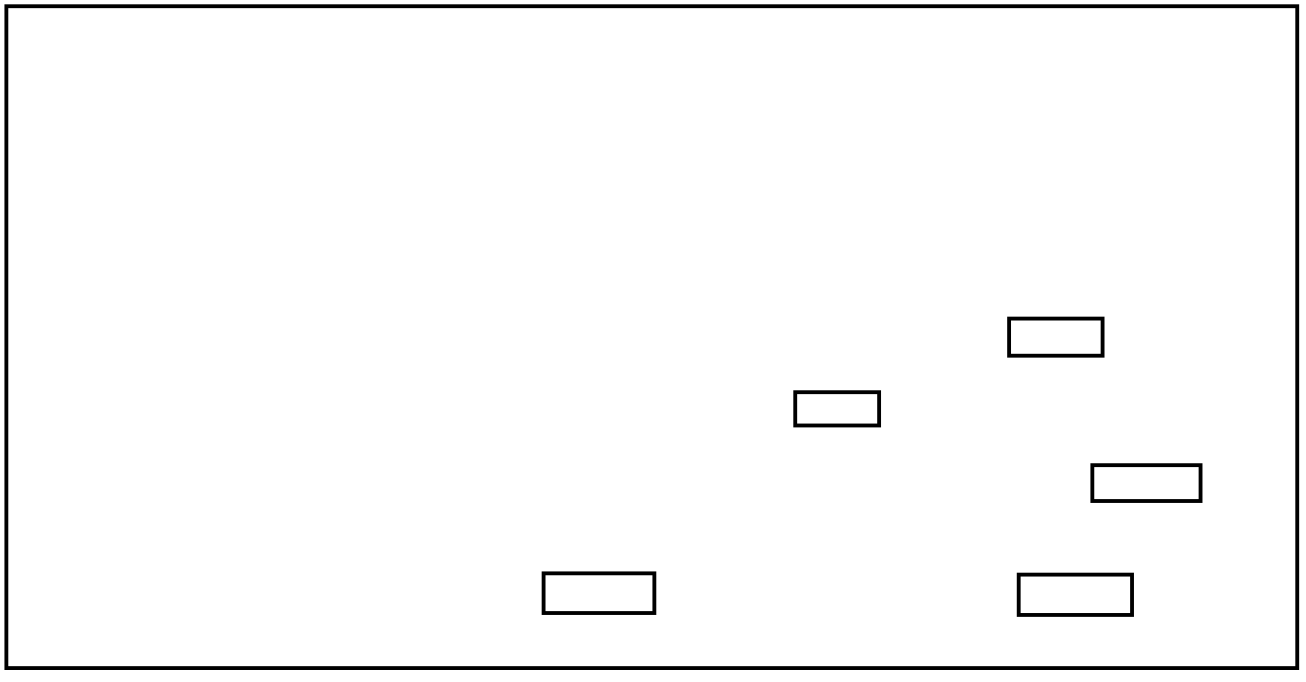
b7E

3 JUSTIFICATION FOR REQUEST

CELL/OTD

001542



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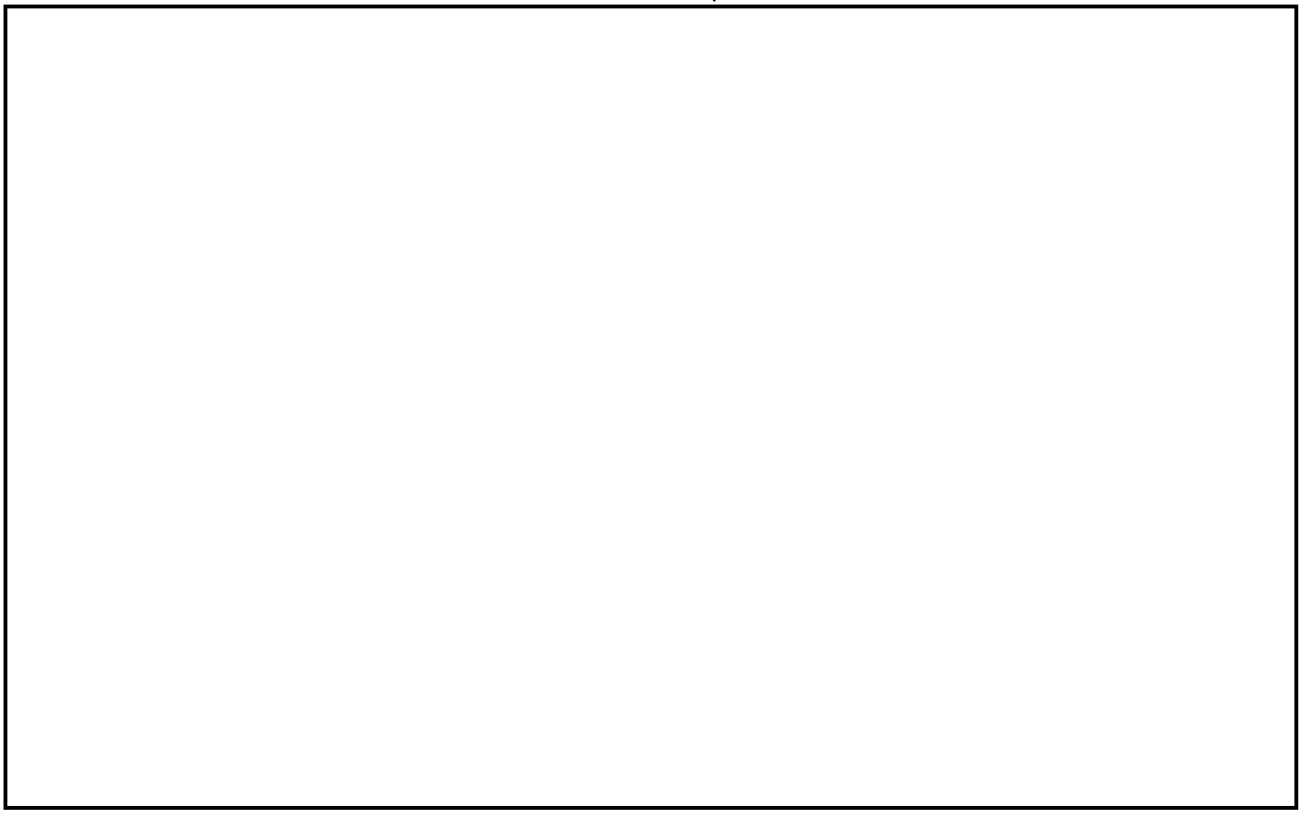
4 CONCEPT OF OPERATIONS



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5 TECHNICAL DATA

5.1

5.2 *Field Control/Storage*

b3
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5.3

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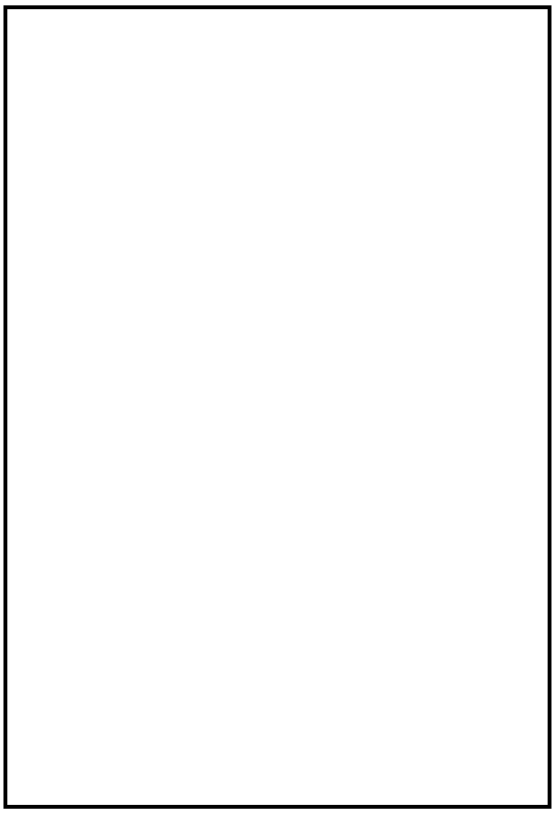
5.4 Technical Specifications



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8 POINTS OF CONTACT

The ISSM has approval authority for the [redacted] and is responsible for the life cycle system security. Significant changes in configuration or usage will be submitted to the ISSM by the ISSO for approval.

Information Systems Security Manager: [redacted]

The ISSO is responsible for day-to-day oversight of the [redacted] He is responsible for engineering, development, configuration management and ensuring that the program security requirements are met. The ISSO also maintains an up-to-date inventory of all [redacted] contained within this OP plan and to report any:

- Loss
- Changes in configuration or usage
- Incremental/decremental changes to the baseline to the PSO and ISSM.

WITT [redacted] Information Systems Security Officer(s): [redacted]

Note: In the event that an ISSM is not assigned, ISSM duties are the responsibility of the assigned security officer.

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9 CONFIGURATION MANAGEMENT

Configuration management is a process that controls and manages changes (i.e., new applications, peripherals, changes in configuration, etc.) to a device or system. By controlling changes made to a system's hardware, software, firmware, and/or documentation, throughout the system/device life cycle, configuration management is a mandatory, integral part of this overall risk management solution. The ISSM and ISSO are responsible for managing this process.

9.1 Incremental Changes

Incremental changes to the baseline may be vetted and approved by the ISSM. Minor changes such as the revision number of an application do not require ISSM approval but are to be tracked by the ISSO in the configuration information periodically provided to the ISSM in the configuration management document illustrated in Attachment 1.

9.2 Security Architecture and Usage Changes

Any changes affecting the security architecture including the manner in which the [redacted] are used or the type of data stored on them may require a renegotiated Security Management Plan (SMP).

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10 RULES OF BEHAVIOR

The PEDs known as [redacted] covered under this SMP are granted deviations from the standard security settings based on operational need. These deviations have corresponding expected rules of behavior with respect to how they are used, stored, and maintained. These include:

10.1 [redacted] *Protection*

[redacted]

10.2 *Data Protection*

[redacted]

10.3 [redacted]

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b7E

[redacted]

10.4 [redacted]

[redacted]

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10.5

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Federal Bureau of Investigation

Wireless Intercept and Tracking Team (WITT)

FBI [redacted]

[redacted]

SSA [redacted]
Program Manager
April 17, 2003

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WITT Program Overview

[redacted] WITT

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[redacted] TASK ORDER CONTRACT

TASK #1

(S) [redacted]

(S) [redacted]

(S) [redacted]

(S) [redacted]

* (S) [redacted]

* (S) [redacted]

(S) [redacted]

* (S) [redacted]

(S) [redacted]

* (S) [redacted]

(S) [redacted]

b1
b3

* (S) [redacted]

(S) [redacted]

* (S) [redacted]

(S) [redacted]

* (S) [redacted]

(S) [redacted]

* (S) [redacted]

(S) [redacted]

* (S) [redacted]

* (S) [redacted]

(S) [redacted]

* (S) [redacted]

(S) [redacted]

* (S) [redacted]

(S) [redacted]

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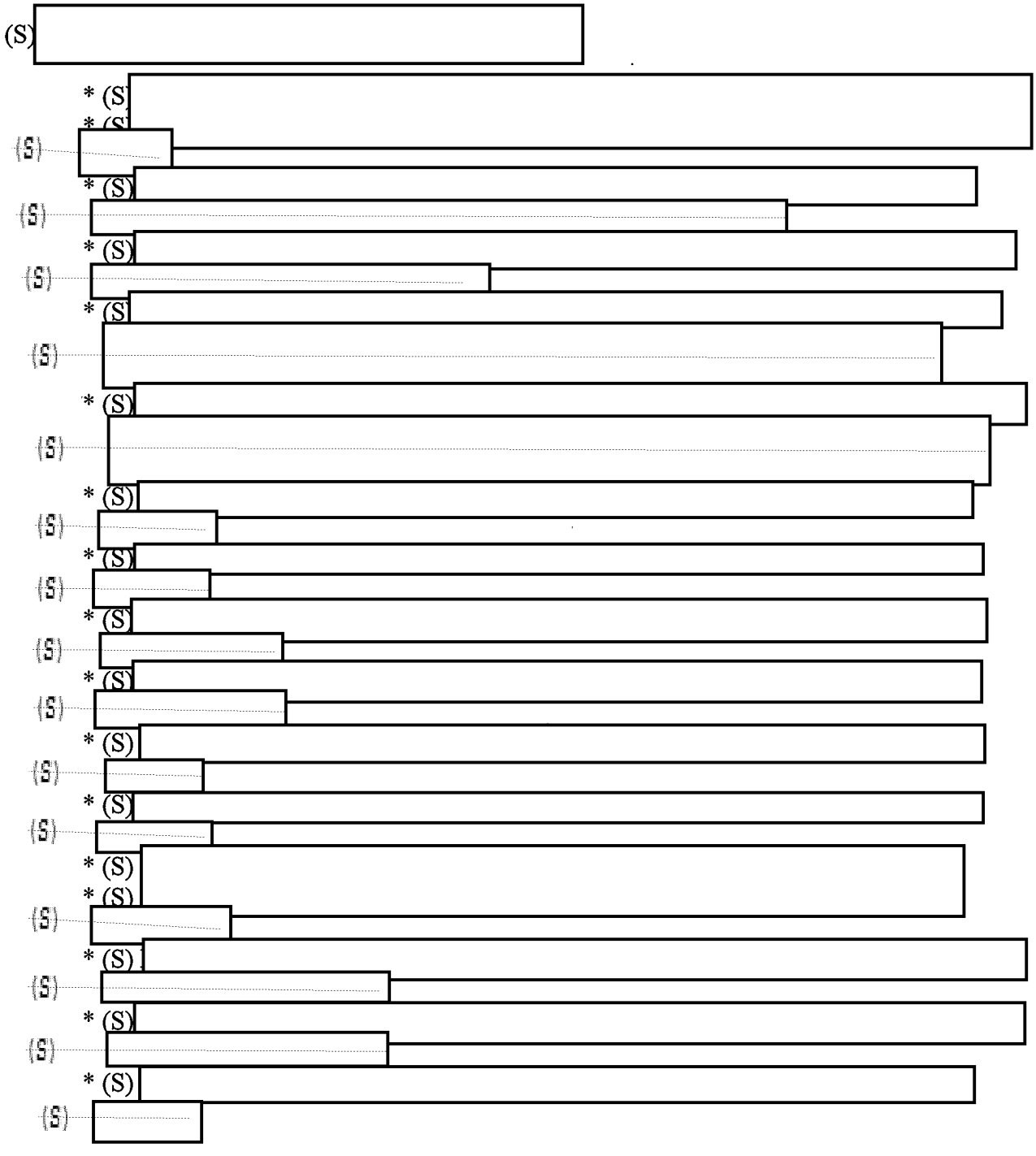
TASK ORDER CONTRACT
TASK #1



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[redacted] TASK ORDER CONTRACT
TASK #1

(S) [redacted]

* (S) [redacted]
(S) [redacted]
* (S) [redacted]
(S) [redacted]
* (S) [redacted]
(S) [redacted]
* (S) [redacted]
(S) [redacted]
* (S) [redacted]
* (S) [redacted]
(S) [redacted]
* (S) [redacted]
* (S) [redacted]
(S) [redacted]
* (S) [redacted]

b1
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The deliverables for Task #1 shall include:

* (S) [redacted]
* (S) [redacted]
(S) [redacted]
* (S) [redacted]

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DATE: 10-11-2012
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REASON: 1.4 (c,g)
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STATEMENT OF WORK

1 INTRODUCTION

(S) [redacted]

(S) [redacted]

b1
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2 OBJECTIVE

(S) [redacted]

(S) [redacted]

(S) [redacted]

(S) [redacted]

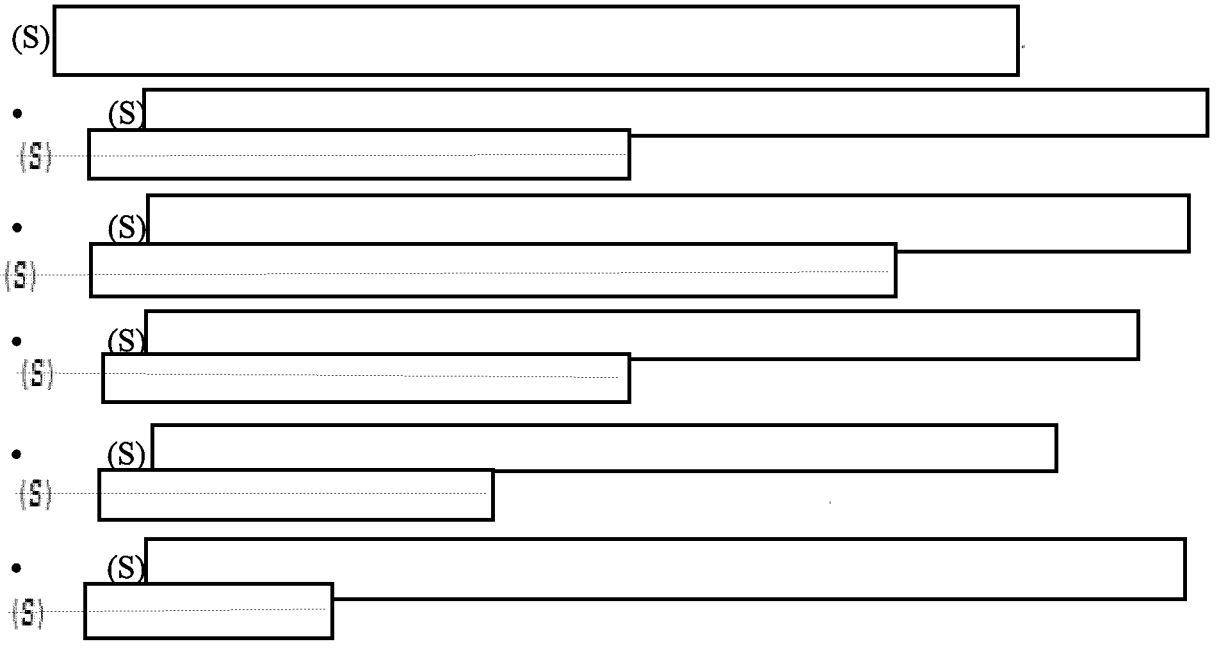
(S) [redacted]

(S) [redacted]

3 TASK DESCRIPTION

(U) After the award of the contract, the FBI will provide task assignments in writing to the contractor. The contractor will submit, in writing, a best estimate for the technical approach, cost, and amount of time needed to perform the task as well as a description of the task milestones and deliverables. Written approval from the FBI Contracting Officer will be required before the contractor will be authorized to proceed with the task order. The price quote for each task order shall include all items to be procured by the contractor for use in the task assignment.

4 SCOPE



b1
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5 REQUIREMENTS

(U) Once a contract is established, the following events will occur on a task assignment basis:

- Task Assignment: (U) The FBI will provide a task assignment in writing to the contractor. The contractor will submit, in writing, a best estimate for the technical approach, cost, and amount of time needed to perform the task as well as a description of the task milestones and deliverables. Written approval from the FBI Contracting Officer will be required before the contractor will be authorized to proceed with the task order. The price quote for each task order shall include all items to be procured by the contractor for use in the task assignment.

- Technical Review Meetings: (U) The contractor shall conduct technical review meeting(s) to give the FBI a technical description of the proposed effort. Meeting(s) will also be conducted to provide the FBI with an on going status of the task effort. Meeting schedules and locations will be determined at a later date.

- Acceptance Testing: (U) Once a demonstration device is constructed for a task, the contractor shall conduct an Acceptance Test to demonstrate compliance with technical requirements. An FBI representative shall participate and witness the Acceptance Test. Within thirty days of the completion of the Acceptance Test, the FBI shall provide written description of the device's technical deficiencies to the contractor.

- Product Delivery: (U) Once the contractor has demonstrated that the developed product (device, system, or study) complies with the FBI requirements, the contractor shall deliver the product to the FBI in the quantity specified in the task assignment.

6 Security

(U) The work described in this Statement of Work is considered sensitive. Release of any information related to this work may compromise the FBI's mission and is prohibited without prior written consent from the FBI.

~~SECRET~~

DATE: 10-12-2012
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REASON: 1.4 (c,g)
DECLASSIFY ON: 10-12-2037

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From: [redacted]
To:
Date: Mon, Feb 2, 2004 8:24 AM
Subject: [redacted]

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[redacted]

(S)

b1
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b7E

plus i heard last week that one of their main [redacted] guys has left the company to pursue a career in dentistry - whats up wit that? go figure...

[redacted]

(S)

dont worry - as soon as the release hits we'll test/confirm it and ship/email it out right away!

~~SECRET~~

DATE: 10-12-2012
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REASON: 1.4 (c,g)
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WHERE SHOWN OTHERWISE

*** ~~SECRET~~ ***

(U) Security Addendum to EC dated 03/13/03, captioned, "Wireless Intercept and Tracking Team (WITT) [redacted] and requisition #128815 dated 03/12/03. b3 b7E

(S) [redacted]

(S) [redacted]

(S) [redacted] b1 b3

(S) [redacted]

(S) [redacted]

(S) [redacted]

(U) Full and open competition of referenced procurement requirement could [redacted] b3 b7E [redacted], it is recommended that no advertisement be made.

April 24, 2003

[redacted] b6 b7C
Security Officer
Investigative Technology Division

~~Derived From: G-3~~
~~Declassify On: X1~~

*** ~~SECRET~~ ***

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DATE 10-12-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Monday, July 23, 2007 4:50 PM
To: [redacted]
Subject: FW: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

-----Original Message-----
From: [redacted]
Sent: Monday, July 23, 2007 4:41 PM
To: [redacted]
Subject: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

I omit to inform you that we are shipping to your office a few items that were distributed in the [redacted] conference. One of which is a thumbdrive that contained the powerpoint presentation materials which should be helpful to those who couldn't attend the conference but want to know what was covered. I recalled over the course of time that you had reached out to us and asked why you were not successful in [redacted] [Material information including where to procure the part is shown in the enclosed attachment.]

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[redacted]ppt

[redacted] In addition Harris claims [redacted]

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

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CELLSITE-741

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DATE 10-12-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Tuesday, July 24, 2007 2:50 PM
To: [redacted]
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

We would like to see if you could work with your field office [redacted]

[redacted]

[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, July 24, 2007 7:04 AM
To: [redacted]
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b3
b6
b7C
b7E

FYI, [redacted] has a VERY limited tech budget. Do I need to try to fight my office for extra money next year, or is there a possibility of WITT covering the purchase sometime in the future?

[redacted]

[redacted]

-----Original Message-----
From: [redacted]
Sent: Monday, July 23, 2007 4:50 PM
To: [redacted]
Subject: FW: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

-----Original Message-----
From: [redacted]
Sent: Monday, July 23, 2007 4:41 PM
To: [redacted]
Subject: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

CELL/OTD 001754

[redacted]

I omit to inform you that we are shipping to your office a few items that were distributed in the [redacted] conference. One of which is a thumbdrive that contained the powerpoint presentation materials which should be helpful to those who couldn't attend the conference but want to know what was covered. I recalled over the course of time that you had reached out to us and asked why you were not successful [redacted] [Material information including where to procure the part is shown in the enclosed attachment.]

<< File [redacted] ppt >>

[redacted] In addition Harris claims [redacted] b3 b6 b7C b7E

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 001755

CELLSITE-743

ALL INFORMATION CONTAINED
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DATE 10-12-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Friday, August 10, 2007 9:56 AM
To: [redacted]
Cc:
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

8/10-14/07 would be the best. Let us know if you want a hotel room on the beach, we may be able to hook you up.

Thanks,

[redacted]

-----Original Message-----
From: [redacted]
Sent: Wednesday, July 25, 2007 4:24 PM
To: [redacted]
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

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Advise us on the available date for Sept.

-----Original Message-----
From: [redacted]
Sent: Tuesday, July 24, 2007 3:18 PM
To: [redacted]
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Put us on the list requesting [redacted] Hopefully [redacted] will be prioritized for funding. I will do an [redacted]

Again, [redacted] and I would like to be present for [redacted] August is bad until 27th. Early Sept, much better.

Thanks,

[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, July 24, 2007 2:50 PM
To: [redacted]
Subject: RE: WITT

CELL/OTD 001756

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

We would like to see if you could work with your field office [redacted]

[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, July 24, 2007 7:04 AM
To: [redacted]
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

FYI, [redacted] has a VERY limited tech budget. Do I need to try to fight my office for extra money next year, or is there a possibility of WITT covering the purchase sometime in the future?

[redacted]

b3
b6
b7C
b7E

-----Original Message-----
From: [redacted]
Sent: Monday, July 23, 2007 4:50 PM
To: [redacted]
Subject: FW: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

-----Original Message-----
From: [redacted]
Sent: Monday, July 23, 2007 4:41 PM
To: [redacted]
Subject: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Mark:

I omit to inform you that we are shipping to your office a few items that were distributed in the [redacted] conference. One of which is a thumbdrive that contained the powerpoint presentation materials which should be helpful to those who couldn't attend the conference but want to know what was covered. I recalled over the course of time that you had reached out to us and asked why you were not successful [redacted]

[redacted]

[redacted][Material information including where to procure the part is shown in the enclosed attachment.]

<< File:[redacted]ppt >>

[redacted]

[redacted]In addition Harris claims[redacted]

b3
b6
b7C
b7E

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 001758

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-12-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Friday, August 10, 2007 11:02 AM
To: [redacted]
Cc:
Subject: FW: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Sorry 9/10-14

[redacted]

-----Original Message-----
From: [redacted]
Sent: Friday, August 10, 2007 9:56 AM
To: [redacted]
Cc:
Subject: RE: WITT

b3
b6
b7C
b7E

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

8/10-14/07 would be the best. Let us know if you want a hotel room on the beach, we may be able to hook you up.

Thanks,

[redacted]

-----Original Message-----
From: [redacted]
Sent: Wednesday, July 25, 2007 4:24 PM
To: [redacted]
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Advise us on the available date for Sept.

-----Original Message-----
From: [redacted]
Sent: Tuesday, July 24, 2007 3:18 PM
To: [redacted]
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Put us on the list requesting [redacted] Hopefully [redacted] will be prioritized for funding. I will do an [redacted]

Again, [redacted] and I would like to be present for [redacted] August is bad until 27th. Early Sept, much better.

Thanks,

[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, July 24, 2007 2:50 PM
To: [redacted]
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

We would like to see if you could work with your field office [redacted]

[redacted]

b3
b6
b7C
b7E

-----Original Message-----
From: [redacted]
Sent: Tuesday, July 24, 2007 7:04 AM
To: [redacted]
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

FYI, [redacted] has a VERY limited tech budget. Do I need to try to fight my office for extra money next year, or is there a possibility of WITT covering the purchase sometime in the future?

[redacted]

-----Original Message-----
From: [redacted]
Sent: Monday, July 23, 2007 4:50 PM
To: [redacted]
Subject: FW: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

CELL/OTD 001760

-----Original Message-----
From: [redacted]
Sent: Monday, July 23, 2007 4:41 PM
To: [redacted]
Subject: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

I omit to inform you that we are shipping to your office a few items that were distributed in the [redacted] conference. One of which is a thumbdrive that contained the powerpoint presentation materials which should be helpful to those who couldn't attend the conference but want to know what was covered. I recalled over the course of time that you had reached out to us and asked why you were not successful [redacted] [Material information including where to procure the part is shown in the enclosed attachment.]

<< File: [redacted] ppt >>

b3
b6
b7C
b7E

[redacted]

[redacted] In addition Harris claims [redacted]

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 001761

CELLSITE-749

CELL/OTD 001762

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-12-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Friday, August 10, 2007 3:15 PM
To: [redacted]
Cc:
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Hi [redacted]

Here are some recent developments that have come out of the meeting [redacted] (WITT Program Manager) attended at Harris Corporation this week that I would like to bring to your attention as it relates to my planned [redacted]

[redacted] WITT was anticipating that Harris Corporation [redacted]

- [redacted]
- [redacted]

b3
b6
b7C
b7E

I will folllow up with a telephone call to clarify if necessary.

[redacted]

-----Original Message-----
From: [redacted]
Sent: Friday, August 10, 2007 11:02 AM
To: [redacted]
Cc:
Subject: FW: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Sorry 9/10-14

[redacted]

-----Original Message-----
From: [redacted]
Sent: Friday, August 10, 2007 9:56 AM
To: [redacted]
Cc:
Subject: RE: WITT

CELL/OTD 001763

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

8/10-14/07 would be the best. Let us know if you want a hotel room on the beach, we may be able to hook you up.

Thanks,

[redacted]

-----Original Message-----
From: [redacted]
Sent: Wednesday, July 25, 2007 4:24 PM
To: [redacted]
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Advise us on the available date for Sept.

-----Original Message-----
From: [redacted]
Sent: Tuesday, July 24, 2007 3:18 PM
To: [redacted]
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Put us on the list requesting [redacted] Hopefully [redacted] will be prioritized for funding. I will do an [redacted]

b3
b6
b7C
b7E

Again [redacted] and I would like to be present for [redacted] August is bad until 27th. Early Sept, much better.

Thanks,

[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, July 24, 2007 2:50 PM
To: [redacted]
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

We would like to see if you could work with your field office [redacted]

CELL/OTD 607754

[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, July 24, 2007 7:04 AM
To: [redacted]
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

FYI, [redacted] has a VERY limited tech budget. Do I need to try to fight my office for extra money next year, or is there a possibility of WITT covering the purchase sometime in the future?

[redacted]

-----Original Message-----
From: [redacted]
Sent: Monday, July 23, 2007 4:50 PM
To: [redacted]
Subject: FW: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b3
b6
b7C
b7E

-----Original Message-----
From: [redacted]
Sent: Monday, July 23, 2007 4:41 PM
To: [redacted]
Subject: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

I omit to inform you that we are shipping to your office a few items that were distributed in the [redacted] conference. One of which is a thumbdrive that contained the powerpoint presentation materials which should be helpful to those who couldn't attend the conference but want to know what was covered. I recalled over the course of time that you had reached out to us and asked why you were not successful [redacted] [Material information including where to procure the part is shown in the enclosed attachment.]

<< File: [redacted] ppt >>

CELL/OTD 001765
18

CELLSITE-753

In addition Harris claims

b3
b6
b7C
b7E

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

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SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-12-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Tuesday, August 14, 2007 2:15 PM
To: [redacted]
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

[redacted]

-----Original Message-----
From: [redacted]
Sent: Friday, August 10, 2007 3:57 PM
To: [redacted]
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b3
b6
b7C
b7D

Sounds good.
Thanks

[redacted]

-----Original Message-----
From: [redacted]
Sent: Friday, August 10, 2007 3:15 PM
To: [redacted]
Cc: [redacted]
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Hi [redacted]

Here are some recent developments that have come out of the meeting [redacted] (WITT Program Manager) attended at Harris Corporation this week that I would like to bring to your attention as it relates to my planned [redacted]

[redacted] WITT was anticipating that Harris Corporation [redacted]

[redacted]

CELL/OTD 001767 CELLSITE-755

[redacted]

I will folllow up with a telephone call to clarify if necessary.

[redacted]

-----Original Message-----
From: [redacted]
Sent: Friday, August 10, 2007 11:02 AM
To: [redacted]
Cc:
Subject: FW: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Sorry 9/10-14

[redacted]

b3
b6
b7C
b7E

-----Original Message-----
From: [redacted]
Sent: Friday, August 10, 2007 9:56 AM
To: [redacted]
Cc:
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

8/10-14/07 would be the best. Let us know if you want a hotel room on the beach, we may be able to hook you up.

Thanks.

[redacted]

-----Original Message-----
From: [redacted]
Sent: Wednesday, July 25, 2007 4:24 PM
To: [redacted]
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Advise us on the available date for Sept.

-----Original Message-----
From:
Sent: Tuesday, July 24, 2007 3:18 PM
To:
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Put us on the list requesting Hopefully will be prioritized for funding. I will do ar

Again, would like to be present for August is bad until 27th. Early Sept, much better.

Thanks,

-----Original Message-----
From:
Sent: Tuesday, July 24, 2007 2:50 PM
To:
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b3
b6
b7C
b7E

We would like to see if you could work with your field office

-----Original Message-----
From:
Sent: Tuesday, July 24, 2007 7:04 AM
To:
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

FYI has a VERY limited tech budget. Do I need to try to fight my office for extra money next year, or is there a possibility of WITT covering the purchase sometime in the future?

CELL/OTD 001769

CELLSITE-757

[redacted]

-----Original Message-----
From: [redacted]
Sent: Monday, July 23, 2007 4:50 PM
To: [redacted]
Subject: FW: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

-----Original Message-----
From: [redacted]
Sent: Monday, July 23, 2007 4:41 PM
To: [redacted]
Subject: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

I omit to inform you that we are shipping to your office a few items that were distributed in the [redacted] conference. One of which is a thumbdrive that contained the powerpoint presentation materials which should be helpful to those who couldn't attend the conference but want to know what was covered. I recalled over the course of time that you had reached out to us and asked why you were not successful [redacted] b3 b6 b7C b7E

[redacted] [Material information including where to procure the part is shown in the enclosed attachment.]

<< File [redacted] ppt >>

[redacted] In addition Harris claims [redacted]

SENSITIVE BUT UNCLASSIFIED

CELL/DTD 001770 CELLSITE-758

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

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SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-15-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Sunday, September 23, 2007 6:13 PM
To: [redacted]
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, August 14, 2007 6:02 PM
To: [redacted]
Subject: RE: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b3
b6
b7C
b7E

[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, August 14, 2007 5:05 PM
To: [redacted]
Subject: FYI [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

CELL/OTD 001772

-----Original Message-----
From: [redacted]
Sent: Tuesday, August 14, 2007 4:42 PM
To: [redacted]
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Got it today. Let us know when.

[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, August 14, 2007 2:15 PM
To: [redacted]
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

b3
b6
b7C
b7E

[redacted]

-----Original Message-----
From: [redacted]
Sent: Friday, August 10, 2007 3:57 PM
To: [redacted]
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Sounds good.
Thanks

[redacted]

CELL/OTD 001773

-----Original Message-----

From: [redacted]
Sent: Friday, August 10, 2007 3:15 PM
To: [redacted]
Cc:
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Hi [redacted]

Here are some recent developments that have come out of the meeting [redacted] (WITT Program Manager) attended at Harris Corporation this week that I would like to bring to your attention as it relates to my planned [redacted]

[redacted] WITT was anticipating that Harris Corporation [redacted]

[redacted]

I will folllow up with a telephone call to clarify if necessary.

[redacted]

b3
b6
b7C
b7E

-----Original Message-----
From: [redacted]
Sent: Friday, August 10, 2007 11:02 AM
To: [redacted]
Cc:
Subject: FW: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Sorry 9/10-14

[redacted]

-----Original Message-----
From: [redacted]
Sent: Friday, August 10, 2007 9:56 AM
To: [redacted]
Cc:
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

CELL/OTD 001774

CELLSITE-762

8/10-14/07 would be the best. Let us know if you want a hotel room on the beach, we may be able to hook you up.

Thanks,

[redacted]

-----Original Message-----
From: [redacted]
Sent: Wednesday, July 25, 2007 4:24 PM
To: [redacted]
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Advise us on the available date for Sept.

-----Original Message-----
From: [redacted]
Sent: Tuesday, July 24, 2007 3:18 PM
To: [redacted]
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Put us on the list requesting [redacted] Hopefully [redacted] will be prioritized for funding. I will do an [redacted]

Again [redacted] would like to be present for [redacted] August is bad until 27th. Early Sept, much better.

b3
b6
b7C
b7E

Thanks.

[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, July 24, 2007 2:50 PM
To: [redacted]
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

We would like to see if you could work with your field office [redacted]

[redacted]

CELL/OTD 001775 CELLSITE-763

[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, July 24, 2007 7:04 AM
To: [redacted]
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

FYI, [redacted] has a VERY limited tech budget. Do I need to try to fight my office for extra money next year, or is there a possibility of WITT covering the purchase sometime in the future?

[redacted]

-----Original Message-----
From: [redacted]
Sent: Monday, July 23, 2007 4:50 PM
To: [redacted]
Subject: FW: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b3
b6
b7C
b7E

-----Original Message-----
From: [redacted]
Sent: Monday, July 23, 2007 4:41 PM
To: [redacted]
Subject: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

I omit to inform you that we are shipping to your office a few items that were distributed in the [redacted] conference. One of which is a thumbdrive that contained the powerpoint presentation materials which should be helpful to those who couldn't attend the conference but want to know what was covered. I recalled over the course of time that you had reached out to us and asked why you were not successful [redacted] [Material information including where to procure the part is shown in the enclosed attachment.]

<< File: [redacted] ppt >>

CELL/OTD 001776

CELLSITE-764

[redacted]

[redacted] In addition Harris claims [redacted]

b3
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b7E

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

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SENSITIVE BUT UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-15-2012 BY 65179/dmh/atp/as

[redacted]

From: [redacted]
Sent: Wednesday, October 10, 2007 8:46 AM
To: [redacted]ALL AGENTS
Subject: Wireless Intercept and Tracking Team

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Hello all,

[redacted]

b3
b6
b7C
b7E

FYI, the basic SOP for requesting cell tracking is obtaining a Title 18, Section 2703(d) pen order.

[redacted]

The best way to offer up our services to the locals is have them call you, then you give them [redacted] or my cell numbers, and we will talk them through the process.

[redacted]

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 001781

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-15-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Monday, October 15, 2007 4:13 PM
To: [redacted]
Subject: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

Did you receive your [redacted] yet?
I have a [redacted] for you. It can be shipped out to your office.
The [redacted] is still pending.
Let me know if you and your team still want an on-site working demonstration/training of the [redacted] system at your location.
You should now be able to use the [redacted] to work in collaboration with your StingRay on any and all [redacted] tracking mission.

[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, July 24, 2007 3:18 PM
To: [redacted]
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b3
b6
b7C
b7E

Put us on the list requesting [redacted] Hopefully [redacted] will be prioritized for funding. I will do an [redacted]

Again, [redacted] would like to be present for [redacted] August is bad until 27th. Early Sept, much better.

Thanks,

[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, July 24, 2007 2:50 PM
To: [redacted]
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

We would like to see if you could work with your field office and [redacted]

[redacted]

CELL/OTD 007852

CELLSITE-768

[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, July 24, 2007 7:04 AM
To: [redacted]
Subject: RE: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

FYI, [redacted] has a VERY limited tech budget. Do I need to try to fight my office for extra money next year, or is there a possibility of WITT covering the purchase sometime in the future?

[redacted]

-----Original Message-----
From: [redacted]
Sent: Monday, July 23, 2007 4:50 PM
To: [redacted]
Subject: FW: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b3
b6
b7C
b7E

-----Original Message-----
From: [redacted]
Sent: Monday, July 23, 2007 4:41 PM
To: [redacted]
Subject: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

I omit to inform you that we are shipping to your office a few items that were distributed in the [redacted] conference. One of which is a thumbdrive that contained the powerpoint presentation materials which should be helpful to those who couldn't attend the conference but want to know what was covered. I recalled over the course of time that you had reached out to us and asked why you were not successful [redacted]

[redacted]

[Material information including where to procure the part is shown in the enclosed attachment.]

<< File [redacted] ppt >>

[redacted] In addition Harris claims [redacted]

CELL/OTD 001783

CELLSITE-769

b3
b6
b7C
b7E

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-15-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Monday, October 15, 2007 4:19 PM
To: [redacted]
Cc:
Subject:

UNCLASSIFIED
NON-RECORD

b3
b6
b7C
b7E

[redacted] - Pls prepare and ship out to [redacted]

[redacted] Pls close out the [redacted] that [redacted] out in a few months ago once [redacted] has shipped out the items t[redacted]

[redacted]

UNCLASSIFIED

CELL/OTD 001785

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-15-2012 BY 65179/dmh/stp/aa

[redacted]

From: [redacted]
Sent: Friday, November 16, 2007 11:16 AM
To: [redacted]
Cc:
Subject: RE: WITT Equipment

UNCLASSIFIED
NON-RECORD

If [redacted] unit at [redacted] we would recommend it be transferred to his office.
We understand that the [redacted]

I have heard that the [redacted]

-----Original Message-----
From: [redacted]
Sent: Friday, November 16, 2007 9:58 AM
To: [redacted]
Cc:
Subject: RE: WITT Equipment

b3
b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

OK. I did not know that - I only stayed for one night at the tech conference.

Just so you know, for some reason, I have two [redacted] Not sure why, but I do. I just noticed that I have two last week. I thought the other case was an [redacted] but now that I have inventory, I was going through all of our [redacted]

[redacted]

[redacted] do you need one?

[redacted] does not need it, then what do you want with it?

I would imagine that some where, some division needs one.

If you want me to keep both, then so be it.
Thanks again for getting back to me.

From: [redacted]
Sent: Thursday, November 15, 2007 1:05 PM
To: [redacted]
Cc:
Subject: WITT Equipment

UNCLASSIFIED
NON-RECORD

CELL/OTD 001808

CELLSITE-772

In the [redacted] we advise the attendees to retain [redacted]

[redacted]

-----Original Message-----
From: [redacted]
Sent: Thursday, November 15, 2007 12:11 PM
To: [redacted]
Subject: FW: WITT Equipment ?

UNCLASSIFIED
NON-RECORD

Hello there. What shall we do with [redacted] you probably told me and I forgot-surplus is or send it back to you or hold it for now?

-----Original Message-----
From: [redacted]
Sent: Tuesday, November 13, 2007 1:58 PM
To: [redacted]
Subject: RE: WITT Equipment ?

b3
b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

Thanks.
[redacted]

From: [redacted]
Sent: Tuesday, November 13, 2007 1:07 PM
To: [redacted]
Subject: RE: WITT Equipment ?

UNCLASSIFIED
NON-RECORD

I'll find out what [redacted] wants. I would guess we can send them back to the unit. Ill get back to you.

[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, November 13, 2007 12:59 PM
To: [redacted]
Subject: WITT Equipment ?

UNCLASSIFIED
NON-RECORD

Guys,

CELL62/OTD 001809

CELLSITE-773

b3
b6
b7C
b7E

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

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CELL/OTD 001810

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-15-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Thursday, April 17, 2008 9:14 AM
To: [redacted] ALL FBI EMPLOYEES
Subject: Historical cell phone location utilizing subpoena

UNCLASSIFIED
NON-RECORD

Hello all,

I was assisting [redacted] on a [redacted] case when he made a very good point which I thought share.

If you are trying to locate an individual via cellular telephone, a simple subpoena for **toll records with cell site/tower location** [redacted] Request the information to be delivered in an electronic format.

b6
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b7E

[redacted]

[redacted]

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CELL/OTD 001829

CELLSITE-775

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-15-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Monday, May 19, 2008 12:51 PM
To: [redacted]
Subject:

UNCLASSIFIED
NON-RECORD

Just in case you hadn't heard this yet

From: [redacted]
Sent: Monday, May 19, 2008 10:14 AM
To:

[redacted]

b3
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CELL/OTD 001840

CELLSITE-776

Cc:
Subject:

UNCLASSIFIED
NON-RECORD

See below for some good information provided by WITT SA in

SSA

From:
Sent: Friday, May 16, 2008 6:50 PM
To:
Cc:
Subject:

b3
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b7C
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UNCLASSIFIED
NON-RECORD

Couple of items from

Yesterday put on a one day class in for all law enforcement to discuss their commitment to helping law enforcement. They are apparently doing this in all regions of the country. Catch the one nearest you! It was pretty good they had members of their present, and their legal compliance team. They even feed us breakfast and lunch. No charge.

Please pass on as appropriate.

CELL/OTD 001844 CELLSITE-777

[redacted]
Division
[redacted]

From: [redacted]
Sent: Tuesday, April 15, 2008 3:05 PM
To:
Cc:
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

b3
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From: [redacted]
Sent: Tuesday, April 15, 2008 3:57 PM
To:
Cc:
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

Gentlemen, I was approached by the [redacted] regarding the ability to [redacted]

[redacted]

[redacted]
Division
[redacted]

UNCLASSIFIED

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CELL/OTD 001842
CELLSITE-778

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CELL/OTD 001843

CELLSITE-779

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-15-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Monday, May 19, 2008 2:31 PM
To: [redacted]
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

FYI

From: [redacted]
Sent: Monday, May 19, 2008 12:17 PM
To: [redacted]

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CELL/OTD 001844 CELLSITE-780

Cc:
Subject:

UNCLASSIFIED
NON-RECORD

All:

FYI: See below for additional info from

SSA

b3
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From:
Sent: Monday, May 19, 2008 11:42 AM
To:
Subject:

UNCLASSIFIED
NON-RECORD

CELL/OTD 001845 CELLSITE-781

[redacted]

From: [redacted]
Sent: Monday, May 19, 2008 10:38 AM
To: [redacted]
Subject:

UNCLASSIFIED
NON-RECORD

SSA [redacted]
Unit Chief
[redacted]

From: [redacted]
Sent: Monday, May 19, 2008 10:14 AM
To:

[redacted]

b3
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CELL/OTD 001846 CELLSITE-782

Cc:
Subject:

UNCLASSIFIED
NON-RECORD

See below for some good information provided by WITT SA in

SSA

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From:
Sent: Friday, May 16, 2008 6:50 PM
To:
Cc:
Subject:

UNCLASSIFIED
NON-RECORD

Couple of items from

Yesterday put on a one day class in for all law enforcement to discuss their commitment to helping law enforcement. They are apparently doing this in all regions of the country. Catch the one nearest you! It was pretty good they had members of their present, and their legal compliance team. They even feed us breakfast and lunch. No charge.

100

CELL/OTD 001847

CELLSITE-783

Please pass on as appropriate.

SA
Division

From:
Sent: Tuesday, April 15, 2008 3:05 PM
To:
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Subject:

UNCLASSIFIED
NON-RECORD

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From:
Sent: Tuesday, April 15, 2008 3:57 PM
To:
Cc:
Subject:

UNCLASSIFIED
NON-RECORD

Gentlemen, I was approached by the regarding the ability to

SA
Division

CELL/OTD 001848

CELLSITE-784

To:

Cc:

Subject: Important WITT Technical Bulletin

~~SENSITIVE BUT UNCLASSIFIED~~
NON-RECORD

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If additional technical support is needed, contact WITT staff. Please also share this information to your colleagues.

~~SENSITIVE BUT UNCLASSIFIED~~

CELL/OTD 001887

CELLSITE-789

~~SECRET~~

[redacted]

From: [redacted]
Sent: Thursday, November 06, 2008 1:29 PM
To: [redacted]
Subject: FW: WITT Technical Bulletin

~~SENSITIVE BUT UNCLASSIFIED~~
~~NON-RECORD~~

[redacted]

How did you get on the WITT update email list? Are you smart enough to turn the knobs by yourself?

FYI, [redacted] are always enjoying the mild [redacted] winters. I do admit that I miss a bit of snow now and again.

All the best,

[redacted]

From: [redacted]
Sent: Thursday, November 06, 2008 10:58 AM
To: [redacted]
Cc:
Subject: WITT Technical Bulletin

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~~SENSITIVE BUT UNCLASSIFIED~~
~~NON-RECORD~~

(S) [redacted]

~~SENSITIVE BUT SECRET FIED~~

5 CELL/OTD 001894 CELLSITE-794

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-06-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OTD)(FBI)
Sent: Tuesday, June 21, 2011 9:34 AM
To: [redacted] (OTD) (FBI)
Subject: RE: PPT so far --- UNCLASSIFIED//FOUO

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Classification: UNCLASSIFIED//FOUO
==========

For your review (all changes requested made)

2011 WITT[redacted]
OVERVIEW BRIEFI..

From [redacted] (FBI)
Sent: Tuesday, June 21, 2011 7:23 AM
To: [redacted] (CON)
Subject: RE: PPT so far --- UNCLASSIFIED//FOUO

Classification: UNCLASSIFIED//FOUO
==========

b6
b7C

Way to long see me

From [redacted] (OTD) (CON)
Sent: Monday, June 20, 2011 4:36 PM
To [redacted]
Subject: PPT so far --- UNCLASSIFIED//FOUO

Classification: UNCLASSIFIED//FOUO
==========

Just waiting for [redacted] input (which he is diligently working on). This is what we have so far.
<< File: 2011 WITT [redacted] OVERVIEW BRIEFING.ppt >>

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Classification: UNCLASSIFIED//FOUO

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Classification: UNCLASSIFIED//FOUO

==========
Classification: UNCLASSIFIED//FOUO

CELLULAR

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Federal Bureau of Investigation

DATE: 10-04-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, D, G)
DECLASSIFY ON: 10-04-2037

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HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

Wireless Intercept Tracking Team

WITT Program Briefing

WITT
Wireless Intercept and Tracking Team

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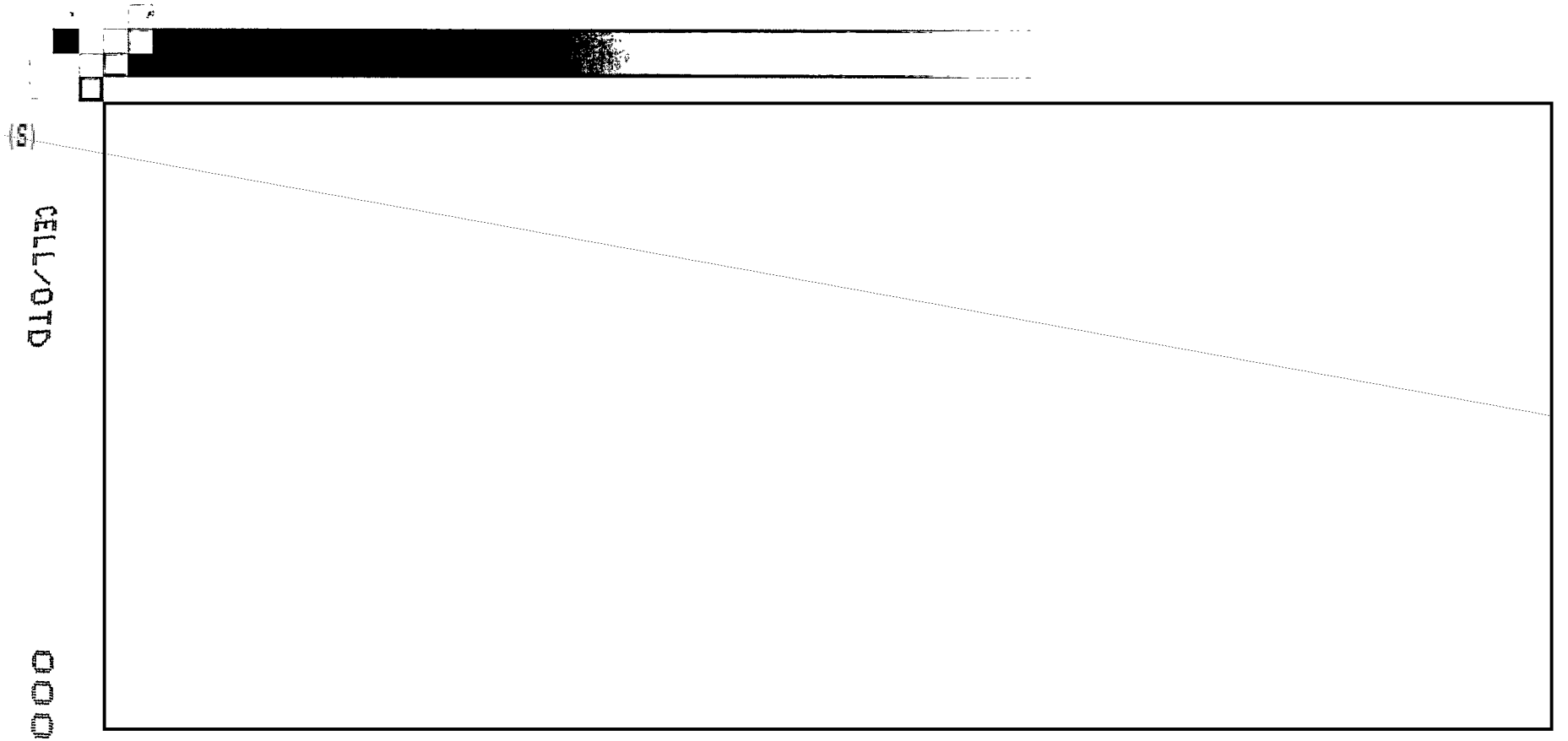

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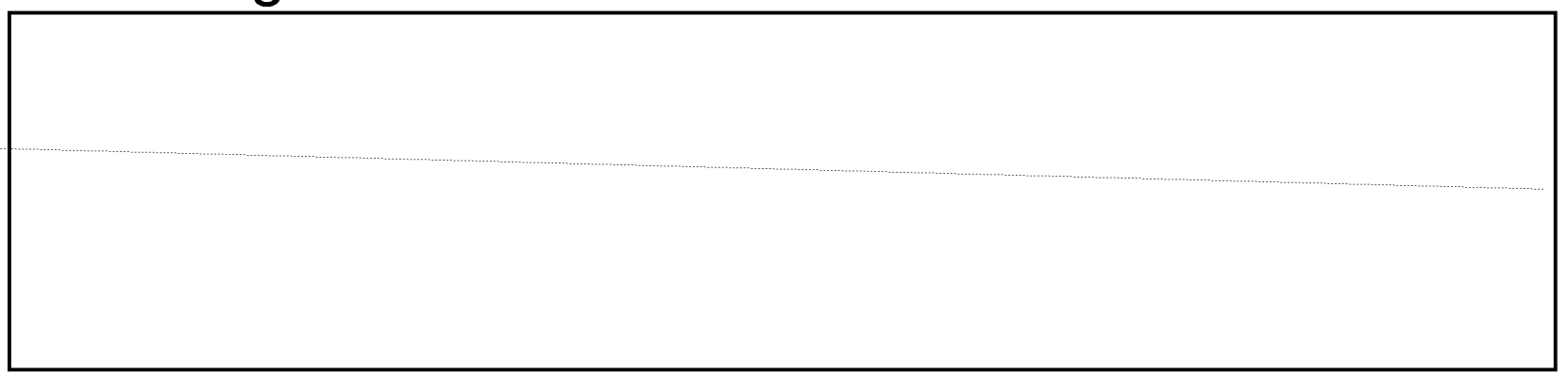
- Protecting Government Investments



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WITT Mission

"Provide the FBI with technologies to support [redacted]

[redacted]

b3
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... (Growing User Base)...

MISSION GOALS

[redacted]

WITT PROGRAM

- Program Management
- R&D and Procurement
- 24x7 Operational Support
- Training
- Liaison (Gov't / Commercial)

[redacted]

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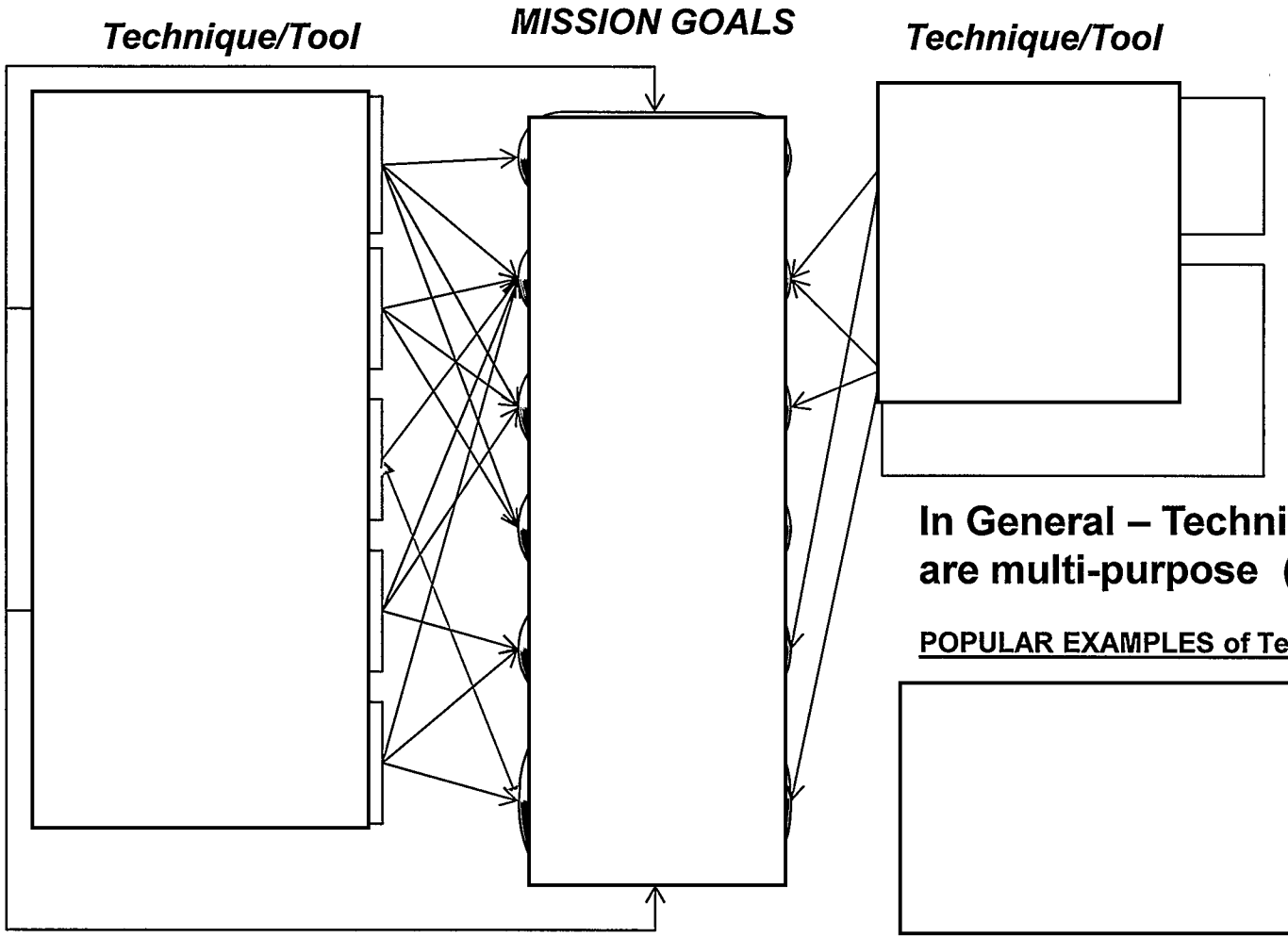
Technology/Capabilities/Tools Mapping to Mission Goals



In General – Techniques/Tools are multi-purpose (Re-use)

POPULAR EXAMPLES of Techniques/Tools

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Training Provided

- Encompasses different platforms and technologies to ensure state-of-the-art WITT [redacted] technologies are available to field requests
- Additionally, WITT [redacted] and [redacted] and [redacted] provided
- WITT equipment [redacted]
- [redacted] include:
  - [redacted]

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CELL/OTD

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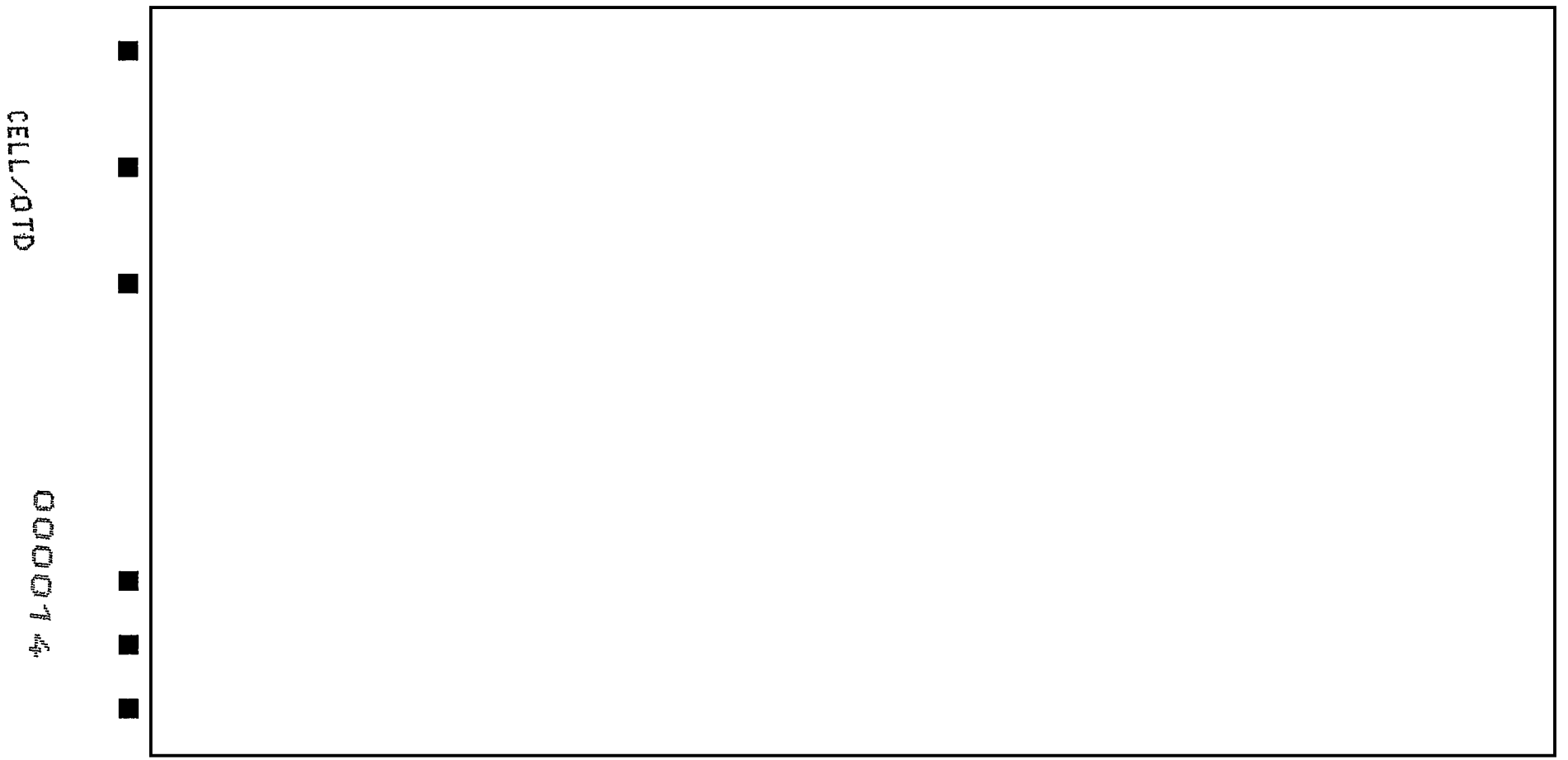
Preparation for Court Testimony



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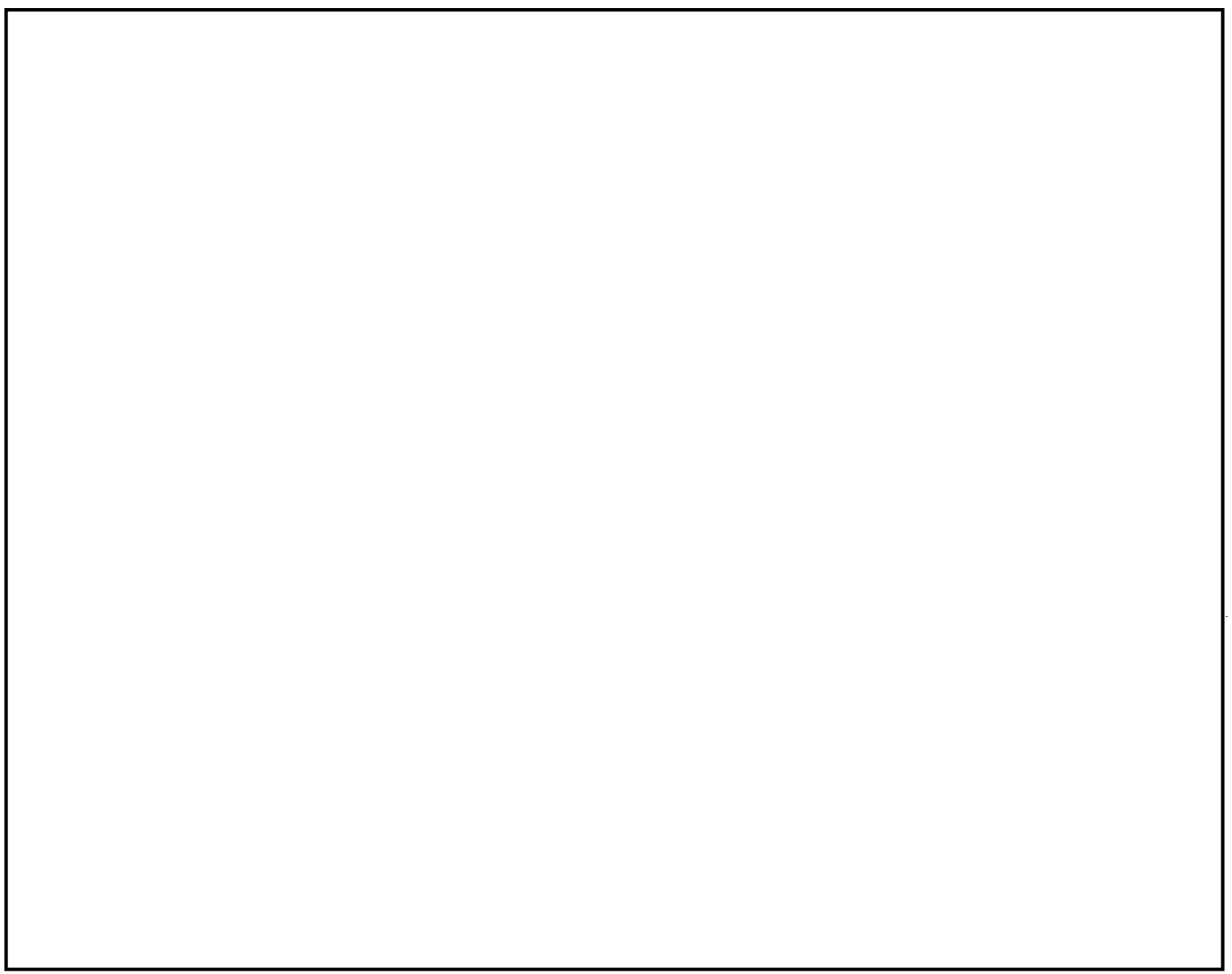
Preparation for Court Testimony



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CELL/OTD

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Locating a Subject - WITT Mission

- [redacted]

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- Requires active WITT [redacted] participation
- Requires legal authority, varies by mission specifics

CELL/OTD

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Target Identification

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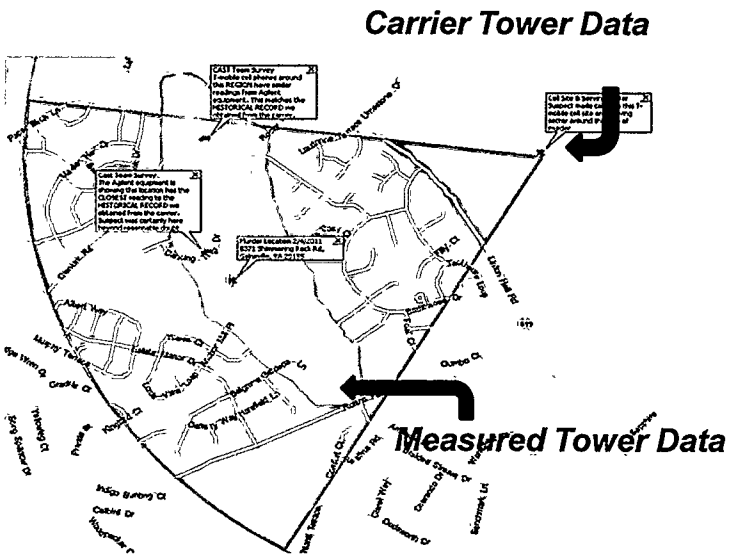
Criminal Investigative Division
Cellular Analysis and Survey Teams (CAST)



FBI CID formed the Cellular Analysis and Survey Team (CAST) by CID late 2009.

The FBI used cell phone tracking to gather evidence which lead to a conviction for a rogue New York City cop. According to an article by Peter J. Sampson, The Record (Hackensack N.J.), the FBI used a computer mapping program and "call detail" logs obtained from Sprint Nextel to track the activities of Kelvin L. Jones, suspected of a $1 Million perfume heist. The FBI was able to track Jones' movement on the day of the Carlstadt robbery using cell phone records, which proved to be highly incriminating along with other evidence. Because of his experience and training as a police officer, Jones knew how to cover his tracks, even using a prepaid anonymous cell phone. However, because of the cell phone tracking evidence, Jones was convicted last month

http://www.cellplaza.org/blog/2129/fbi-using-cell-phones-to-track-criminals/

Use Case 1: Prove a subject was at the scene of a crime (historical)
**Generate Evidence

Use Case 2: Provide pattern of life vs. historical known subject locations/POI
**Locate subjects by purely investigative means and service provider data

Utilize Commercial (Non-Sensitive) Measurement Equipment and Commercial Mapping Software due to Exposure and used in Criminal Prosecutions.

CELL/OTD

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-24-2012 BY 65179 DMH/STW

Investments

15 April 2011

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CELL/OTD

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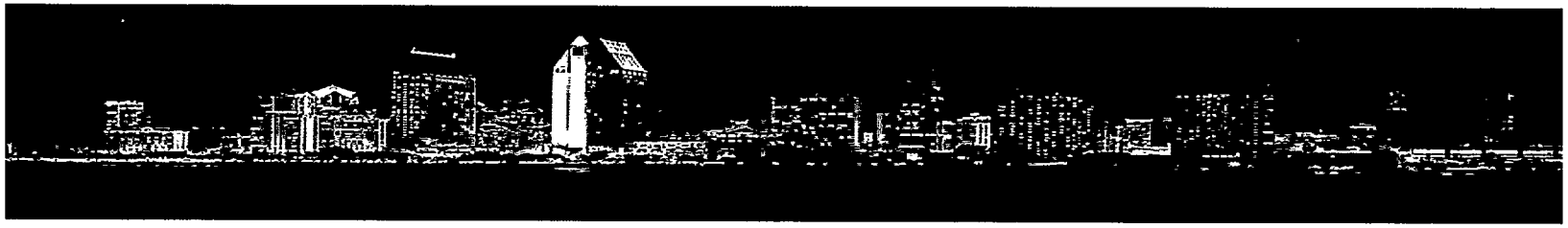
DATE: 10-04-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 10-04-2037

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE



Welcome / Logistics

June 23, 2009

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CELL/OTD

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Opening Remarks
Welcome

- Opening Remarks
  - Management Remarks
  - Logistics

- Welcome / Attendee Introduction
  - Participants (2009)
    - FBI Operational Technology Division
      - Tracking Technology Unit / Wireless Intercept and Tracking Team
      - OTD Liaison
      - OGC
    - FBI Field Offices
      - [redacted]
      - FBI Offices (56 Field Offices)
      - Violent Crimes (VCMO) - SSA
    - Vendors

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OTD/TTU

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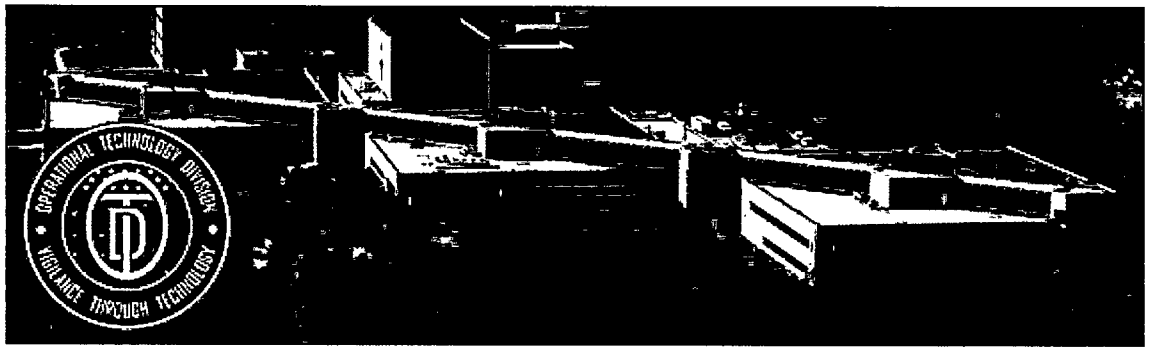
Tracking Technology Unit



Wireless Intercept and Tracking Team

Introductions

Engineers, Electronic Technician, Contractors

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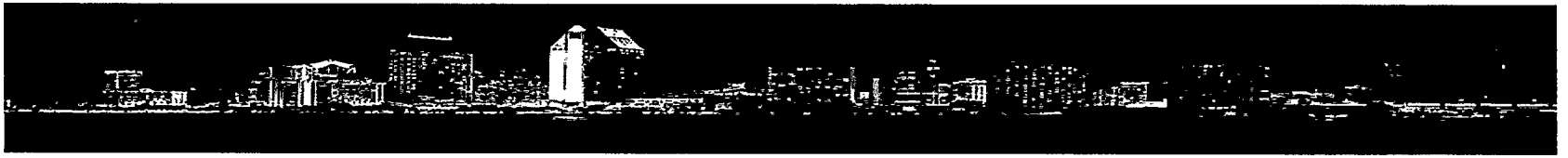
Meeting Objectives



- Provide Information …
  - Research and Development of Technology
  - Procurement Status (Equipment)
  - Operational Support Issues
  - Policies and procedures

- Solicit Information
  - FEEDBACK! TTU/WITT needs to hear from you!

- Sponsor the working relationship
  - Talk amongst yourselves

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Disclaimer

- Due to varying audience background and experience
  - "Some" material shall be presented again from the FY2008 conference with updated information
- Due to the nature of the presentations,
  - **Contact Tracking Technology Unit, Quantico, Va for authorization for duplication and release ability**

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CELL/OTD

CELLSITE-1700

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AGENDA

TUESDAY JUNE 23rd, 2009

START – END	TOPIC	PRESENTER
9:00 – 9:15am	Welcome/Opening Remarks () (0:05) Admin/Buses/Tax Exempt/Rental Cars () (0:10)	ASAC BK
9:15 – 09:30am	TTU / WITT Overview ( ) (0:15)	HB (0:15 Min)
09:30 – 09:45	Break	
09:45 – 11:00	Program Status (7) (:10) [redacted] (19) (:20) [redacted] Update (6) (:10) [redacted] (8) (:20) R&D (10) (:15)	SN (1Hr 0:15 Min)
11:00 – 11:30	[redacted] Update (:30)	RT (0:30 Min)
11:30 – Noon	[redacted]	WC (0:30 Min)
Noon – 13:00	Lunch	
13:00 – 14:00	[redacted]	Vendor (1Hr)
14:00 – 14:15	Break	
14:15 – 15:15	[redacted] Updates	EJ (1 Hr)
15:15 – 15:30	Wrap Up / Questions (15:30 Depart)	TTU

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AGENDA

- Day 2

WEDNESDAY JUNE 24TH, 2009		
START – END	TOPIC	PRESENTER
9:00 – 11:00am	[redacted] (2:00)	Vendor (2:00 Hr)
11:00 – 11:15am	Break	
11:15 – Noon	[redacted] Carrier Location Technologies CALEA Issues (Roamers) Calling System Overview	KT (0:45 Min)
Noon – 1:00pm	Lunch	
13:00 – 14:00	Legal / Policy / Guidelines	JK (1:00 Hr)
14:00 – 14:15	Questions	
14:15 – 15:15	Legal / Policy / Guidelines	JK (1:00 Hr)
15:15 – 15:30	Wrap Up / Questions (15:30 Depart)	

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AGENDA

- Day 3

THURSDAY JUNE 25TH, 2009		
START – END	TOPIC	PRESENTER
09:00 – 09:45	[redacted]	CL (0:45 Min)
09:45 – 10:15	CID/VCMO Update	CC (0:30 Min)
10:15 – 10:30	Schools / 10 Steps	HB (0:15 Min)
10:30 – 10:45	TTU Requirements	BK (0:15 Min)
10:45 – 11:00	Recognition	BK (0:15 Min)
11:00 – 12:00	Wrap Up / Questions	(1:00 Hr)
12:00	Depart for Hotel	

b3
b7E

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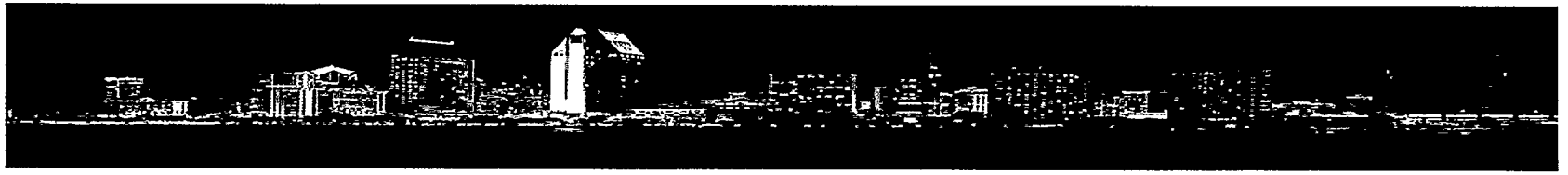
3371/010

CELLSITE-1703

~~SECRET~~

Questions



Presentations available on TTU/WITT website

Immediate Needs or Concerns??

CONTACT INFORMATION

_____

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CELL/OTD

CELLSITE-1704

~~SECRET~~

Tracking Technology Unit Overview

[redacted]

b7E

The Tracking Technology Unit provides…

Research and Development	[redacted]
Operational Support	24x7 field support • Technical Issues • Deployment of Personnel • Deployment of Equipment
Liaison	[redacted]
Program Management	Budget Execution/Management Operator Training Programs

In support of [redacted]

b3
b7E

CELL/TTD 073

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b7E

b3
b7E

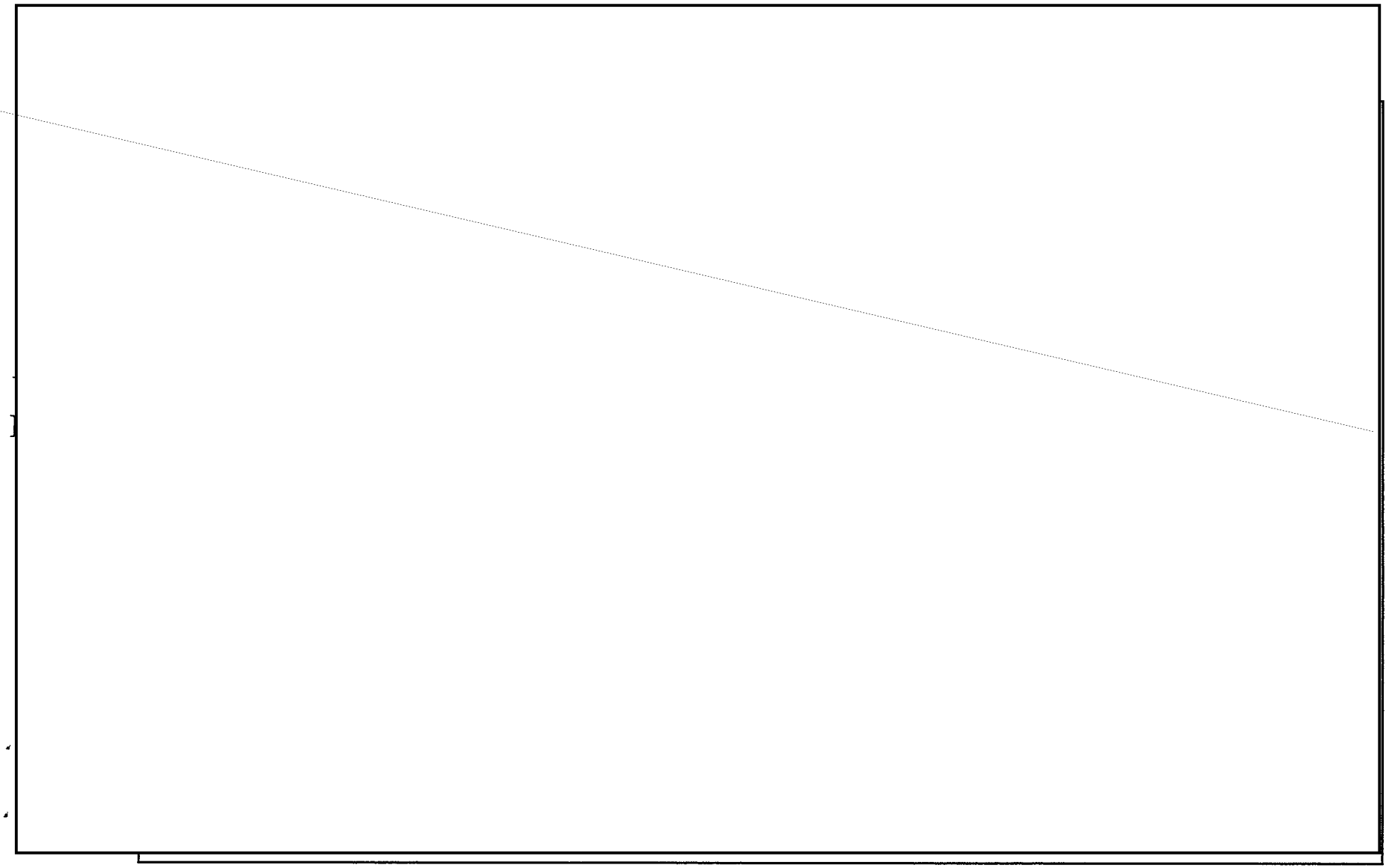
- On-going, forward looking studies to identify advances in
- Identify techniques, within in support of
- Vendor –

000074

CELL/OTD

~~SECRET/NOFORN~~

(FBI Funded - Background)



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CELL/OTD

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(S)

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b7E

CELL/OTD

PROJECT IDENTIFICATION	PERFORMANCE SUMMARY
(S)	

b1000078
b1
b3
b7E

CELL/OTD

DEPENDENCIES & COLLABORATION	SCHEDULE
(S)	

000079

b1
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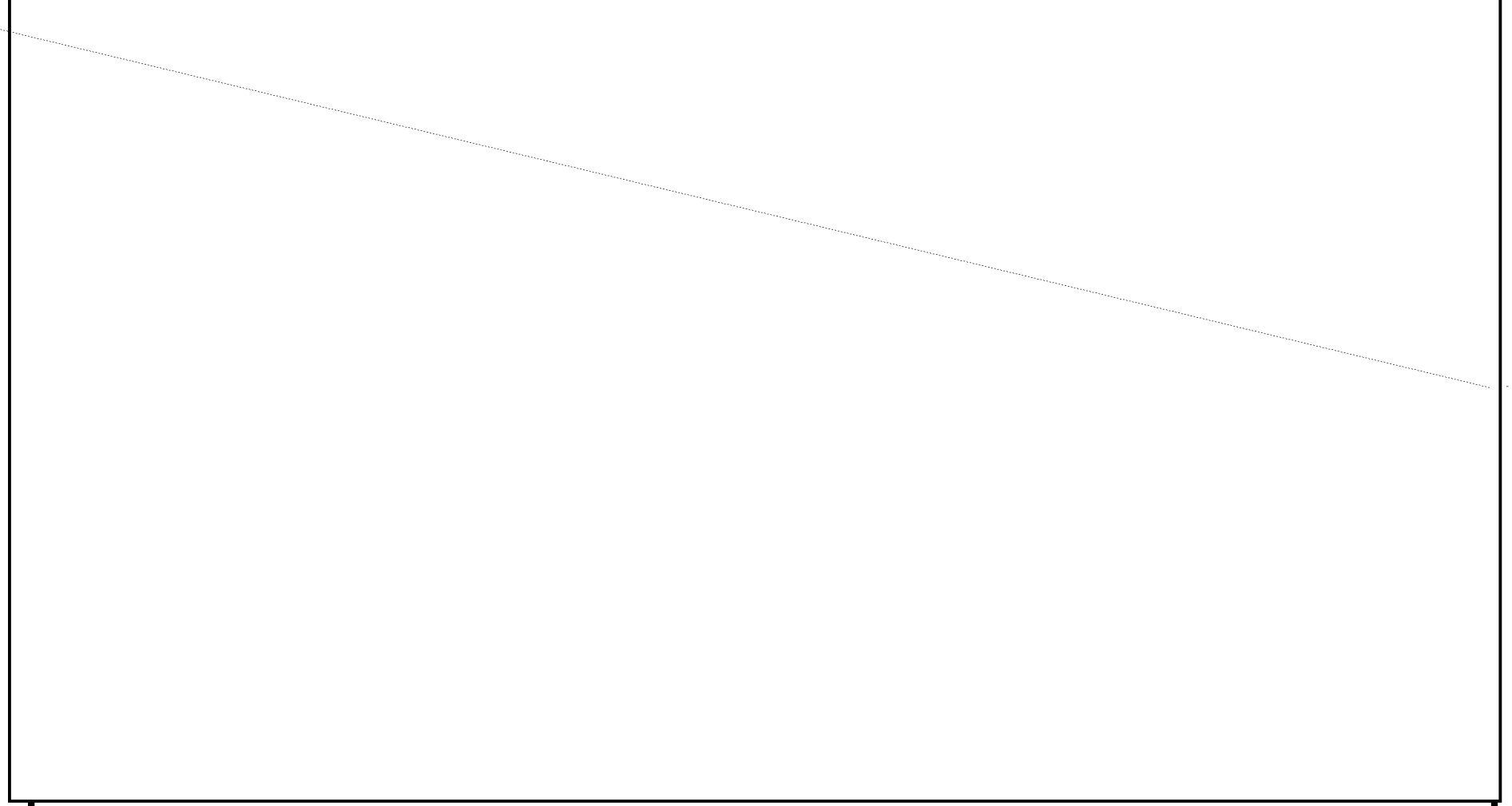
b7E

CELL/OTD

DELIVERABLES

(S)



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CELL/OTD

(Procurement)

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CELL/OTD

(Procurement)

(S)

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b3
b7E

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(Procurement)

PROJECT IDENTIFICATION	PERFORMANCE SUMMARY
(S)	

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b3
b7E

CELL/OTD

(Procurement)

DEPENDENCIES & COLLABORATION	SCHEDULE
Dependencies: N/A **Collaboration:** N/A	To commence when funding available.

CUSTOMERS & REQUIREMENTS	MISSION IMPACTS & SUCCESSES
Customer/Users: Substantive FBI investigations. **Requirements:**	**Mission Impacts:** **Success Stories:**

b3
b7E

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(Procurement)

DELIVERABLES

(S)

0000085

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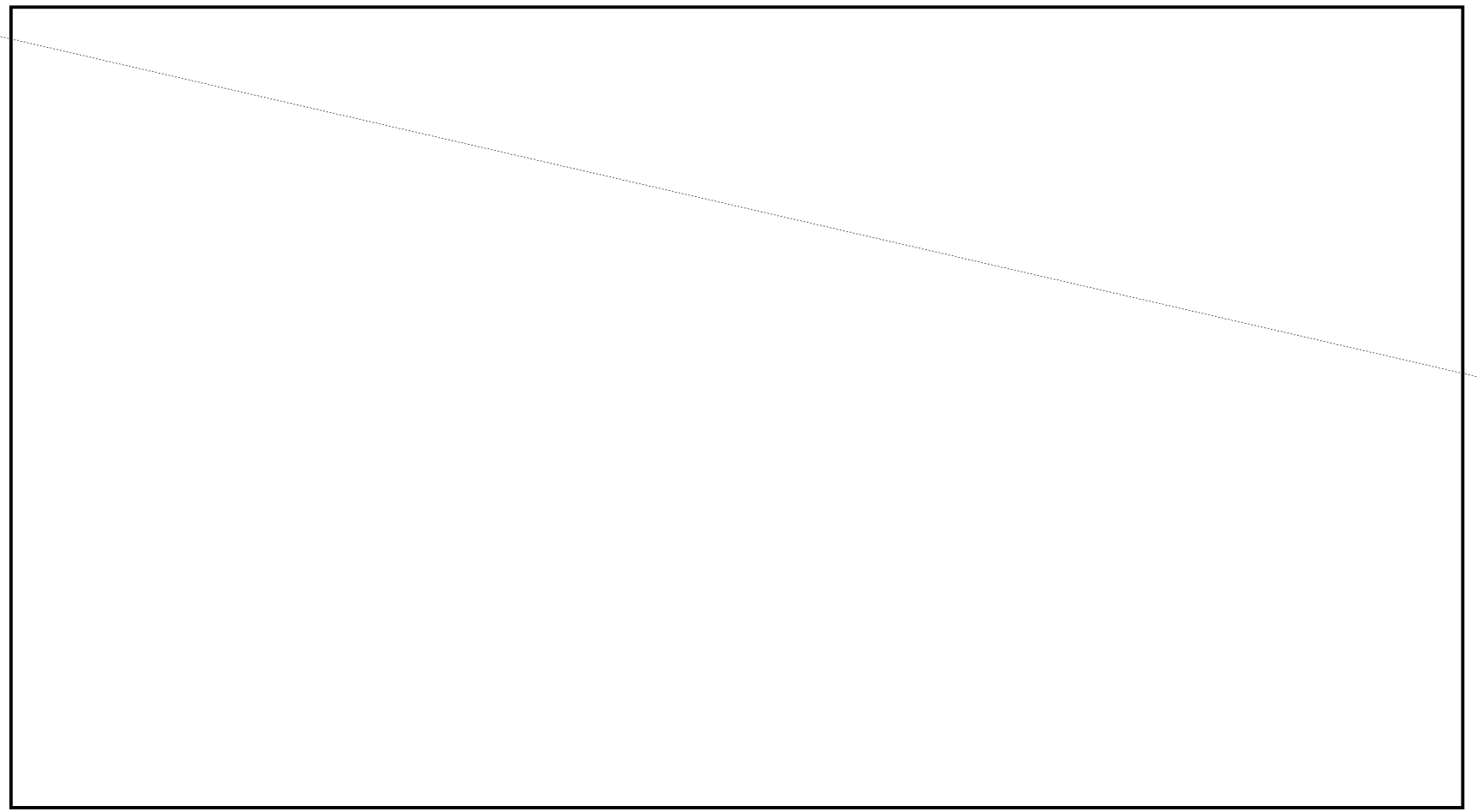
b3
b7E

CELL/OTD

(S)



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CELL/OTD

~~SECRET~~

~~SECRET/NOFORN~~

PROJECT IDENTIFICATION	PERFORMANCE SUMMARY
(S)	

b1
b3
b7E

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CELL/OTD

DEPENDENCIES & COLLABORATION	SCHEDULE
Dependencies: N/A **Collaboration:** N/A	Further contractor effort to commence as soon as funding released.

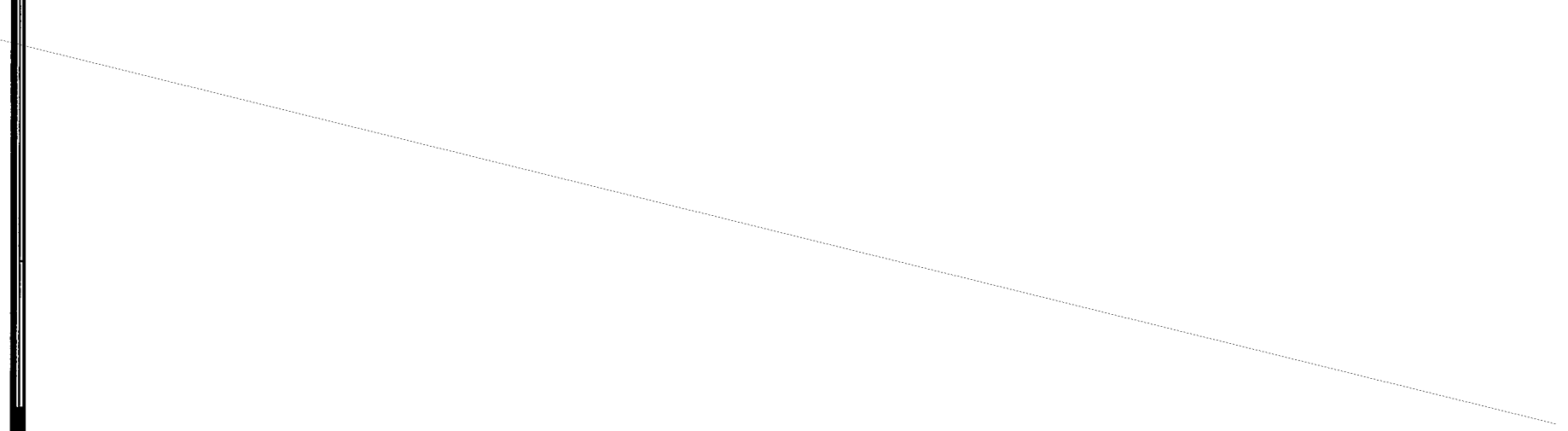
CUSTOMERS & REQUIREMENTS	MISSION IMPACTS & SUCCESSES
Customer/Users: Substantive FBI investigations. **Requirements:**	**Mission Impacts** **Success Stories:**

b3
b7E

CELL/OTD

DELIVERABLES

(S)



b1
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CELL/GTD

(Procurement)

(S)

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CELL/OTD

(Procurement)

PROJECT IDENTIFICATION	PERFORMANCE SUMMARY
(S)	

b1
b3
b7E

000091

CELL/OTD

(Procurement)

DEPENDENCIES & COLLABORATION	SCHEDULE
(S)	

b1
b3
b7E

000092

CELL/OTD

(Procurement)

DELIVERABLES

(S)

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b7E

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CELL/OTD

~~SECRET~~

~~SECRET/NOFORN~~

(Procurement)

(S)

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b7E

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CELL/OTD

(Procurement)

PROJECT IDENTIFICATION	PERFORMANCE SUMMARY
(S)	

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b7E

CELL/OTD

[redacted]

(Procurement)

DEPENDENCIES & COLLABORATION	SCHEDULE
Dependencies: N/A **Collaboration:** N/A	All procurements expected to be completed by Q2 2011
CUSTOMERS & REQUIREMENTS	**MISSION IMPACTS & SUCCESSES**
Customer/Users: Substantive FBI investigations. [redacted] **Requirements:** [redacted]	**Mission Impacts:** Satisfies preparedness required for [redacted] **Success Stories:**

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b7E

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CELL/OTD

(Procurement)

DELIVERABLES
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CELL/OTD

(Procurement)

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b7E

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CELL/0TD

(Procurement)

PROJECT IDENTIFICATION	PERFORMANCE SUMMARY
(S)	

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b3
b7E

(Procurement)

DEPENDENCIES & COLLABORATION	SCHEDULE
Dependencies: N/A **Collaboration:** N/A	Estimate delivery completion Q1 2011.
CUSTOMERS & REQUIREMENTS	**MISSION IMPACTS & SUCCESSES**
Customer/Users: Substantive FBI investigations. **Requirements:**	**Mission Impacts:** **Success Stories:**

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b7E

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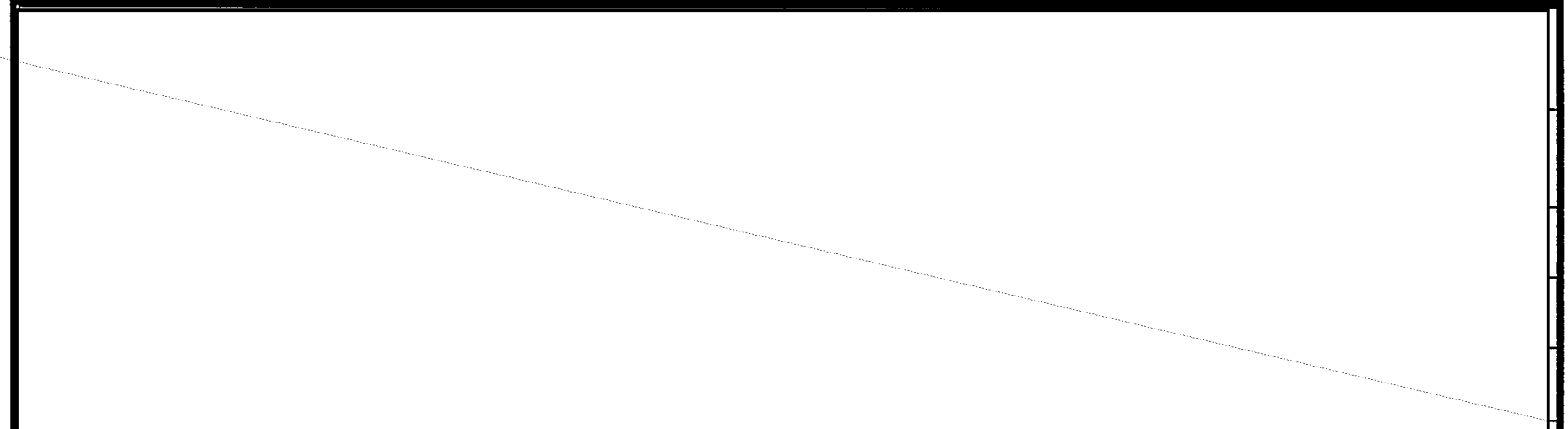
CELL/OTD

(Procurement)

DELIVERABLES

(S)



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CELL/OTD

~~SECRET~~

DATE: 10-04-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, D, G)
DECLASSIFY ON: 10-04-2037

[redacted] (OTD) (FBI)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

From: [redacted] (OTD) (FBI)
Sent: Wednesday, March 31, 2010 11:46 AM
To: [redacted] (OTD) (FBI)
Subject: RE: ~~(S//NF~~ [redacted]

~~SECRET//NOFORN~~
~~RECORD 268-HQ-1068430~~

(S) [redacted]

(S) [redacted]

b1
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From: [redacted] (OTD) (FBI)
Sent: Wednesday, March 31, 2010 9:16 AM
(S) **To:** [redacted] (OTD) (FBI)
Subject: RE: ~~(S//NF)~~ [redacted]

~~SECRET//NOFORN~~
~~RECORD 268-HQ-1068430~~

(S)

~~(S//NF)~~ [redacted] can you get briefed on [redacted], then let me know. I'm pretty jam packed with schedules until after april. Then the conference hits.. :(

b1
b3
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b7C
b7E

From: [redacted] (OTD) (FBI)
Sent: Wednesday, March 31, 2010 9:10 AM
To: [redacted] (OTD) (FBI)
(S) **Subject:** RE: ~~(S//NF~~ [redacted]

~~SECRET//NOFORN~~
~~RECORD 268-HQ-1068430~~

Thanks

From: [redacted] (OTD) (FBI)
(S) **Sent:** Tuesday, March 30, 2010 1:08 PM
To: [redacted] (OTD) (FBI)
Subject: ~~(S//NF~~ [redacted]

~~SECRET//NOFORN~~
~~RECORD 268-HQ-1068430~~

b1
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b7C
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[redacted]

(S) [redacted]

(S) [redacted]

(S) X

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~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20350330~~
SECRET//NOFORN

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~~DECLASSIFY ON: 20350330~~
SECRET//NOFORN

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-17-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI) b6 b7C b7E b3

From: [redacted] (OTD) (FBI)
Sent: Thursday, February 18, 2010 10:45 AM
To: [redacted]
Cc:
Subject: RE: [redacted] Meeting

UNCLASSIFIED
NON-RECORD

[redacted]

I would bring the [redacted] issues to [redacted] and his advisory board. b6 b7C b7E b3

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

From: [redacted] (OTD) (FBI)
Sent: Wednesday, February 17, 2010 3:49 PM
To: [redacted]
Cc:
Subject: RE: [redacted] Meeting

b6 b7C b7E b3

UNCLASSIFIED
NON-RECORD

[redacted]

From: [redacted]
Sent: Wednesday, February 17, 2010 3:02 PM
To: [redacted]
Cc:

b6 b7C b7E b3

Subject: [redacted] Meeting

UNCLASSIFIED
NON-RECORD

b6
b7C
b7E

[redacted]

Can you put on paper what you were explaining to me about the application for [redacted] that [redacted]

[redacted]

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 000125

~~SECRET~~

DATE: 10-04-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 10-04-2037

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Friday, January 29, 2010 8:08 AM
To: [redacted] (OTD) (FBI)
Cc: [redacted]

(U) **Subject:** (~~S~~/NF) Please Pass to [redacted]

b6
b7C

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET//NOFORN~~
~~RECORD 268-hq-1068430~~

[redacted]

(S) [redacted]

b1
b3
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b7C
b7E

[redacted]
cell: [redacted]

(U) (~~S~~) P.S. As a last request... could you get me [redacted] email address. I would like to get on the path of emailing him [redacted]

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20350129~~
~~SECRET//NOFORN~~

CELL/OTD 000128

~~SECRET~~

CELLSITE-1738

~~SECRET~~

DATE: 09-24-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, D)
DECLASSIFY ON: 09-24-2037

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI) b7E
Sent: Wednesday, January 27, 2010 10:30 AM
To: [redacted]

(U) **Subject:** (S/NF) Upcoming Suppor[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET//NOFORN~~
~~RECORD 268-HQ-1068430~~

FYI -

(U) (S/NF) The following is just for planning purposes and information not to be desseminatted.

[redacted]

(S) b1 b3 b6 b7C b7E

[redacted]

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20350127~~
~~SECRET//NOFORN~~

CELL/OTD 000132

~~SECRET~~

CELLSITE-1739

~~SECRET~~

[redacted]- Can you fi[redacted]n.

Thanks,

[redacted]

b6
b7C
b7E

From: [redacted](OTD) (FBI)
Sent: Monday, January 11, 2010 9:46 AM
To: [redacted]
Subject: [redacted]

~~CONFIDENTIAL~~
~~RECORD 319-0~~

[redacted]

Got this from [redacted] regarding some results from [redacted] Do you have any idea what he's speaking of?

Thanks. [redacted]

b6
b7C
b7E

From: [redacted](FBI)
Sent: Wednesday, December 30, 2009 5:09 PM
To: [redacted]
Subject: [redacted]

~~CONFIDENTIAL~~
~~RECORD 319-0~~

(S) [redacted] sorry about that. I don't think [redacted]

Does that help? If not let me know and I will get more info from [redacted] or [redacted] Thanks and Happy New Year. [redacted]

b1
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b7C
b7E

[redacted]
Office
Blackberry

From: [redacted](OTD) (FBI)
Sent: Thursday, December 31, 2009 3:21 AM
To: [redacted]
Subject: [redacted]

~~CONFIDENTIAL~~
~~RECORD 319-0~~

[redacted]

Great seeing you, and sorry for the delay in answering this. I'll confess...I'm not sure I remember wha[redacted]you were speaking of. There were quite a few issues brought up and I'm not recalling this specifically. Can you give me a name?

Thanks.. [redacted]

b6
b7C
b7E

CELL/OTD 000141

From: [redacted](FBI)
Sent: Friday, December 11, 2009 1:04 AM
To: [redacted]
Subject: [redacted]

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Monday, October 05, 2009 5:33 PM
To: [redacted] b6 b7C b3 b7E
Cc:
Subject: Issue found with [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

This is to advise/update everyone on the new [redacted]

[redacted] b3 b7E

[redacted]

From: [redacted] (OTD) (FBI)
Sent: Friday, October 02, 2009 4:49 PM
To: [redacted] b3
Subject: [redacted] b6 b7C b7E

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted] et al.

[redacted] b3 b6 b7C b7E

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 000160

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Friday, October 02, 2009 4:49 PM
To: [redacted]
Subject: [redacted]

b3
b6
b7C
b7E

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted] et al.

[redacted]

b3
b6
b7C
b7E

SENSITIVE BUT UNCLASSIFIED

CELL/OTD

000162

~~SECRET~~

DATE: 10-04-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 10-04-2037

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Wednesday, September 16, 2009 2:59 PM
To: [redacted]
Cc:
Subject: RE: Equipment [redacted]

b3
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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~//NOFORN
~~RECORD 268-hq-1068430~~

[redacted]

(S) [redacted]

[redacted]

b1
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b7C
b7E

From: [redacted] (OTD) (FBI)
Sent: Thursday, September 10, 2009 3:34 PM
To: [redacted]
Cc:
Subject: RE: Equipment [redacted]

~~SECRET~~//NOFORN
~~RECORD 268-hq-1068430~~

(S) I got a mental image of one of our guys with [redacted]

Thanks for the laugh. Good luck.

[redacted]

b1
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b6
b7C
b7E

From: [redacted] (OTD) (FBI)
Sent: Thursday, September 10, 2009 3:10 PM
To: [redacted]
Cc:
Subject: RE: Equipment [redacted]

~~SECRET~~//NOFORN
~~RECORD 268-hq-1068430~~

[redacted]

[redacted] called me up and asked I meet her at 10:30 at their offsite. I'll be there on time.

b1
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b6
b7C
b7E

(S) [redacted]

(S) [redacted]

b1
b3
b6
b7C
b7E

Thanks again, talk to you later.

[redacted]

From: [redacted](OTD) (FBI)
Sent: Thursday, September 10, 2009 2:09 PM
To: [redacted]
Cc:
Subject: RE: Equipment

~~SECRET//NOFORN~~
~~RECORD 268-hq-1068430~~

[redacted]

(S) [redacted]

b1
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b7C
b7E

Let me know if the meeting time is good as soon as possible.

[redacted]

From: [redacted](OTD) (FBI)
Sent: Thursday, September 10, 2009 11:38 AM
To: [redacted](OTD) (FBI)
Subject: Equipment

~~SECRET//NOFORN~~
~~RECORD 268-hq-1068430~~

[redacted]

(S) [redacted]

b1
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b7C
b7E

(S) [redacted]

(S)

b1
b3
b6
b7C
b7E

Now that you just mentioned the

(S)

DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20340910
SECRET//NOFORN

DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20340910
SECRET//NOFORN

DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20340910
SECRET//NOFORN

DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20340910
SECRET//NOFORN

DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20340910
SECRET//NOFORN

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-17-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Thursday, September 10, 2009 3:15 PM
To: [redacted]
Cc:
Subject: RE: [redacted] Problem

b3
b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

Single Issue...

[redacted]

[redacted]

From: [redacted] (OTD) (FBI)
Sent: Thursday, September 10, 2009 3:01 PM
To: [redacted]
Cc:
Subject: FW: [redacted] Problem

b3
b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

See me. Do we have a problem with what has been sent out or is this a single issue

[redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted]

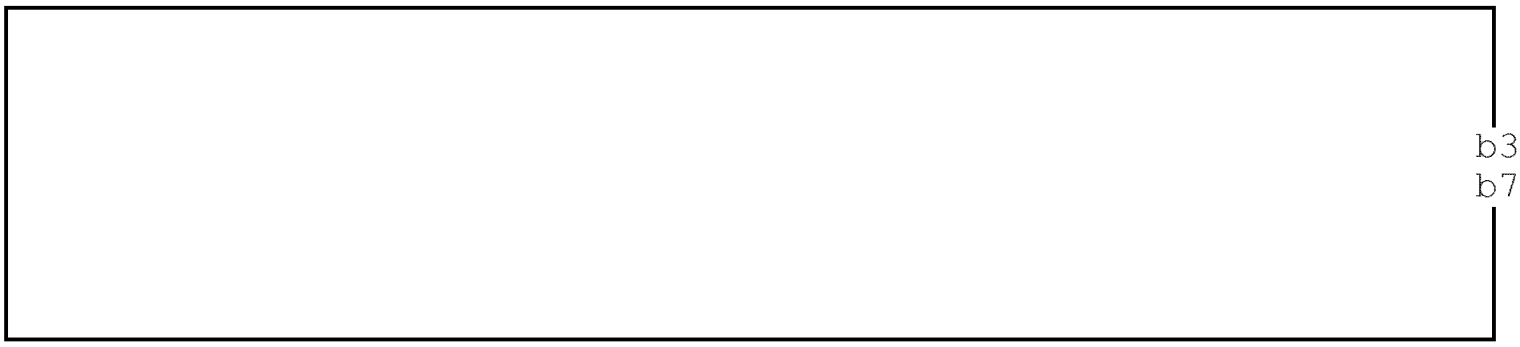
From: [redacted] (FBI)
Sent: Thursday, September 10, 2009 1:09 PM
To: [redacted]
Cc:
Subject: [redacted] Problem

UNCLASSIFIED
NON-RECORD

b3
b6
b7C
b7E

[redacted]

[redacted]



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b7E

b3
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b3
b7E

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 000170

CELLSITE-1751

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-20-2012 BY 65179 DMH/SIW

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Monday, January 19, 2009 1:38 PM
To: [redacted]
Cc:
Subject: FW: New WITT Equipment Deployment

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b6
b7C
b7E

[redacted]

I recalled having a conversation with [redacted] our supply tech, a while back and he did indicated at that time he did shipped to [redacted] I will consult with [redacted] and request him to look up the shipping form.

[redacted]

From: [redacted] (FBI)
Sent: Friday, January 09, 2009 2:49 PM
To:
Cc: [redacted] (FBI)
Subject: RE: New WITT Equipment Deployment

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Hi [redacted] Hope you had a good Cristmas and New Years. Regarding your equipment email, I don't think we ever received any of the [redacted] so please don't wait for us to return them before sending out the [redacted] Also, we sent back [redacted] last summer that you were going to replace, and we never received the replacement. TTU did send us some [redacted] but we never received a replacement for [redacted] Any chance you could send us one? Thanks.

b6
b7C
b7E

[redacted]

From: [redacted] (OTD) (FBI)
Sent: Tuesday, December 16, 2008 2:10 PM
To: [redacted]

b6
b7C
b7E

Cc:
Subject: New WITT Equipment Deployment

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

CELL/OTD 000232

ERF shall be deploying the following additional equipment to your [redacted] field office in a continuing effort to provide [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

b3
b6
b7C
b7E

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 000235

CELLSITE-1755

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-20-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Wednesday, December 31, 2008 10:17 AM
To: [redacted]
Cc:
Subject: [redacted]

b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

I think its great they are getting the word out. Although they should mention something that goes to the fact that we really need [redacted]

[redacted]

From: [redacted] OTD) (FBI)
Sent: Monday, December 29, 2008 8:19 AM
To: [redacted]
Cc:
Subject: [redacted]

b6
b7C
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UNCLASSIFIED
NON-RECORD

[redacted]

I don't really agree with what they are doing. This is the first time I have heard that they need ou[redacted]

[redacted]

[redacted]

We can demo a [redacted] exercise but we should not allow them to [redacted]

b6
b7C
b7E

Your thoughts?

[redacted]

From: [redacted] (OTD) (FBI)
Sent: Monday, December 29, 2008 6:59 AM
To:
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted] are we on the schedule to assist in this [redacted] training?

b6
b7C
b7E

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division

[redacted]

CELL/OTD

000256

From: [redacted] (FBI)

Sent: Wednesday, December 24, 2008 11:24 AM
To:
Subject:

UNCLASSIFIED
NON-RECORD

b6
b7C
b7E

For your info.

From: (FBI)
Sent: Monday, December 15, 2008 9:31 AM
To:
Subject:

UNCLASSIFIED
NON-RECORD

I agree

From: (FBI)
Sent: Monday, December 15, 2008 7:40 AM
To:
Subject:

UNCLASSIFIED
NON-RECORD

We should not give up our This is not a We need to remain operational.

b6
b7C
b7E

From: (FBI)
Sent: Friday, December 12, 2008 4:29 PM
To:
Subject:

UNCLASSIFIED
NON-RECORD

FYI?

From: (FBI)
Sent: Friday, December 12, 2008 4:22 PM
To:
Subject:

UNCLASSIFIED
NON-RECORD

b6
b7C
b7E

To support this training

CELL/OTD

b6
b7C
b7E

An EC should be coming out at some point but I wanted you guys to have a heads up.

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UNCLASSIFIED

CELL/OTD

000238

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HEREIN IS UNCLASSIFIED
DATE 09-20-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Tuesday, December 16, 2008 3:28 PM
To: [redacted]
Subject: [redacted] Training Schedule

b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

[redacted] is proposing the following dates for [redacted] training:

[redacted]

b3
b6
b7C
b7E

The second class will be [redacted] The third class will be [redacted]

[redacted]

We will work on sending out invites and making necessary arrangements before year-end to ensure availability and commitments.

UNCLASSIFIED

CELL/OTD 000241

To:

Cc:

Subject: Important WITT Technical Bulletin

b6
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~~SENSITIVE BUT UNCLASSIFIED~~
~~NON-RECORD~~

b3
b7E

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 000263

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-14-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (CON)
Sent: Thursday, March 20, 2008 2:24 PM
To: [redacted] b6 b7C b7E
Cc:
Subject: Invitation to attend an advanced WITT training class at ERF

UNCLASSIFIED
NON-RECORD

Hi Folks,
Our group is putting together a training class next month, travel days Sunday, April 6 and Friday, April 11. Topics will include [redacted] Good Stuff!! I know everybody is busy and that some are just coming off the road and that coming to Quantico isn't tops for a training venue, but we would love to show you [redacted] Please RSVP to me as soon as you can. It would be best to let me know by my cell number after this Friday, as I will be out of the office most of next week. Thanks. [redacted]

[redacted] b6 b7C b3 b7E
Retired FBI SSA, 1984-2006
Tracking Technology Unit
Federal Bureau of Investigation
[redacted] - Office
- Cell

UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-14-2012 BY 65179 DMH/STW

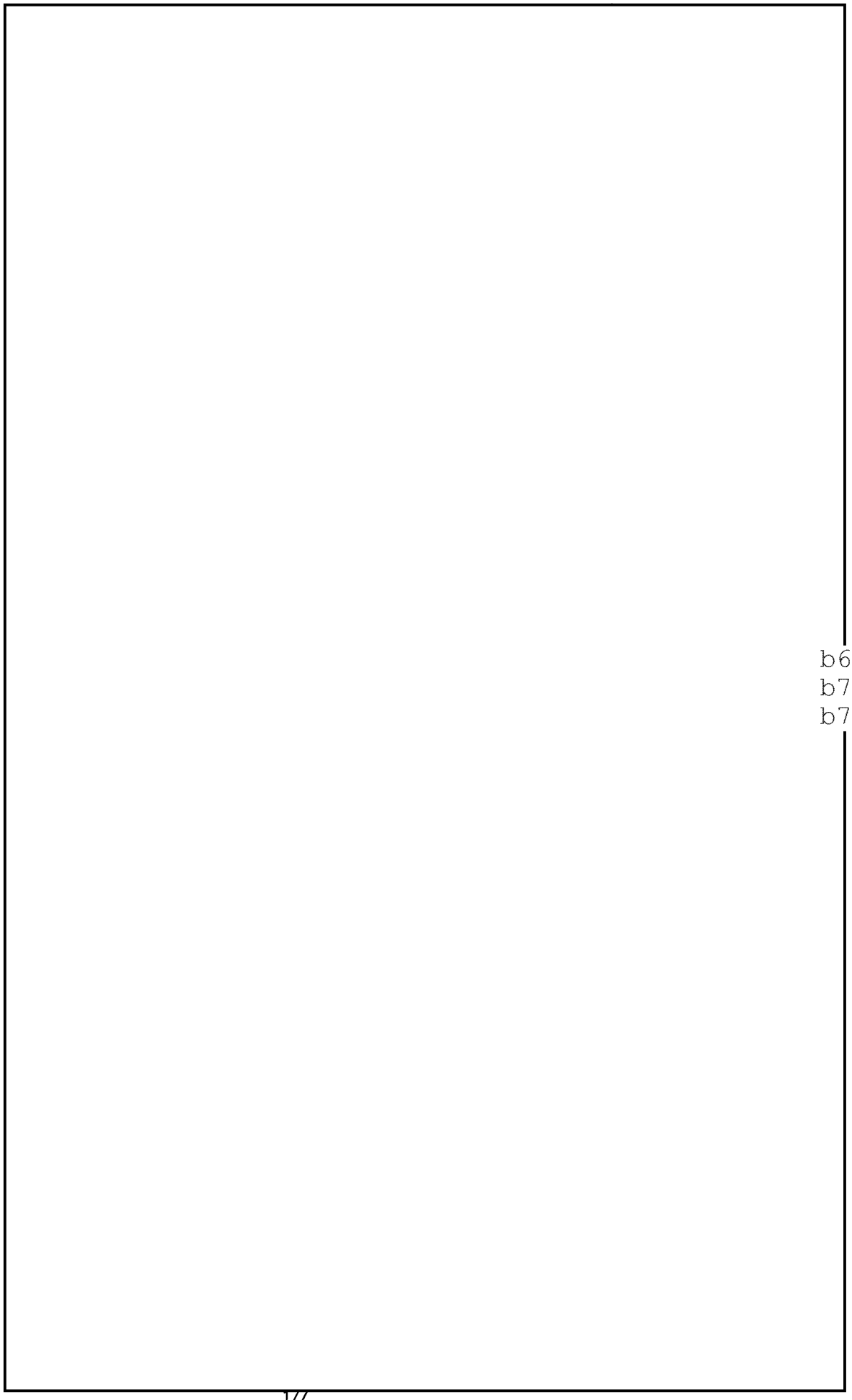
[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Tuesday, November 06, 2007 11:38 AM
To:

[redacted]

b6
b7C
b7E

To:



b6
b7C
b7E

To: [redacted]

b6
b7C
b7E

Cc: [redacted] (OTD) (FBI)
Subject: Delegation of Authority and guidelines for use of WITT Equipment

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Greetings,

In addition to the EC I forwarded to you yesterday, attached is a EC (with guidelines) delgating authority for use of WITT to UC level.

Previously a SC had to approve.

The guidelines establish the authority levels for various scenarios. This is as important if not more so that the delegation to the UC level instead of SC level.

wittdeligationofauthority.wpd

Please forward to users and management as you deem appropriate.

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 000278

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-24-2012 BY 65179 DMH/STW

Standard Operating Procedure (SOP) for Case Squads requesting Cell Phone Tracking assistance, including tracking under "*Exigent Circumstances*"

b5
b6
b7C
b7E

Official Use Only

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-24-2012 BY 65179 DMH/STW

Introduction to Tracking Equipment

000365

CELL/OTD

[redacted]

[redacted]

b6
b7C
b7E

June 25, 2003

WITT Equipment Overview

-

-

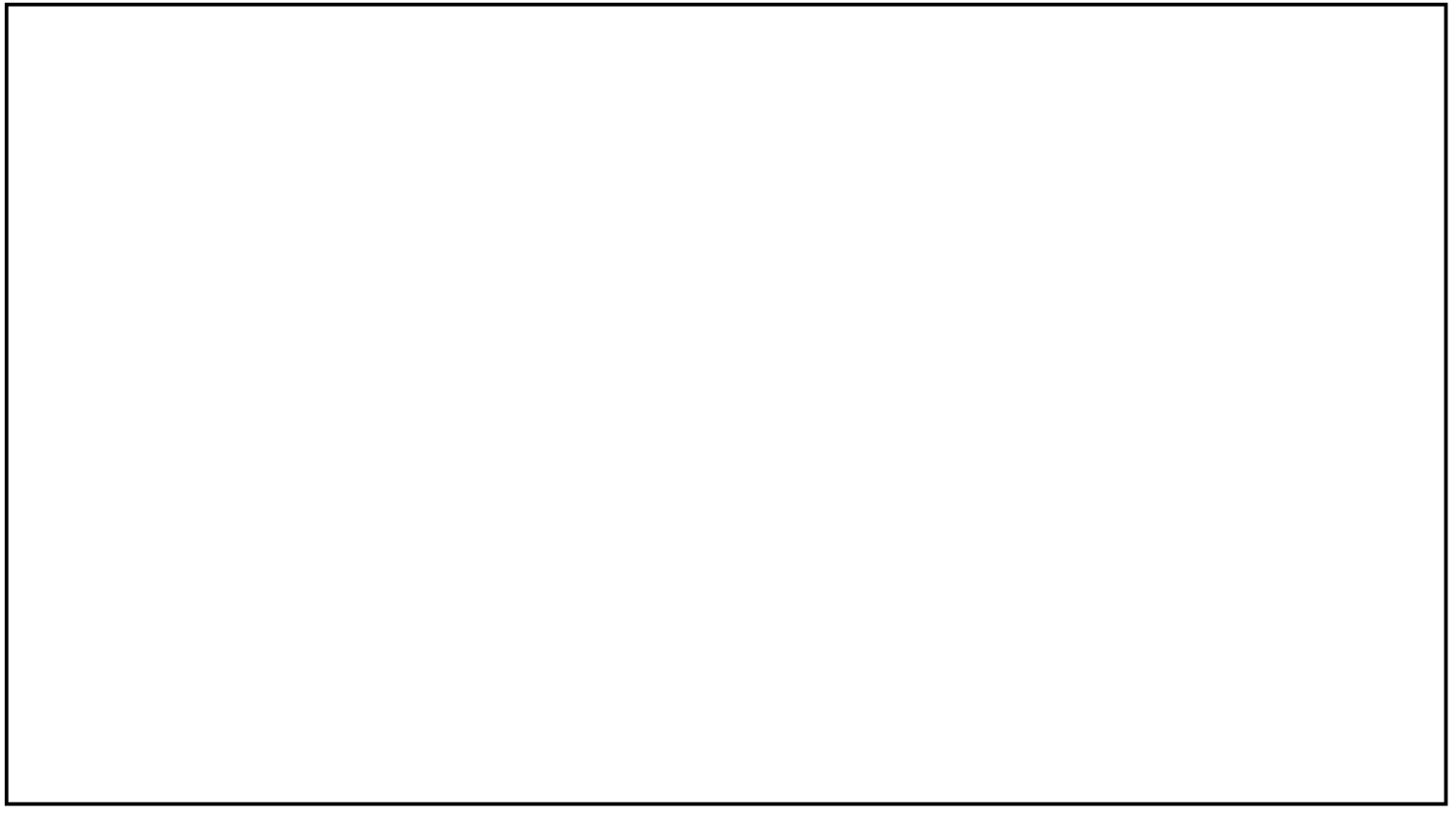
b7E

b3

b7E

ent, Technology and Carriers

b3
b7E



000367

CELL/OTD

Official Use Only

Equipment Terminology

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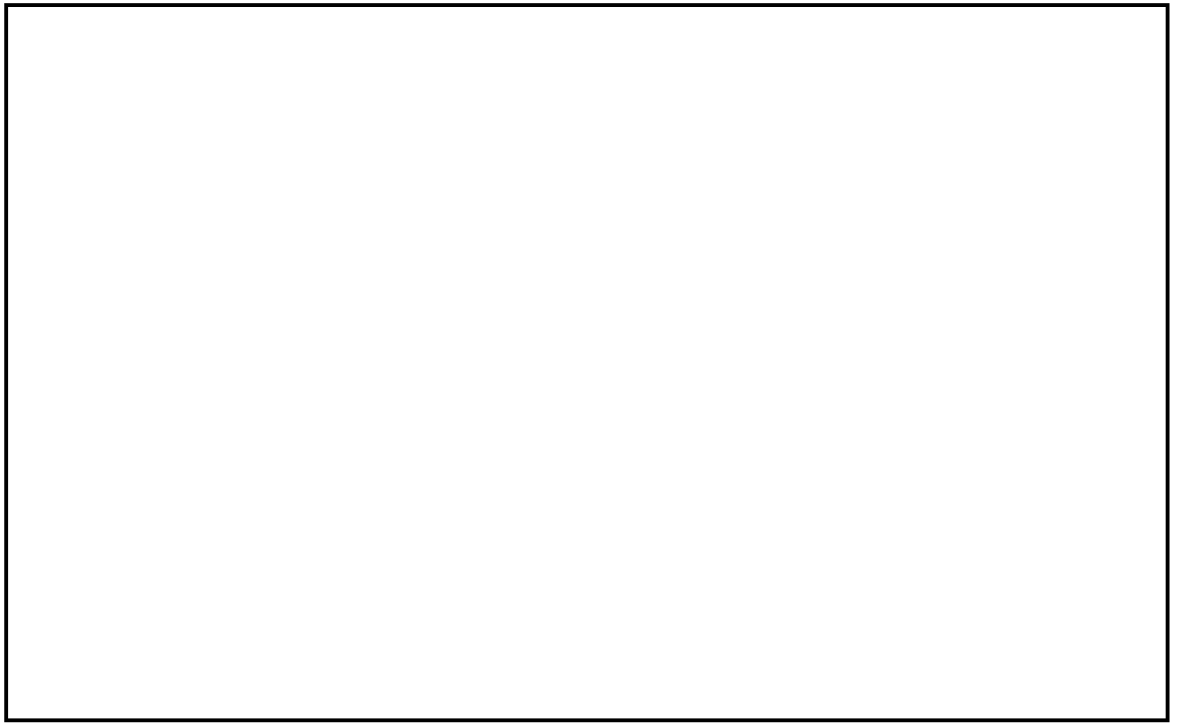
CELL/OTD

Official Use Only

Scenario and Function Flow

Equipment Functions are designed to address Mission Needs



000369

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CELL/OTD

CELLSITE-1823

fficial Use Only

dual Equipment Presentations

- LoggerHead

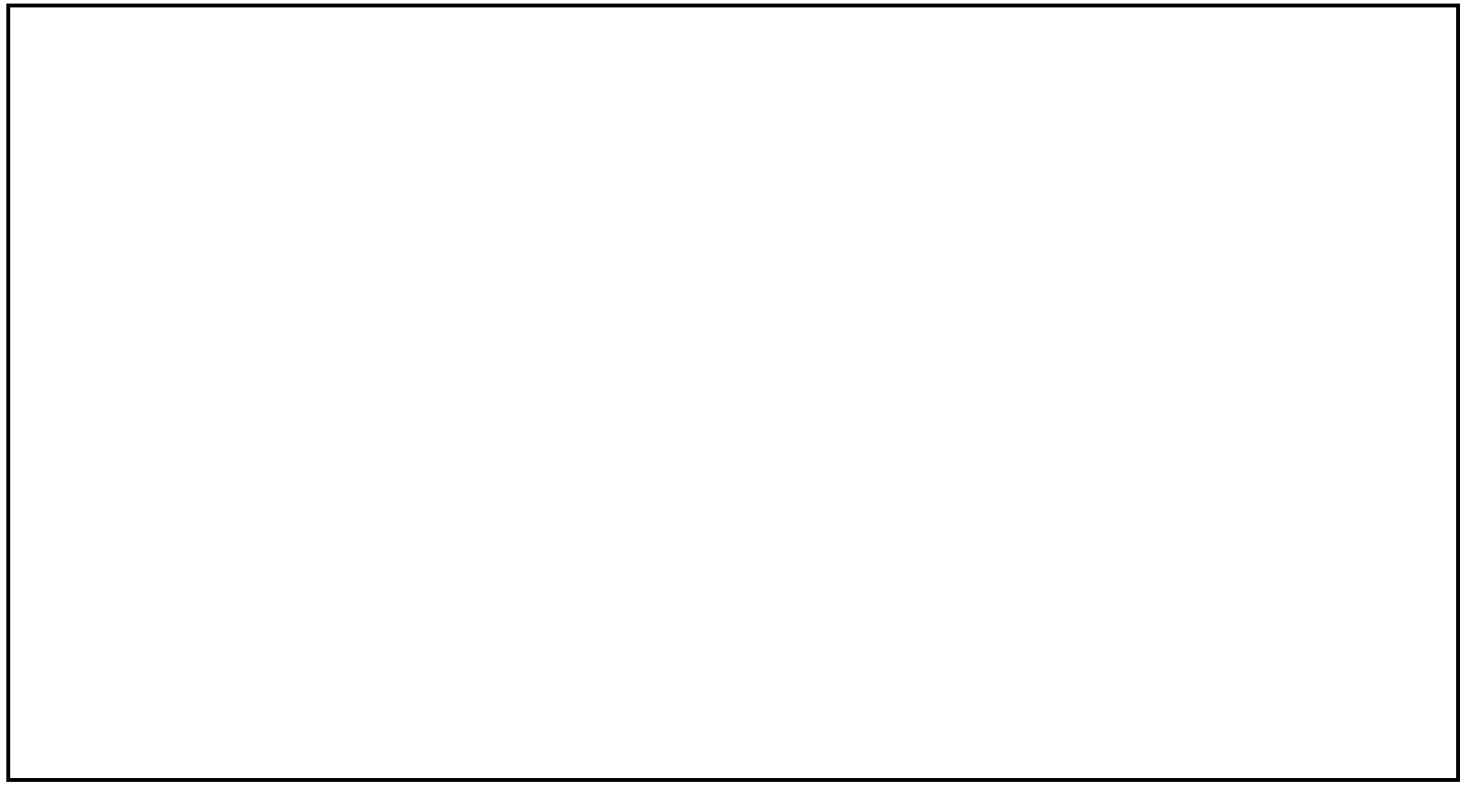
- StingRay

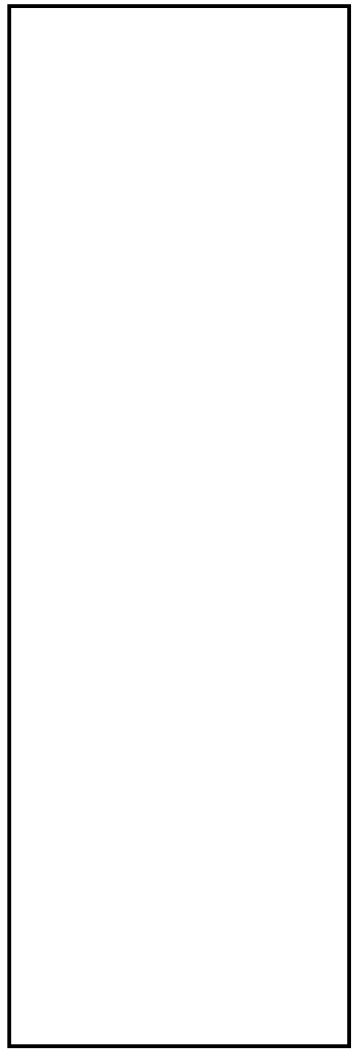
b3
b7E

CELL/OTD

Official Use Only

Loggerhead





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CELL/OTD

Official Use Only

Jaggerhead

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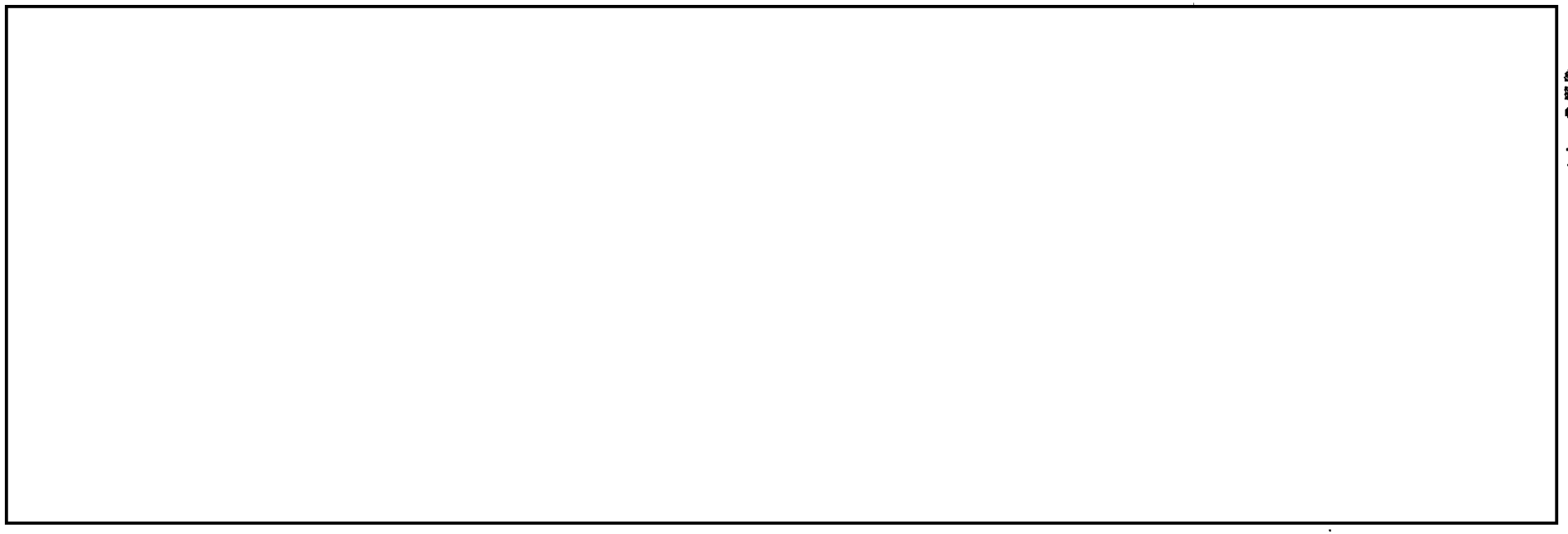
b7E

000372



CELL/OTD

Loggerhead

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CELL/OTD

gerhead

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CELL/OTD

Loggerhead

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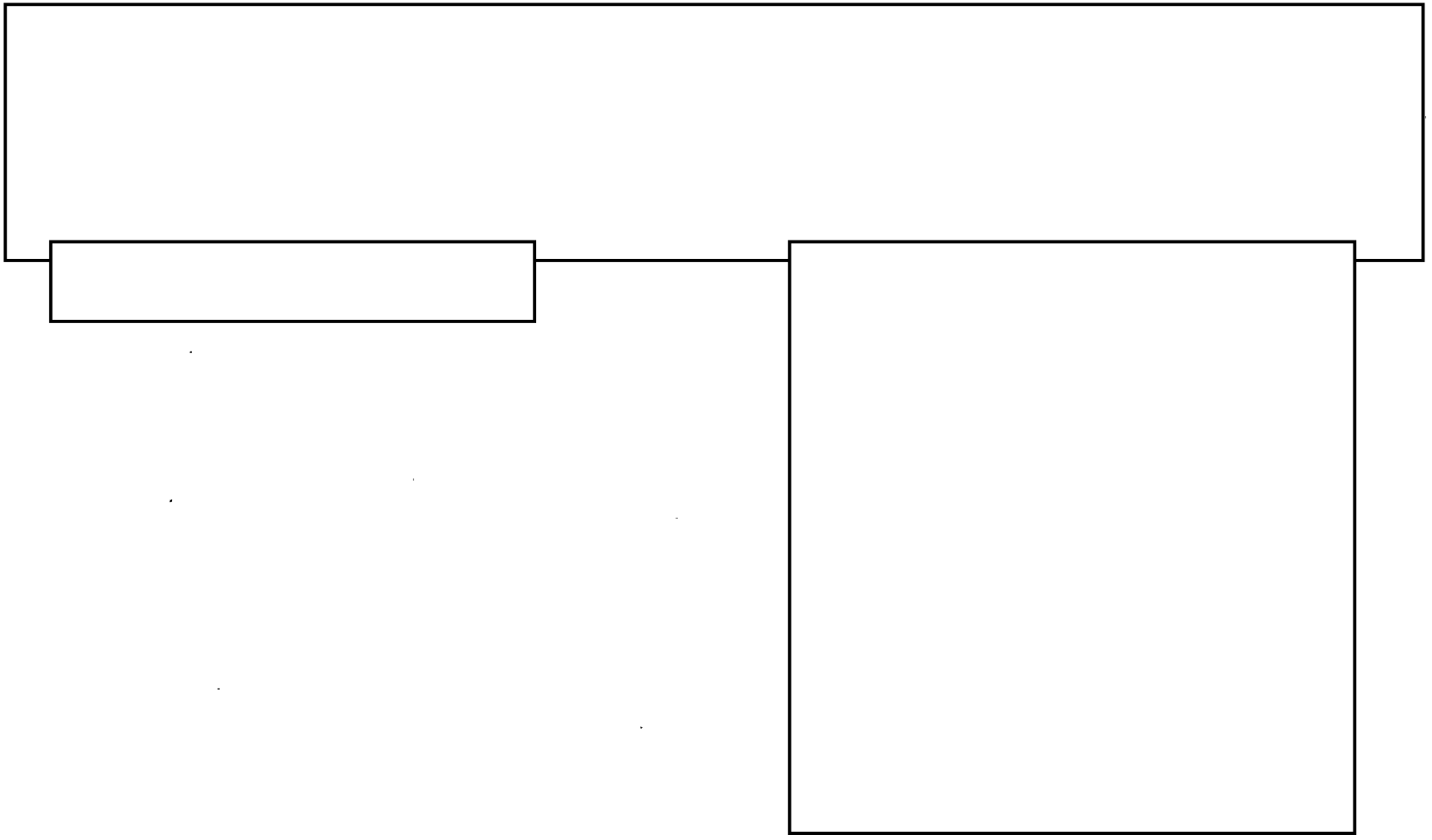
b7E



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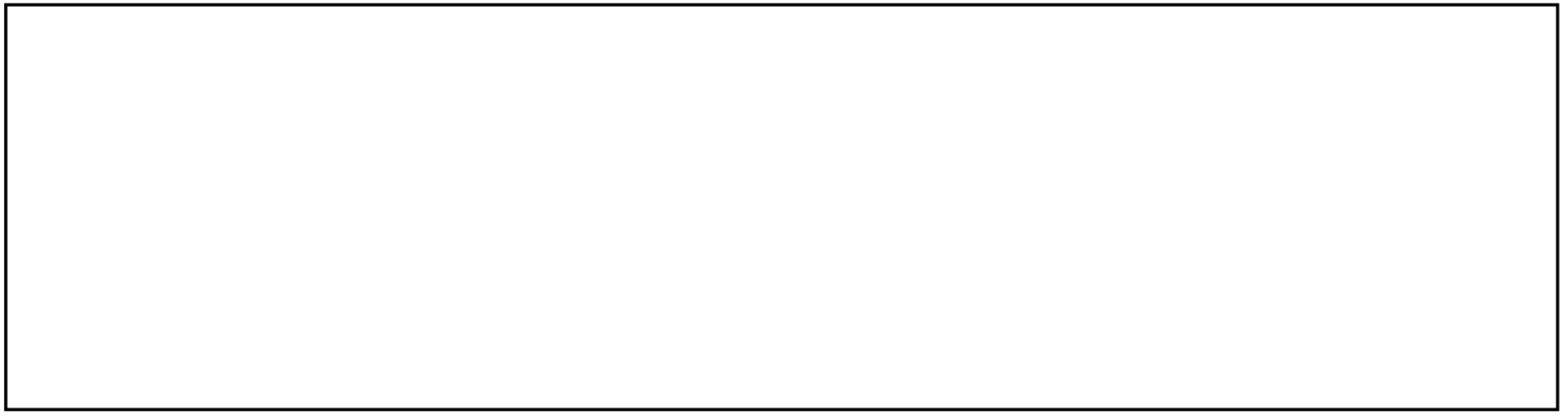
CELL/OTD

CELLSITE-1830

StingRay



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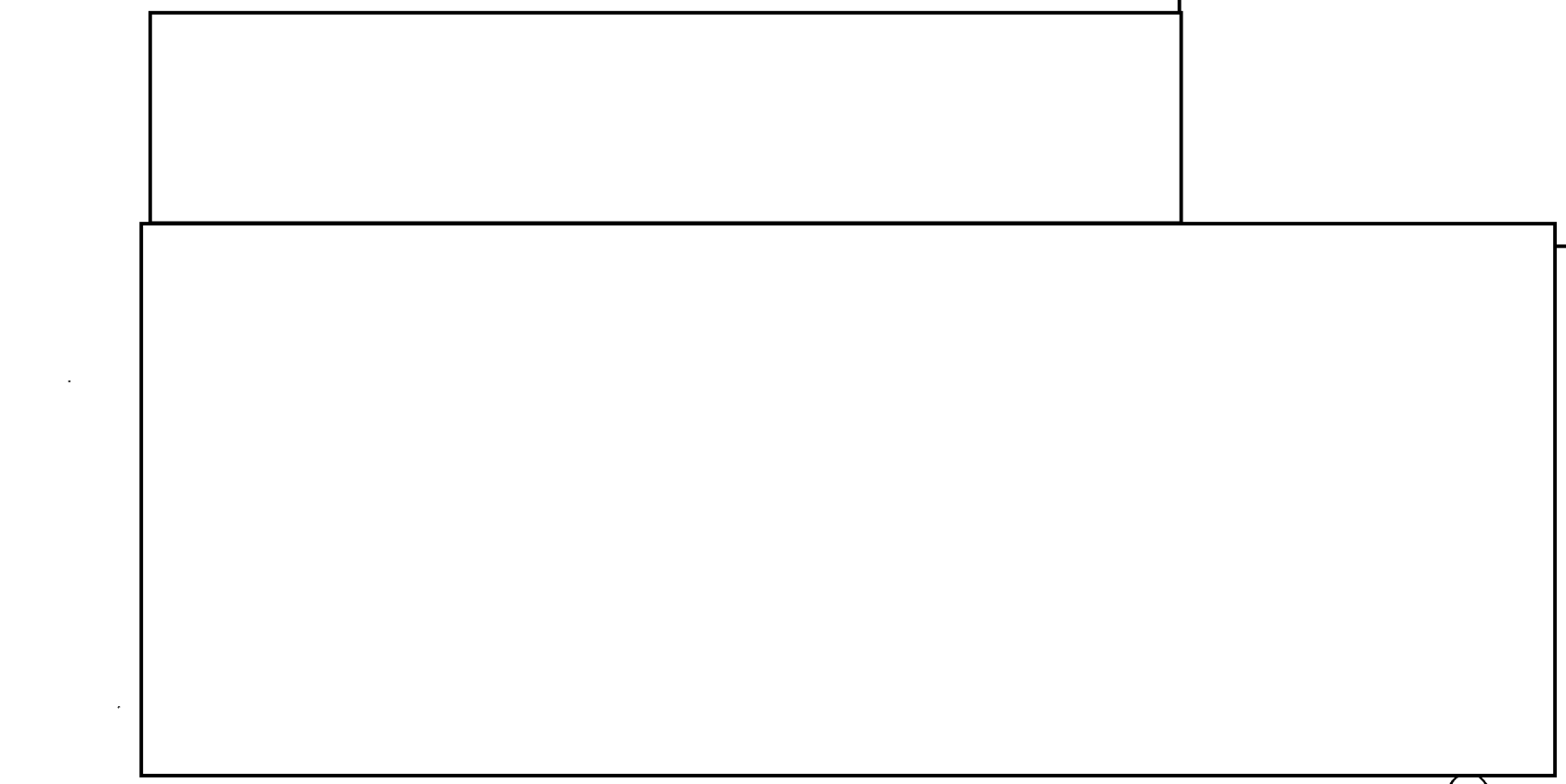
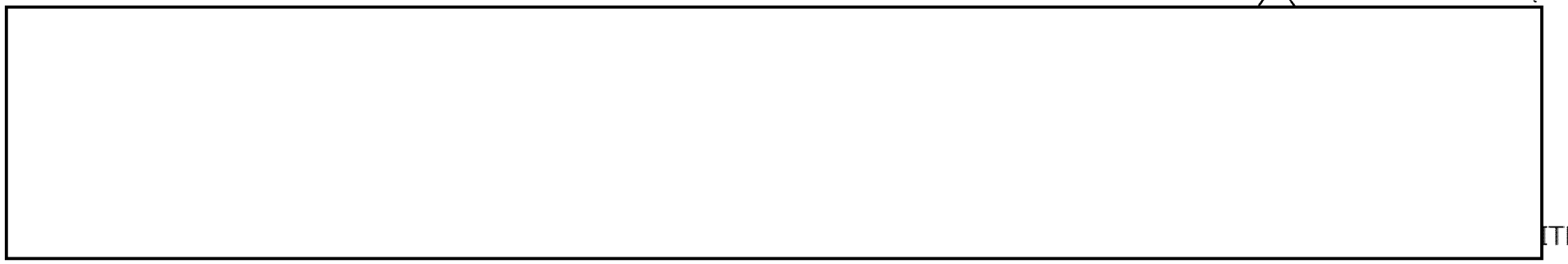
CELL/OTD 000386

StingRay





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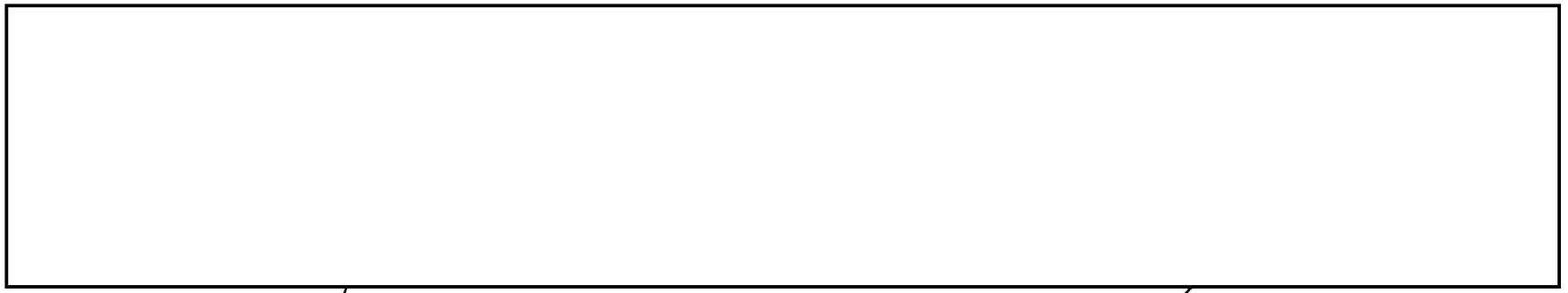
CELL/OTD

StingRay



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CELL/OTD

Stingray

b3
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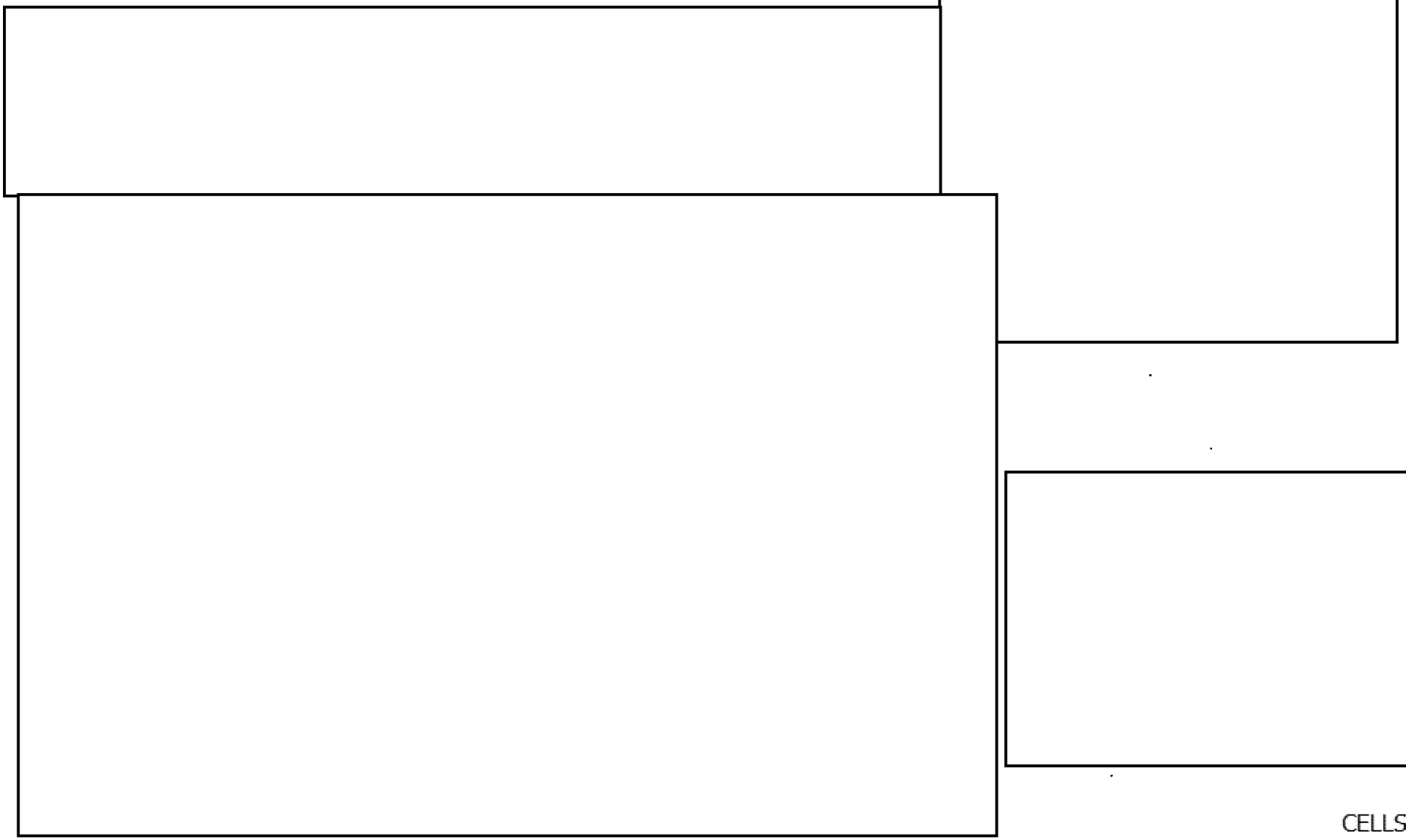
CELL/OTD

StingRay

b3
b7E

CELL/OTD 000391

StingRay



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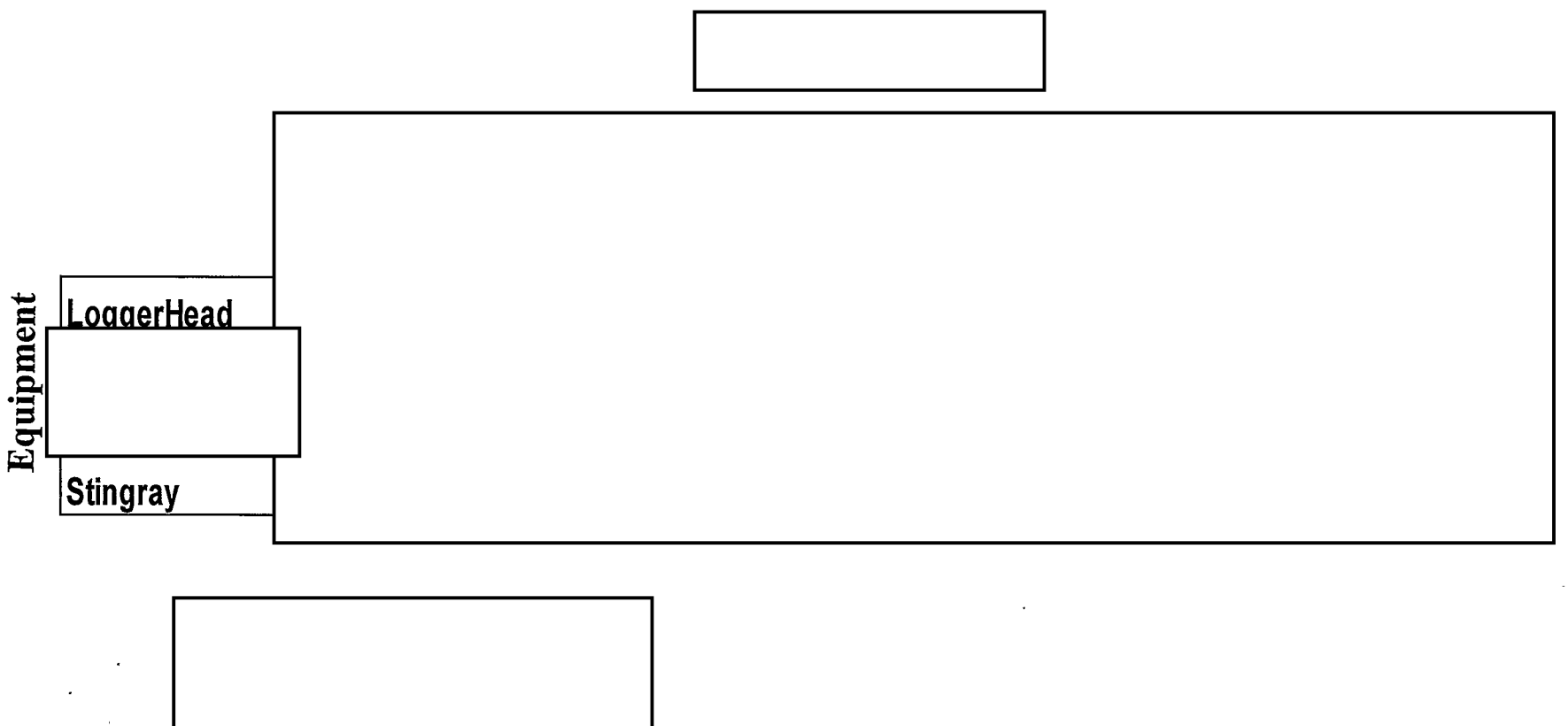
CELL/OTD

ficial Use Only

Equipment Summary



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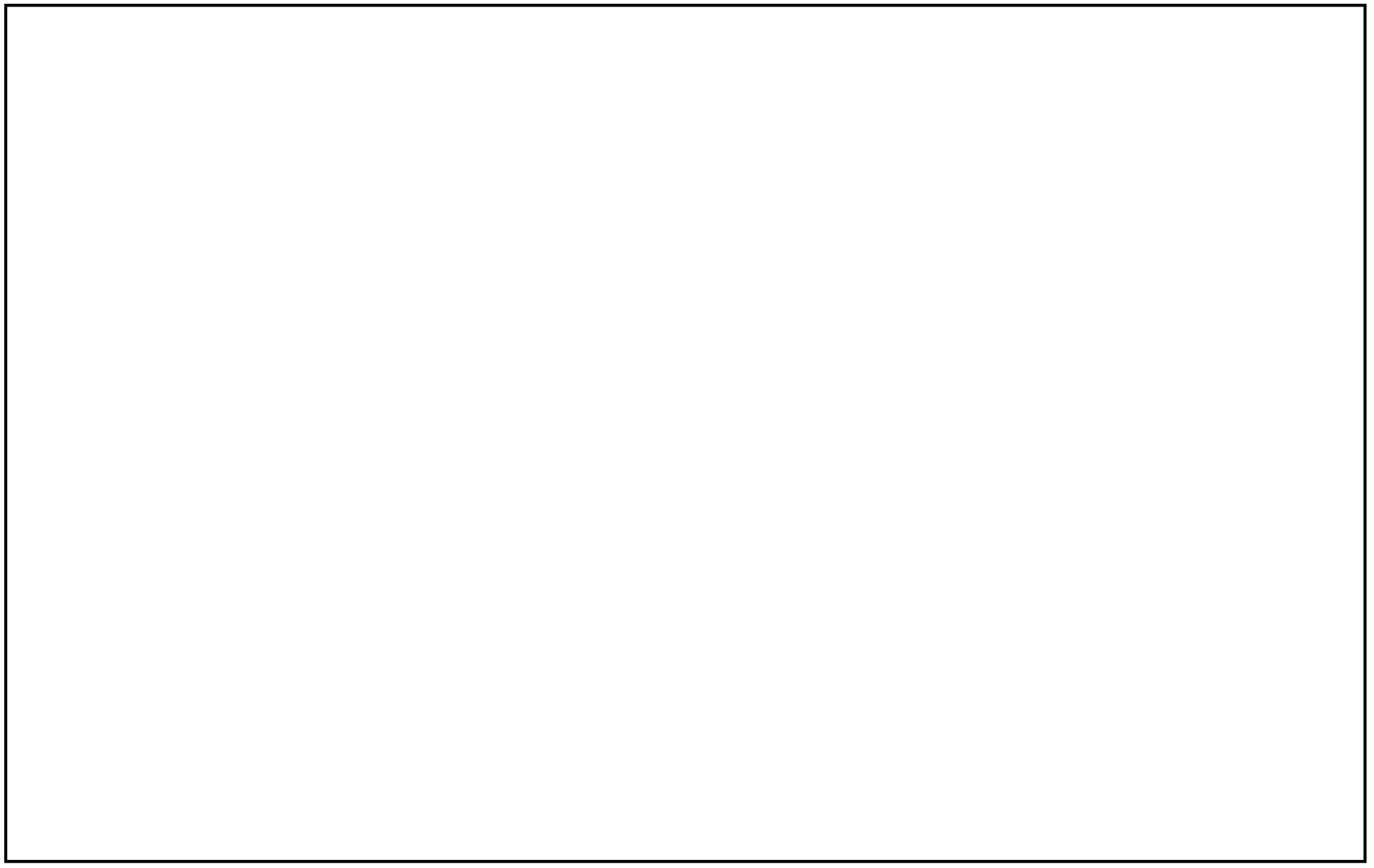
CELL/OTD

CELLSITE-1847

Other WITT Developments



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CELL/OTD

000594

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-18-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Monday, November 21, 2005 3:43 PM
To: [redacted]

b6
b7C
b7E

Subject: [redacted]

UNCLASSIFIED
NON-RECORD

Unless SSA [redacted] emands that we go out, because he can call the ASAC and demand that we go the next time a 5' 3" lady armed with a cell phone robs a bank.

b3
b6
b7C
b7E

-----Original Message-----
From: [redacted]
Sent: Monday, November 21, 2005 1:56 PM
To: [redacted]

Subject: [redacted]

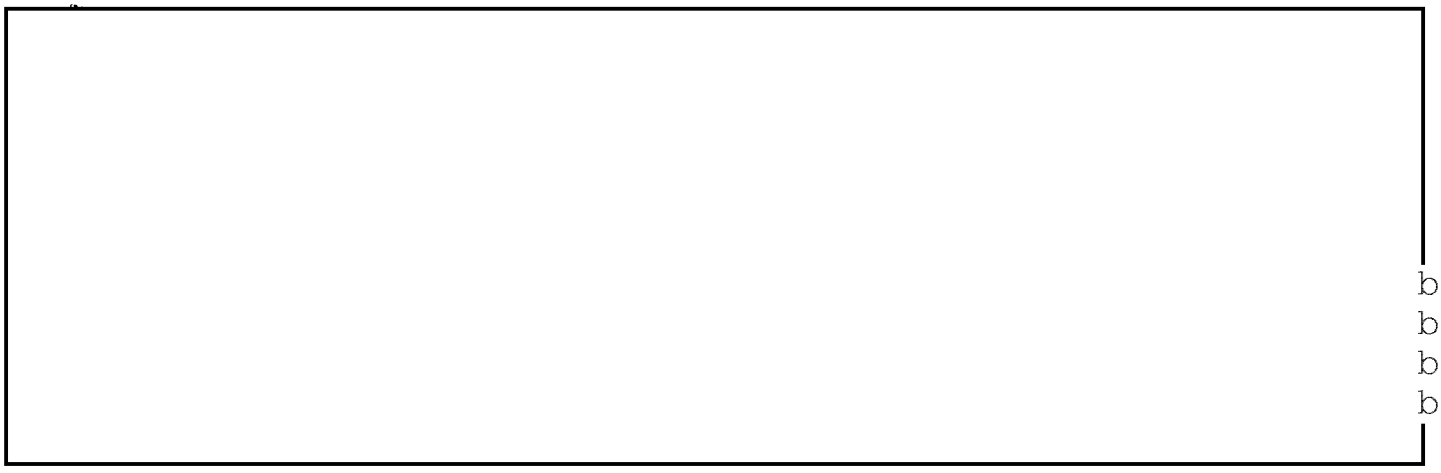
UNCLASSIFIED
NON-RECORD

FYI. No more [redacted] cases since the [redacted] does not work. Well, it never really worked anyway.

[redacted]

b3
b7E

[redacted]



b3
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b7E

SSA
PROGRAM MNGR. WITT
OTD DIVISION 18
office

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

(Rev. 01-31-2003)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-18-2012 BY 65179 DMH/STW

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 05/28/2004

To: Finance **Attn:** [redacted]
Building L (Enc)
[redacted]
Building L (Enc)

From: Investigative Technology
[redacted]OT-ERF
Contact: EE [redacted]

b6
b7C
b7E

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM (WITT)

Synopsis: To request the Engineering Contracts Unit (ECU) to approve funding for continuing development on [redacted]

Enclosure(s): Task O-002 Statement of Work, FD-369 ?????? in the amount of [redacted] copy of Non-IT Waiver EC, Acquisition Plan.

Details: The WITT has driven the development and implementation [redacted]

b3
b7E

Harris_FY04_Procurement.wpd

CELL/OTD

000450

To: Finance From: Investigative Technology
Re: 268-HQ-1068430, 05/28/2004

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

The Engineering Contracts Unit is requested to approve funding in the amount of [redacted] for the purchase of engineering services from Harris Corporation to support Task Q-002 developments.
Funding for this procurement is available from Budget Item [redacted]
Subobject Classification [redacted]

CC: [redacted]

b3
b6
b7C
b7E

♦♦

CELL/OTD 000451

CELLSITE-1895

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-21-2012 BY 65179 DMH/STW

ACQUISITION PLAN

[redacted]

FEDERAL BUREAU OF INVESTIGATION

1. Unit/Section/Division: [redacted]

2. Description of Requirement: [redacted] b7E

[redacted]

3. Estimated Cost: _____ 4. Term of Contract: _____

5. Distribution of Dollars: FY- 03 [redacted]
FY- _____ FY- _____
FY- _____ FY- _____

6. Subobject Class/Budget Item: [redacted]
Product or Service Code: n/a

7. Market Research (state how performed & attach): Market survey conducted via internet research and contact/communication with multiple vendors

Commercial Item: ☒ Yes ☐ No Competitive: ☐ Yes ☒ No
If no to one or more above, explain: Reference Attached EC for Sole Source Justification

8. Sources Considered:
☐ FBI Personnel ☐ Other Government Personnel ☐ Required Sources (FAR Part 8)
☐ 100% Small Bus. ☐ 8a Set aside ☐ Disadvantaged (FAR Part 8)
☐ Hubzone ☐ Women-owned ☒ Other Federal Contracts
☐ A-76

9. If Information Technology: ☐ IRM Review ☐ AIS Approval

10. Type of Procurement:
☒ Brand Name Only ☐ Commercial Item ☐ Functional Specifications
☐ Brand Name or Equal ☐ Compatibility ☐ Performance-Based Service Contract

11. Contract Type:
☐ BOA ☐ IDIQ Contract ☐ Reimbursable Agreement
☐ Cost-Reimbursement ☐ (IFB) ☐ RFP
☒ Firm-Fixed Price ☐ Incentive ☐ RFQ
☐ Firm-Fixed Price w/Economic Adj. ☐ Letter Contract (DOJ Approval) ☐ Time and Material

12. Lease vs Purchase (if lease, analysis attached): No

13. Environmentally Preferable Item: ☐ Yes ☒ No

14. Inherently Government Function (justified): ☐ Yes ☒ No

15. Lead Time Required: _____ To be filled in by Contracting Officer.

Approval: _____ _____
Technical Staff Member/(date) Budget Staff Member/(date)

_____ _____
Legal Review (If applicable)/(date) Contracting Officer or CCO/(date)

CELL/OTD 000452 CELLSITE-1896

(Rev. 01-31-2003)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-18-2012 BY 65179 DMH/STW

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 04/12/2004

To: Finance **Attn:** [redacted]
Building L (Enc)
[redacted]
Building L (Enc)
[redacted] (Enc)
Enc)
Enc)
Criminal Investigative

b6
b7C
b3
b7E

From: Investigative Technology
[redacted] QT-ERF
Contact: EE [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 268-HQ-1068430

b6
b7C
b3
b7E

Title: WIRELESS INTERCEPT AND TRACKING TEAM (WITT)

Synopsis: To request procurement of Stingray [redacted]

Enclosure(s): FD-369, 0155172 in the amount of [redacted]
Non-IT Waiver, Acquisition Plan and vendor price quotes [redacted]

Details: The WITT has driven the development and implementation [redacted]

b3
b7E

Harris_FY04_Procurement.wpd

[redacted]

[redacted]

b3
b7E

[redacted]

b3
b7E

CELL/OTD 000460 CELLSITE-1898

Sole Source Justification

[redacted] is to procure additional systems of [redacted] The following seven reasons explain why: b3 b7E

1. [redacted]
2. [redacted]
3. [redacted]
4. [redacted]
5. [redacted]
6. [redacted]
7. [redacted] b3 b7E

All of these reasons support the claim that it is in the FBI's best interest to acquire additional systems of [redacted] Therefore, a sole-source procurement action to obtain [redacted]

CELL/OTD

000421

CELLSITE-1899

[redacted] is requested. These items are available on GSA Contract [redacted] Funding for this procurement is available from Budget Item [redacted] Subobject Classifications [redacted]

[redacted]

b3
b7E

[redacted]

b3
b7E

[redacted]

Sole Source Justification

[redacted] Their market analysis consisted of Internet-based research and direct telephone contact with sales and technical representatives of multiple companies. Some of these companies [redacted]

b3
b7E

Therefore, [redacted] recommends procurement action to purchase [redacted] A sole-source procurement action to obtain [redacted]

CELL/OTD

CELLSITE-1900

[redacted] is requested. These items are available on GSA Contract [redacted] Funding for this procurement is available from Budget Item [redacted] Subobject Classifications [redacted]

b3
b7E

[redacted]

[redacted]

b3
b7E

SOLE SOURCE JUSTIFICATION

Purchasing [redacted] directly from the manufacturer is the only viable solution as it would allow [redacted]

b3
b7E

CONTINUATION OF EXISTING MAINTENANCE/SERVICE AGREEMENTS (MSA)

The WITT has a continuing requirement for manufacturer-provided maintenance/service support for [redacted] b3 b7E

[redacted] b3 b7E

SOLE SOURCE JUSTIFICATION

[redacted] b3 b7E

[redacted] Therefore, a sole-source procurement action to purchase the requested MSA is requested.

To: Finance From: Investigative Technology
Re: 268-HQ-1068430, 04/12/2004

Funding for this procurement is available from Budget Item [redacted] b7E
Subobject Classification [redacted]

CELL/OTD 000463 CELLSITE-1903

To: Finance From: Investigative Technology
Re: 268-HQ-1068430, 04/12/2004

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

The Engineering Contracts Unit is requested to procure

[redacted] b3 b7E

Set Lead 2: (Action)

[redacted]

AT WASHINGTON, DC

[redacted] b3 b7E

Set Lead 3: (Info)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

For information only.

CC: [redacted] b6 b7C

QT-ERF
QT-ERF (Enc)
QT-ERF (Enc)
QT-ERF (Enc)
QT-ERF (Enc)

♦♦

CELLSITE-1904

CELL/OTD 000464

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-21-2012 BY 65179 DMH/STW

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION IN ACCORDANCE WITH TITLE 41, U.S.C. 253 (c)(6)

(1) AGENCY AND THE CONTRACTING ACTIVITY & IDENTIFICATION OF DOCUMENT:

In a response to a requirement from the Wireless Intercept and Tracking Team (WITT), [redacted] Investigative Technology Division (ITD), Federal Bureau of Investigation (FBI), the Engineering Contracts Unit (ECU) has prepared this Justification for other than full and open competition for the renewal of a Maintenance and Service Agreement (MSA) with [redacted]

b3
b7E

(2) NATURE AND/OR DESCRIPTION OF ACTION BEING APPROVED:

The WITT has a requirement for the renewal of a Maintenance and Service Agreement (MSA) for the acquisition of [redacted]

b3
b7E

(3) DESCRIPTION OF SUPPLIES AND SERVICES (INCLUDING THE ESTIMATED VALUE):

The WITT has a continuing requirement for manufacturer provided maintenance and service, to [redacted]

b3
b7E

[redacted]

(4) STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AN OPEN COMPETITION:

This contract action is authorized by 41 U.S.C. 253(c)(6), as set forth in the Federal Acquisition Regulation (FAR) 6.302-6. – don't think this one is right!!!!!!!!!!

????? not sure if this is right.....should it be 6.302-1(2), (ii),(i),(2) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements???

This acquisition is in accordance with the authority FAR 6.302 as only one responsible source, i.e. Harris Corporation, can support th[redacted] b3 b7E

(2) When the supplies or services required by the agency are available from only one responsible source, or, for DoD, NASA and the Coast Guard, from only one or a limited number of responsible sources, and no other types of supplies or services will satisfy agency requirements, full and open competition need not be provided for;

(ii) Supplies may be deemed to be available only from the original source in the case of a follow-on contract for the continued development or production of a major system or highly specialized equipment, including major components thereof, when it is likely that the award to any other source would result in – (A) substantial duplication of cost to the Government that is not expected to be recovered through competition.

(i) unique supplies or services available from only one source or only one supplier with unique capabilities;

(2) The existence of limited rights in data, patent rights, copyrights, or secret processes;

(5) DEMONSTRATION THAT THE NATURE OF THE ACQUISITION JUSTIFIES THE USE OF THE AUTHORITY CITED.

??? this section dealt with non-advertising....not sure what you want here :o(

(6) EFFORTS MADE TO ENSURE OFFERS ARE SOLICITED FROM AS MANY POTENTIAL SOURCES AS PRACTICABLE, INCLUDING COMPLIANCE WITH SUBPART 5.2 AND, IF NOT WHICH EXCEPTION UNDER 5.202 APPLIES:

This procurement was advertised in the FEDBIZOPS.....Not sure what you want in here?

(7) DETERMINATION THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE:

A cost analysis will be performed as part of the evaluation process which will ensure that the government will pay a fair and reasonable price for the maintenance, services and upgrades.

(8) MARKET SURVEY

WITT has determined that based on the existing need of the FBI it is in the best interest of the FBI to limit competition to the [redacted] acknowledges that other vendors may possess comparable levels of general [redacted] similar to that required to perform the necessary maintenance, services and upgrades required as part of this procurement. However, [redacted] b3 b7E

WITT conducts ongoing, extensive market research by speaking with employees in telecommunication roles from other law enforcement and intelligence agencies, and by attending technical meetings and conferences in an attempt to gather facts regarding maintenance, service and upgrade the systems and equipment. Based on the above it has been determined that [redacted] is the only viable source capable of meeting the minimum requirements of this acquisition.

(9) ANY OTHER FACTORS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION:

The [redacted] requiring support under the continuation of the requested Maintenance and Service Agreement (MSA) are vital components in the FBI's [redacted] b7E

[redacted]

(10) LISTING OF SOURCES, IF ANY, THAT EXPRESSED, IN WRITING, AN INTEREST IN THE ACQUISITION:

This requirement was advertised in the FedBizOps as required by Part 5 of the Federal Acquisition Regulation (FAR) and received no sources expressed interest……

(11) A STATEMENT OF ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED:

b7E

The [redacted] will continue to monitor the market, the telecommunications community and industry, both public and private, as well as other government agencies, both intelligence and law enforcement, in an effort to determine if any other vendors possess the technical capabilities required to provide maintenance and service [redacted]

As the Contracting Officer's Technical Representative, (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is accurate and complete.

_____ _____

Date

COTR
Investigative Technology Division

As the Contract Officer of record, I hereby certify that to the best of my knowledge and belief, all information contained in this justification is accurate and complete.

[redacted] _____

Date

Contract Specialist
Engineering Contracts Unit

b6
b7C

Reviewed By:

[redacted] _____

Date.

Unit Chief
Engineering Contracts Unit

Reviewed By:

[redacted] _____

Date

Office of the Chief Contracting Officer

Reviewed By:

_____ _____

Office of General Counsel b6 b7C Date

Approved By:

[redacted] _____

Date

Competition Advocate

CELL/OTD 000470 CELLSITE-1910

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-21-2012 BY 65179 DMH/STW

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION IN ACCORDANCE WITH TITLE 41, U.S.C. 253 (c)(6)

(1) AGENCY AND THE CONTRACTING ACTIVITY & IDENTIFICATION OF DOCUMENT:

In a response to a requirement from the Wireless Intercept and Tracking Team (WITT), [redacted] Investigative Technology Division (ITD), Federal Bureau of Investigation (FBI), the Engineering Contracts Unit (ECU) has prepared this Justification for other than full and open competition for the renewal of a Maintenance and Service Agreement (MSA) [redacted] b3 b7E

(2) NATURE AND/OR DESCRIPTION OF ACTION BEING APPROVED:

The WITT has a requirement for the renewal of a Maintenance and Service Agreement (MSA) for the acquisition of [redacted] b3 b7D

(3) DESCRIPTION OF SUPPLIES AND SERVICES (INCLUDING THE ESTIMATED VALUE):

The WITT has a continuing requirement for manufacturer provided maintenance and service, to include [redacted] b3 b7E

[redacted]

(4) STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AN OPEN COMPETITION:

CELLSITE-1911

CELL/OTD

000627

This contract action is authorized by 41 U.S.C. 253(c)(6), as set forth in the Federal Acquisition Regulation (FAR) 6.302-6. – don't think this one is right!!!!!!!!!!!

????? not sure if this is right.....should it be 6.302-1(2), (ii),(i),(2) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements???

This acquisition is in accordance with the authority FAR 6.302 as only one responsible source, i.e. Harris Corporation, can support the [redacted] b3 b7E

(2) When the supplies or services required by the agency are available from only one responsible source, or, for DoD, NASA and the Coast Guard, from only one or a limited number of responsible sources, and no other types of supplies or services will satisfy agency requirements, full and open competition need not be provided for;

(ii) Supplies may be deemed to be available only from the original source in the case of a follow-on contract for the continued development or production of a major system or highly specialized equipment, including major components thereof, when it is likely that the award to any other source would result in – (A) substantial duplication of cost to the Government that is not expected to be recovered through competition.

(i) unique supplies or services available from only one source or only one supplier with unique capabilities;

(2) The existence of limited rights in data, patent rights, copyrights, or secret processes;

(5) DEMONSTRATION THAT THE NATURE OF THE ACQUISITION JUSTIFIES THE USE OF THE AUTHORITY CITED.

??? this section dealt with non-advertising....not sure what you want here :o(

(6) EFFORTS MADE TO ENSURE OFFERS ARE SOLICITED FROM AS MANY POTENTIAL SOURCES AS PRACTICABLE, INCLUDING COMPLIANCE WITH SUBPART 5.2 AND, IF NOT WHICH EXCEPTION UNDER 5.202 APPLIES:

This procurement was advertised in the FEDBIZOPS.....Not sure what you want in here?

(7) DETERMINATION THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE:

A cost analysis will be performed as part of the evaluation process which will ensure that the government will pay a fair and reasonable price for the maintenance, services and upgrades.

(8) MARKET SURVEY

WITT has determined that based on the existing need of the FBI it is in the best interest of the FBI to limit competition to the [redacted] acknowledges that other vendors may possess comparable levels of general [redacted] similar to that required to perform the necessary maintenance, services and upgrades required as part of this procurement. However, [redacted] b3 b7E

WITT conducts ongoing, extensive market research by speaking with employees in telecommunication roles from other law enforcement and intelligence agencies, and by attending technical meetings and conferences in an attempt to gather facts regarding maintenance, service and upgrade the systems and equipment. Based on the above it has been determined that [redacted] is the only viable source capable of meeting the minimum requirements of this acquisition.

(9) ANY OTHER FACTORS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION:

Th[redacted] requiring support under the continuation of the requested Maintenance and Service Agreement (MSA) are vital components in the FBI's [redacted] b7E

[redacted]

(10) LISTING OF SOURCES, IF ANY, THAT EXPRESSED, IN WRITING, AN INTEREST IN THE ACQUISITION:

This requirement was advertised in the FedBizOps as required by Part 5 of the Federal Acquisition Regulation (FAR) and received no sources expressed interest……

(11) A STATEMENT OF ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT

CELLSITE-1913

ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED:

b7E

[redacted] will continue to monitor the market, the telecommunications community and industry, both public and private, as well as other government agencies, both intelligence and law enforcement, in an effort to determine if any other vendors possess the technical capabilities required to provide maintenance and service [redacted]

As the Contracting Officer's Technical Representative, (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is accurate and complete.

_____ _____

Date

COTR
Investigative Technology Division

As the Contract Officer of record, I hereby certify that to the best of my knowledge and belief, all information contained in this justification is accurate and complete.

[redacted] _____

Date

Contract Specialist
Engineering Contracts Unit

b6
b7C

Reviewed By:

_____ _____

[redacted] Date.

Unit Chief
Engineering Contracts Unit

Reviewed By:

[redacted] _____

Date

Office of the Chief Contracting Officer

Reviewed By:

_____ _____

Office of General Counsel Date

b6
b7C

Approved By:

[redacted] _____

Date

Competition Advocate

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-21-2012 BY 65179 DMH/STW

ACQUISITION PLAN

[redacted]

FEDERAL BUREAU OF INVESTIGATION

1. Unit/Section/Division: [redacted] /ITD b7E

2. Description of Requirement: To request procurement of [redacted]

3. Estimated Cost: [redacted] 4. Term of Contract: [redacted]

5. Distribution of Dollars: FY- 04 [redacted] 6. Subobject Class/Budget Item: [redacted]
FY- _____ FY- _____
FY- _____ FY- _____
Product or Service Code: n/a

7. Market Research (state how performed & attach): Market survey conducted via internet research and contact/communication with multiple vendors

Commercial Item: ☒ Yes ☐ No Competitive: ☐ Yes ☒ No
If no to one or more above, explain: Reference Attached EC for Sole Source Justifications

8. Sources Considered:
☐ FBI Personnel ☐ Other Government Personnel ☐ Required Sources (FAR Part 8)
☐ 100% Small Bus. ☐ 8a Set aside ☐ Disadvantaged (FAR Part 8)
☐ Hubzone ☐ Women-owned ☒ Other Federal Contracts
☐ A-76

9. If Information Technology: ☐ IRM Review ☐ AIS Approval

10. Type of Procurement:
☒ Brand Name Only ☐ Commercial Item ☐ Functional Specifications
☐ Brand Name or Equal ☐ Compatibility ☐ Performance-Based Service Contract

11. Contract Type:
☐ BOA ☐ IDIQ Contract ☐ Reimbursable Agreement
☐ Cost-Reimbursement ☐ (IFB) ☐ RFP
☒ Firm-Fixed Price ☐ Incentive ☐ RFQ
☐ Firm-Fixed Price w/Economic Adj. ☐ Letter Contract (DOJ Approval) ☐ Time and Material

12. Lease vs Purchase (if lease, analysis attached): No

13. Environmentally Preferable Item: ☐ Yes ☒ No

14. Inherently Government Function (justified): ☐ Yes ☒ No

15. Lead Time Required: _____ To be filled in by Contracting Officer.

Approval: _____ _____
Technical Staff Member/(date) Budget Staff Member/(date)

_____ _____
Legal Review (If applicable)/(date) Contracting Officer or CCO/(date)

CELLSITE-1915

CELL/OTD

000475

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??????
REQ. #

Page 1 OF 2

7/3/2004
DATE

/
ORDERING OFFICE/COST CODE APPROVED BY

JULIAN DATE

b6
b7C

Supply Technician:
Program Manger:
Funding Approved:
COTR:
Room# & Ext: ERF-QT Ext

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order#

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
1			Engineering Services						
			Recommend by: Unit Chie						
			Requested by/Deliver to: Federal Bureau of Investigation						
			ERF Building 27958A, Quantico, VA22135					Total	
			Attn:						

b3
b7E

SPECIAL INSTRUCTION:
Ship to Code: ERF
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITE
See attached EC

CELL/OTD

000496

CELLSITE-1923

[redacted]

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HEREIN IS UNCLASSIFIED
DATE 09-20-2012 BY 65179 DMH/STW

ACQUISITION PLAN

[redacted]

FEDERAL BUREAU OF INVESTIGATION

b7E

1. Unit/Section/Division [redacted] / ITD

2. Description of Requirement: To request procurement of [redacted]

3. Estimated Cost: (Req??????) [redacted] 4. Term of Contract: _____

5. Distribution of Dollars: FY- 04 [redacted] FY- 05 [redacted] FY- 06 [redacted] FY- 07 [redacted] FY- 08 [redacted]

6. Subobject Class/Budget Item: [redacted] b7E
Product or Service Code: n/a

7. Market Research (state how performed & attach): Reference Attached EC for Sole Source Justification

Commercial Item: ☒ Yes ☐ No Competitive: ☐ Yes ☒ No
If no to one or more above, explain: Reference Attached EC for Sole Source Justification

8. Sources Considered:
☐ FBI Personnel ☐ Other Government Personnel ☐ Required Sources (FAR Part 8)
☐ 100% Small Bus. ☐ 8a Set aside ☐ Disadvantaged (FAR Part 8)
☐ Hubzone ☐ Women-owned ☒ Other Federal Contracts
☐ A-76

9. If Information Technology: ☐ IRM Review ☐ AIS Approval

10. Type of Procurement:
☒ Brand Name Only ☐ Commercial Item ☐ Functional Specifications
☐ Brand Name or Equal ☒ Compatibility ☐ Performance-Based Service Contract

11. Contract Type:
☐ BOA ☐ IDIQ Contract ☐ Reimbursable Agreement
☐ Cost-Reimbursement ☐ (IFB) ☐ RFP
☒ Firm-Fixed Price ☐ Incentive ☐ RFQ
☐ Firm-Fixed Price w/Economic Adj. ☐ Letter Contract (DOJ Approval) ☐ Time and Material

12. Lease vs Purchase (if lease, analysis attached): No

13. Environmentally Preferable Item: ☐ Yes ☒ No

14. Inherently Government Function (justified): ☐ Yes ☒ No

15. Lead Time Required: _____ To be filled in by Contracting Officer.

Approval:

_____ Technical Staff Member/(date)

_____ Budget Staff Member/(date)

_____ Legal Review (If applicable)/(date)

_____ Contracting Officer or CCO/(date)

CELL/OTD

000497

CELLSITE-1924

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STATEMENT OF WORK

1 INTRODUCTION

[redacted]

b7E

2 OBJECTIVE

This Statement of Work defines the Engineering Services required to support the customer's mission. The goal of this Engineering Services Contract (ESC) is to have an established contract vehicle for the development of [redacted] systems. Developments will involve [redacted] if necessary. [redacted]

3 TASK DESCRIPTION

After the award of the contract, the customer will provide task assignments in writing to the contractor. The contractor will submit, in writing, a best estimate for the technical approach, cost, and amount of time needed to perform the task as well as a description of the task milestones and deliverables. Written approval from the customer's Contracting Officer (CO) will be required before the contractor will be authorized to proceed with the task order. The price quote for each task order shall include all items to be procured by the contractor for use in the task assignment.

4 SCOPE

The contractor shall, on a task assignment basis, provide the following:

- [redacted]

b7E

CELL/OTD

000498

5 REQUIREMENTS

Once a contract is established, the following events will occur on a task assignment basis:

- Task Assignment: The customer (i.e. Contracting Officer/CO) will provide a task assignment in writing to the contractor. The contractor will submit, in writing, a best estimate for the technical approach, cost, and amount of time needed to perform the task as well as a description of the task milestones and deliverables. Written approval from the CO will be required before the contractor will be authorized to proceed with the task order. The price quote for each task order shall include all items to be procured by the contractor for use in the task assignment.

- Technical Review Meetings: The contractor shall conduct technical review meeting(s) (conference call/briefings) to give the customer a technical description of the proposed effort. Meeting(s) will also be conducted to provide the customer with an on going status of the task effort. Meeting schedules and locations will be determined at a later date.

- Acceptance Testing: Once a demonstration device is constructed for a task, the contractor shall conduct an Acceptance Test to demonstrate compliance with technical requirements. The customer, or customer representative, shall participate and witness the Acceptance Test. Within thirty days of the completion of the Acceptance Test, the customer shall provide written description of the device's technical deficiencies to the contractor.

- Product Delivery: Once the contractor has demonstrated that the developed product (device, system, or study) complies with the customer's requirements, the contractor shall deliver the product to the customer in the quantity specified in the task assignment.

6 Security

The work described in this Statement of Work is considered sensitive. Release of any information related to this work is prohibited without prior written consent from the customer.

CELL/OTD 000499

CELL/OTD

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DATE 09-18-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OGC) (FBI)
Sent: Wednesday, October 31, 2007 9:48 AM
To: [redacted]
Cc: [redacted]
Subject: RE: Cellular Telephone Tracking in Exigent Circumstances

b6
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NON-RECORD

[redacted]

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b7C

See answers embedded below.

b5

[redacted]

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OIC APPROVAL

[redacted]
Office of Integrity and Compliance
JEH [redacted]
Tel [redacted]
Fax [redacted]
Mobile [redacted]

-----Original Message-----
From: [redacted] (WF) (FBI)
Sent: Friday, October 26, 2007 12:44 AM
To: [redacted]
Cc:
Subject: RE: Cellular Telephone Tracking in Exigent Circumstances

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NON-RECORD

[redacted]

[redacted]

b5
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[redacted]

EXHIBIT E-1927

[redacted] b5

2702 emergency disclosure EC 2...

And sample exigent letter.

2702ltr revised 20070829wpd.wp...

[redacted] b5 b7E

Thanks for all the help and guidance,

[redacted]

-----Original Message-----
From: [redacted] (OGC) (FBI)
Sent: Tuesday, October 23, 2007 2:36 PM
To: [redacted] b6 b7C
Cc:
Subject: RE: Cellular Telephone Tracking in Exigent Circumstances
Importance: High

UNCLASSIFIED
NON-RECORD

<< File: September 2007 Tech Tool (Exigent Circumstances [redacted]20071023.wpd >>

[redacted]

[redacted] b5 b6 b7C b7E

[redacted]

-----Original Message-----
From: [redacted] (FBI)

Sent: Thursday, October 11, 2007 3:07 PM
To: [redacted]
Cc:
Subject: Cellular Telephone Tracking in Exigent Circumstances

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NON-RECORD

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Hello [redacted]

If you have a moment would you please review the attached one page document? Our office and [redacted] always seem to have trouble in dealing with Exigent Circumstance matters. Any suggestions or clarifications would be appreciated.

Thanks, [redacted]

<< File: September 2007 Tech Tool (Exigent Circumstances).wpd >>

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UNCLASSIFIED

UNCLASSIFIED

CELL-OTD-000502

CEL

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DATE 09-20-2012 BY 65179 DMH/STW

D R A FT August 29, 2007

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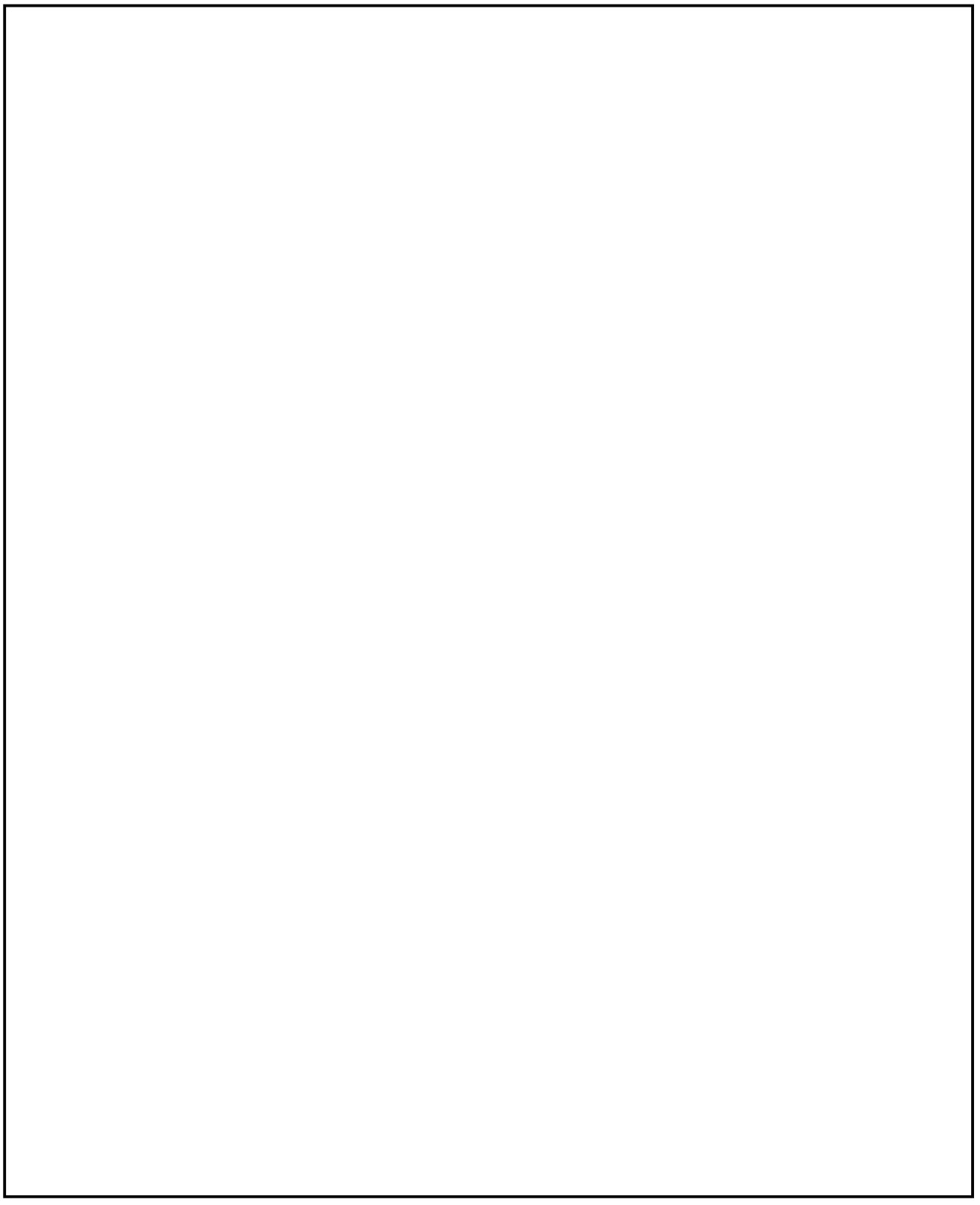

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CELL/OTD-000504

D R A FT August 29, 2007

CELL/OTD 000505

(Rev. 01-31-2003)

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DATE 09-18-2012 BY 65179 DMH/STW

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 09/14/2007

To: All Divisions **Attn:** ADIC/SAC
CDC

From: Office of the General Counsel
Science and Technology Law Unit
Contact: [redacted]

b6
b7C

Approved By: Pistole John S
Caproni Valerie E

Drafted By: [redacted]

Case ID #: 333-HQ-A1562641

Title: EMERGENCY DISCLOSURE OF RECORDS OR STORED CONTENTS OF COMMUNICATIONS; 18 U.S.C. 2702

Synopsis: Provides updated guidance and additional clarification regarding emergency disclosures pursuant to 18 U.S.C. § 2702. Provides a revised sample letter for use to request disclosure from providers of records or stored contents in exigent circumstances.

Reference: 319X-HQ-A1487720-OGC Serial 332

Administrative: This is a privileged FBI attorney communication; do not circulate outside of the FBI without the permission of the Office of the General Counsel (OGC). This document contains footnotes, please download into WordPerfect to read.

Enclosure(s): Updated Sample Request Letter for Emergency Disclosure.

Details: [redacted]

b5

[redacted]

[redacted]

CELL/OTD 000596

To: All Divisions From: Office of the General Counsel
Re: 333-HQ-A1562641, 09/14/2007

LEAD(s):

Set Lead 1: (Action)

ALL RECEIVING OFFICES

Distribute to all supervisory personnel involved in the

[redacted]

1 - [redacted]
1 -
1 -
1 -
1 -
1 -
1 -
1 -

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b7E

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CELLSITE-1947

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

Total Deleted Page(s) = 80
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Page 168 ~ b3; b7E;
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Page 171 ~ b3; b5; b7E;
Page 172 ~ b3; b5; b7E;
Page 173 ~ b3; b5; b7E;
Page 174 ~ b3; b5; b7E;
Page 175 ~ b3; b5; b7E;
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Page 177 ~ b3; b5; b7E;
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Page 179 ~ b3; b5; b7E;
Page 180 ~ b3; b5; b7E;
Page 190 ~ b6; b7C; b7E;
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Page 201 ~ b3; b5; b7E;

Page 202 ~ b3; b5; b7E;
Page 203 ~ b3; b5; b7E;
Page 204 ~ b3; b5; b7E;
Page 205 ~ b3; b5; b7E;
Page 206 ~ b3; b5; b7E;
Page 207 ~ b3; b5; b7E;
Page 208 ~ b3; b5; b7E;
Page 209 ~ b3; b5; b7E;
Page 210 ~ Duplicate - 1197470-OTD-Policy-4 p. 75 & following;
Page 211 ~ Duplicate - 1197470-OTD-Policy-4 p. 75 & following;
Page 212 ~ Duplicate - 1197470-OTD-Policy-4 p. 75 & following;
Page 213 ~ Duplicate - 1197470-OTD-Policy-4 p. 75 & following;
Page 214 ~ Duplicate - 1197470-OTD-Policy-4 p. 75 & following;
Page 215 ~ Duplicate - 1197470-OTD-Policy-4 p. 75 & following;
Page 225 ~ Duplicate - 1197386-OTD-Bu-Training-8 p. 155;
Page 226 ~ b3; b5; b6; b7C; b7E;
Page 264 ~ b3; b5; b7E;
Page 265 ~ b3; b5; b6; b7C; b7E;
Page 269 ~ Duplicate - p. 264 & following;
Page 270 ~ Duplicate - p. 264 & following;
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Page 274 ~ b6; b7C; b7E;
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X For this Page X
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DATE 09-24-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

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From: [redacted] (OTD) (FBI)
Sent: Monday, November 05, 2007 11:54 AM
To:

To:

b3
b6
b7C
b7E

Cc: (OTD) (FBI)
Subject: WITT EC

UNCLASSIFIED
NON-RECORD

CELL-OTD 000523

[redacted] WPD

See attached EC [redacted] referred to at the [redacted] Conference. The EC clearly states that [redacted] have primary responsibility for [redacted] should remain in the custody of the [redacted] (inventory accountability). As you see, the EC went to CDCs [redacted] It was not addressed to the SACs, ASACs or even the Criminal SSAs. Questions/concerns should be directed to UC [redacted]

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[redacted]

Thanks for the info re the WITT EC, [redacted] had requested a copy when it was approved and when we did not receive a copy I erroneously assumed that it had not gone out.

[redacted]

UNCLASSIFIED

SELECTED PAGES

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HEREIN IS UNCLASSIFIED
DATE 09-24-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (ITB) (FBI)
Sent: Monday, November 05, 2007 9:41 AM
To: [redacted]
Cc:
Subject: RE: [redacted] in Exigent Circumstances

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b7E

UNCLASSIFIED
NON-RECORD

[redacted]

Thanks again for the assistance and guidance. [redacted]

[redacted]

b6
b7C
b7E

-----Original Message-----
From: [redacted] (OGC) (FBI)
Sent: Wednesday, October 31, 2007 9:48 AM
To: [redacted]
Cc:
Subject: RE: [redacted] in Exigent Circumstances

UNCLASSIFIED
NON-RECORD

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b7C
b7E

[redacted]

See answers embedded below.

[redacted] As evident from the below questions, there is still a need to get policy guidance out to the field on requesting disclosure of information from providers in exigent circumstances under 18 USC 2702. That was the objective of the draft EC on voluntary disclosure under exigent circumstances. What is the status of that EC--attached below.

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OIC APPROVAL

[redacted]
Office of Integrity and Compliance
JEH 7646
Tel: [redacted]
Fax
Mobile [redacted]

Redacted pages

-----Original Message-----
From:
Sent: Friday, October 26, 2007 12:44 AM
To:
Cc:
Subject: RE: in Exigent Circumstances

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b7C
b7E

UNCLASSIFIED
NON-RECORD

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b7E

StingRay The WITT Stingray

Thanks for all the help and guidance,

b3
b6
b7C
b7E

-----Original Message-----
From: (OGC) (FBI)
Sent: Tuesday, October 23, 2007 2:36 PM
To:
Cc:
Subject: RE: in Exigent Circumstances
Importance: High

UNCLASSIFIED
NON-RECORD

<< File: September 2007 (Exigent Circumstances 20071023.wpd >>

[redacted]

[redacted]

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[redacted]

-----Original Message-----
From: [redacted]
Sent: Thursday, October 11, 2007 3:07 PM
To: [redacted]
Cc:
Subject: [redacted] in Exigent Circumstances

UNCLASSIFIED
NON-RECORD

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Hello [redacted]

If you have a moment would you please review the attached one page document? Our office and [redacted] always seem to have trouble in dealing with Exigent Circumstance matters. Any suggestions or clarifications would be appreciated.

Thanks, [redacted]

<< File: September 2007 [redacted] (Exigent Circumstances).wpd >>

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UNCLASSIFIED

SELECTED PAGES

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-24-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Tuesday, November 06, 2007 7:22 AM
To:

[redacted]

b6
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CELLSITE 00036

CELLSITE-15362

To:

[redacted]

b3
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b7C
b7E

Cc:

Subject: FW: Yet Another WITT Technical Operations Alert

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

CELLSITE 00033

All,

Please see important email below from WITT.

-----Original Message-----
From: [redacted] (OTD) (FBI)
Sent: Monday, November 05, 2007 3:22 PM
To:
Cc: [redacted]
Subject: Yet Another WITT Technical Operations Alert

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b3
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Wireless Intercept and Tracking Team Alert:

(1) Harris Corporation [redacted] StingRay [redacted] WITT is currently [redacted]

-----Original Message-----
From: [redacted] OTD) (CON)
Sent: Thursday, October 25, 2007 2:21 PM
To:
Cc: [redacted]
Subject: FW: WITT Technical Operations Alert

b3
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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Hi [redacted]
Would you please pass the following information on to each field office [redacted] is that is all we can do):

Wireless Intercept and Tracking Team Alerts:

[redacted] WITT [redacted] StingRay [redacted]

Remember to check the WITT website often for product and troubleshooting information. Click here: [redacted]

Thanks [redacted]

[redacted]
[redacted] Consultant

CELLSITE 000530

Retired FBI SSA, 1984-2006
Tracking Technology Unit
Federal Bureau of Investigation
[redacted] Office
Cell

b6
b7C

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

CELL-OTD 00540

ALL INFORMATION CONTAINED
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DATE 09-24-2012 BY 65179 DMH/STW

[redacted](OTD) (FBI)

From: [redacted]
Sent: Tuesday, November 06, 2007 11:09 AM
To: [redacted]
Subject: FW: Yet Another WITT Technical Operations Alert

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

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-----Original Message-----
From: [redacted]OTD) (CON)
Sent: Tuesday, November 06, 2007 7:22 AM
To: [redacted]
Cc: [redacted]
Subject: FW: Yet Another WITT Technical Operations Alert

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

All,

Please see important email below from WITT.

-----Original Message-----
From: [redacted]OTD) (FBI)
Sent: Monday, November 05, 2007 3:22 PM
To: [redacted]
Cc: [redacted]
Subject: Yet Another WITT Technical Operations Alert

b3
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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Wireless Intercept and Tracking Team Alert:

(1) Harris Corporation [redacted]StingRay[redacted]WITT[redacted]

-----Original Message-----
From: [redacted](OTD) (CON)
Sent: Thursday, October 25, 2007 2:21 PM
To: [redacted]
Cc: [redacted]
Subject: FW: WITT Technical Operations Alert

CELL-OTD 000547

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Hi [redacted]
Would you please pass the following information on to each [redacted] is that is all we can do):

Wireless Intercept and Tracking Team Alerts:

[redacted] WITT [redacted]

[redacted] StingRay [redacted]

Remember to check the WITT website often for product and troubleshooting information. Click here: [redacted]

b3
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b7E

Thanks [redacted]

[redacted] Consultant
Retired FBI SSA, 1984-2006
Tracking Technology Unit
Federal Bureau of Investigation
[redacted] - Office
- Cell

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

CELL-OTD 000542

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-01-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Tuesday, November 06, 2007 11:38 AM
To:

[redacted]

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To:

[redacted]

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b7C
b7E

Cc:
Subject: Delegation of Authority and guidelines for use of WITT Equipment

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Greetings,

In addition to the EC I forwarded to you yesterday, attached is a EC (with guidelines) delgating authority for use of WITT to UC level.

Previously a SC had to approve.

The guidelines establish the authority levels for various scenarios. This is as important if not more so that the delegation to the UC level instead of SC level.

wittdeligationofauthority.wpd

Please forward to users and management as you deem appropriate.

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CELL-OTD 000546

ALL INFORMATION CONTAINED
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DATE 09-24-2012 BY 65179 DMH/STW

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 06/18/2007

To: Operational Technology **Attn:** SC Anthony P. DiClemente
UC [redacted]

From: Operational Technology Division,
[redacted]
Tracking Technology Unit (TTU)
Contact: UC [redacted]

Approved By: AD Thomas Marcus C
SC DiClemente Anthony P
UC [redacted]

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Drafted By: [redacted]

Case ID #: 268-HQ-1068430 (Pending)

Title: WIRELESS INTERCEPT TRACKING TEAM (WITT);
DELEGATION OF AUTHORITY

Synopsis: To document the delegation of authority to approve the [redacted] - Wireless Intercept Tracking Team (WITT)" from the Operational Technology Division (OTD), [redacted] Section Chief (SC) to the Unit Chief (UC), Tracking Technology Unit (TTU), [redacted] OTD.

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Details: [redacted]

In an effort to streamline both routine and after hours approval of exigent WITT operations, lend further clarity to authority levels, and enhance documentation for WITT endeavors in [redacted] the required FBIHQ approval has been delegated from SC, [redacted] to the UC, [redacted] with responsibility for the WITT Program. The UC for WITT Program will insure that [redacted] WITT [redacted] WITT [redacted] status prior to approval. The requesting division will be responsible for

CELL/OTD 000547

documenting the request to OTD in an EC. The OTD will document its decision as well as any resulting action in an EC. In accordance with the above, the TTU Chief will be responsible for adhering to and applying the below MIOG provisions as well as the legal authorities as identified below in reviewing and approving requests for [redacted] Any request which requires a deviation from the MIOG provisions or legal authorities as identified below must be referred to the [redacted] SC for approval. No change is being requested to the policy for the [redacted]

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[redacted]

CELLWTD 00548

CELLSITE-15374

[redacted]

The MIOG policy for [redacted] doesn't specify the form by which the HQ approval must be obtained; it requires that it be obtained and states only that the enumerated information "is to be provided by appropriate communication... " So, verbally, telephonically, by email, etc.…would arguably satisfy the policy, the concern should be with documenting approval so as to be able to demonstrate compliance. b3 b7E

Below is a summary outline of the legal authorities:

[redacted] WITT [redacted] AUTHORITIES

A. FEDERAL CASE

1. Federal Court Order:
   i. Pen Register/Trap & Trace (18 USC 3121 et seq.)
      1. WITT equipment functions as a Pen Register device as that is defined in 18 U.S.C. 3127 because [redacted]

CELL-DTD 000553

CELLSITE-15379

Accordingly, authorization pursuant to the PR/TT statute is required to use WITT [redacted]

2. The same Pen Register/Trap and Trace Order may be used both to [redacted] WITT [redacted]. DOJ has recommended that for WITT authorization, the below items be addressed.

3. Operative PR/TT Language :

[redacted]

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4. [redacted]

ii. Search Warrant to [redacted]

1. Rule 41 & 28 U.S.C. 1651(a)-All Writs Act: When WITT [redacted] is used to [redacted]

SECRET

CELLSITE-15380

To: Operational Technology From: Operational Technology
Re: 268-HQ-1068430, 06/18/2007

LEAD(s):

Set Lead 1: (Action)

OPERATIONAL TECHNOLOGY

AT QUANTICO, VIRGINIA

Review and if appropriate approve delegation of authority from OTD, [redacted], Section Chief level to Unit Chief, Program Manager, WITT operations. b3 b7E

♦♦

CELL-OTD 00035

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DATE 09-24-2012 BY 65179 DMH/STW

[redacted] OTD) (FBI)

From: [redacted]
Sent: Thursday, November 29, 2007 10:08 AM
To: [redacted] (OTD) (FBI)
Subject: FW: WITT Stuff

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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

-----Original Message-----
From: [redacted]
Sent: Wednesday, November 28, 2007 3:24 PM
To: [redacted]
Subject: WITT Stuff

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NON-RECORD

[redacted]witt_contacts.wpd [redacted]witt_[redacted]t.wpd [redacted]_conversion.wpd

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SENSITIVE BUT UNCLASSIFIED

CELLSITE ACCESSED

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DATE 09-27-2012 BY 65179 DMH/STW

[redacted] **WITT Contact Info**

Revised: 11/28/07

ERF contacts:

Engineer [redacted]

[redacted]

[redacted] Triggerfish.

[redacted] Triggerfish, Loggerhead, Stingray [redacted]

[redacted]

[redacted]

[redacted] Stingray [redacted]

[redacted]

[redacted] Triggerfish 4000 [redacted]

Loggerhead 4000. [redacted] Stingray [redacted]

[redacted]

[redacted] Looking at Harris equipment

[redacted]

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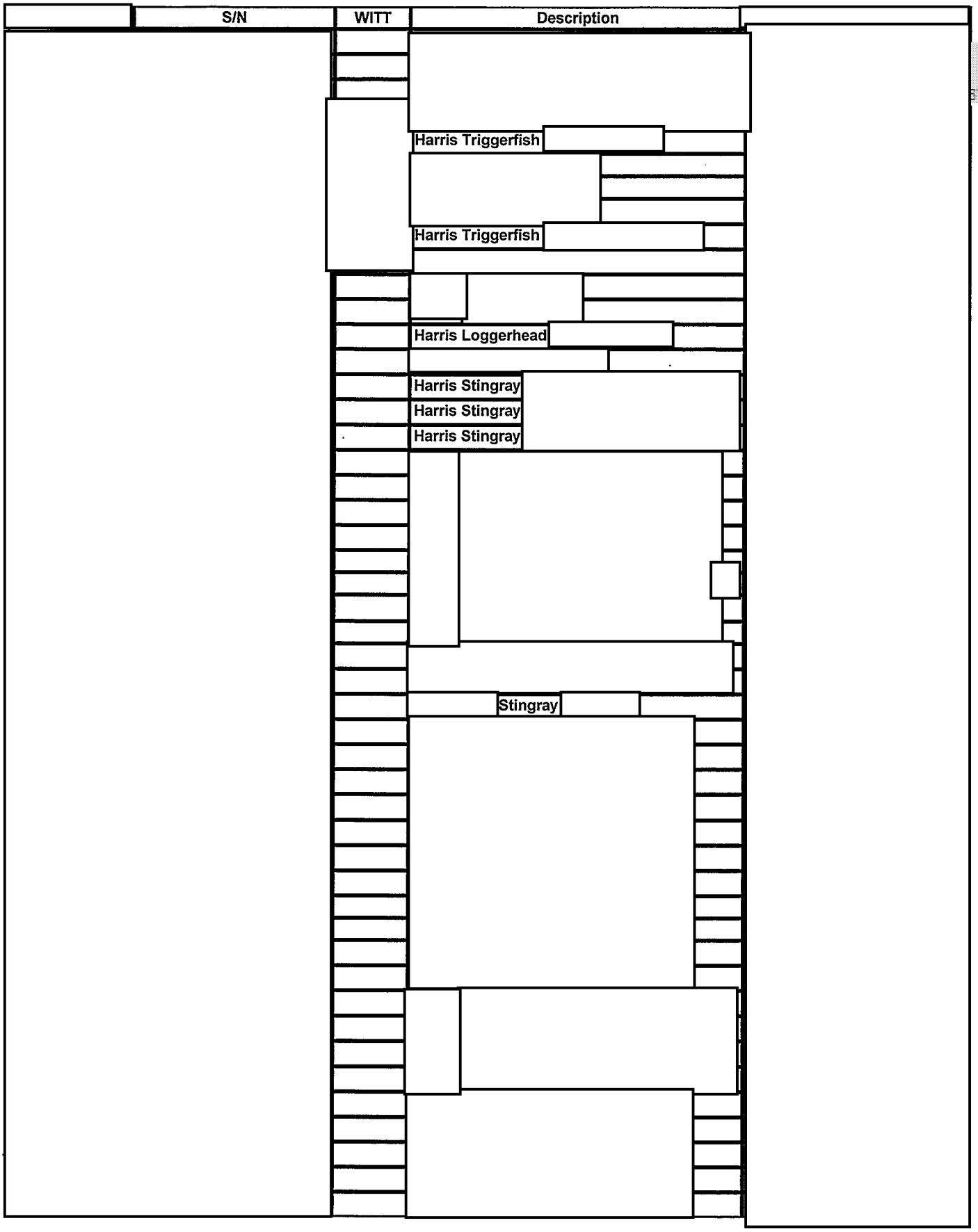
[redacted] **WITT**

[redacted]

[redacted]

CELLSITE BOOSE

WITT Inventory Updated: 7/30/07



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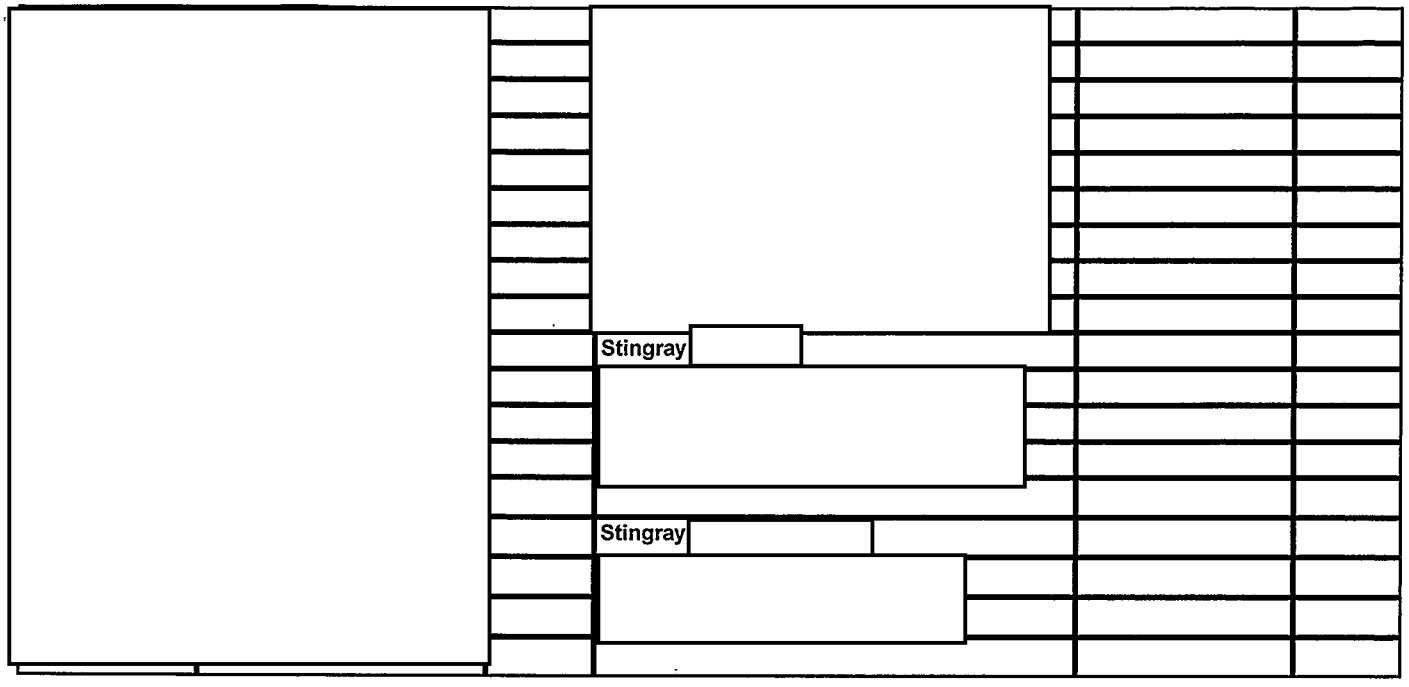
CELLSITE 00056



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Prepared by:

Nextel:

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SELECTED PAGES

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HEREIN IS UNCLASSIFIED
DATE 09-27-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Tuesday, December 11, 2007 1:10 PM
To: [redacted]
Cc:
Subject: RE: [redacted] issues summary

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b3
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My comments and concerns are noted in red.

Thanks,

[redacted]

[redacted] Comments on [redacted] risk...

-----Original Message-----
From: [redacted]
Sent: Thursday, December 06, 2007 4:40 PM
To: [redacted]
Subject: FW: [redacted] issues summary

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

Please review content re WITT [redacted] risks and provide constructive feedback.

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[redacted]

Please review [redacted] discussion and provide any additional input/clarification as needed. [redacted]

[redacted]

CELL-OTD 000568

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From: [redacted] (OGC) (FBI)
Sent: Wednesday, December 05, 2007 3:28 PM
To: [redacted]
Cc:

Subject: [redacted] issues summary

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

Thanks for taking the time to get together on Monday and review potential area of compliance risk relative to the [redacted]

I've put together a summary of my notes and a little extra stuff in an attempt to describe these issues. I have included a couple of brackets requesting additional input and would appreciate if you would rank these issues in terms of priority or significance of risk. I welcome all comments.

<< File [redacted] risk issues 20071203.wpd >>

I need to produce a Leading Risk Indicator Report by next Thursday Dec. 13. So anything you could provide prior to that date would be much appreciated.

b3
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[redacted]
Office of Integrity and Compliance
JEH 7646
Tel: [redacted]
Fax
Mobile [redacted]

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

CELL-OTD 000569

ALL INFORMATION CONTAINED
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DATE 10-22-2012 BY 65179 DMH/STW

[redacted](OTD) (FBI)

From: [redacted](OGC) (FBI)
Sent: Tuesday, December 11, 2007 2:30 PM
To: [redacted](OTD) (FBI)
Subject: RE: [redacted] issues summary

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Thanks [redacted]

BTW: I was probably the source of that "nebulous verbal policy" but in defense it was provided in the best interest of the agents [redacted]

[redacted]

Office of Integrity and Compliance
JEH 7646
Tel: [redacted]
Fax
Mobile [redacted]

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OIC APPROVAL

From: [redacted]
Sent: Tuesday, December 11, 2007 1:10 PM
To:
Cc: [redacted]
Subject: RE: [redacted] issues summary

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

My comments and concerns are noted in red.

Thanks,

[redacted]

<< File [redacted] Comments on [redacted] risk issues 20071203.wpd >>

-----Original Message-----
From: [redacted]
Sent: Thursday, December 06, 2007 4:40 PM
To: [redacted]
Subject: FW: [redacted] issues summary

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NON-RECORD

CELL/OTD 000577

[redacted]

CELLSITE-15399

Please review content re WITT [redacted] risks and provide constructive feedback.

[redacted]

Please review [redacted] discussion and provide any additional input/clarification as needed. [redacted]

[redacted]

b3
b6
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From: [redacted] (OGC) (FBI)
Sent: Wednesday, December 05, 2007 3:28 PM
To: [redacted]
Cc:
Subject: [redacted] issues summary

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

Thanks for taking the time to get together on Monday and review potential area of compliance risk relative to the [redacted]

I've put together a summary of my notes and a little extra stuff in an attempt to describe these issues. I have included a couple of brackets requesting additional input and would appreciate if you would rank these issues in terms of priority or significance of risk. I welcome all comments.

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<< File: [redacted] risk issues 20071203.wpd >>

I need to produce a Leading Risk Indicator Report by next Thursday Dec. 13. So anything you could provide prior to that date would be much appreciated.

[redacted]
Office of Integrity and Compliance
JEH 7646
Tel: [redacted]
Fax
Mobile [redacted]

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SENSITIVE BUT UNCLASSIFIED

CELL/OTD 000578

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 000579

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DATE 10-22-2012 BY 65179 DMH/STW

[redacted](OTD) (FBI)

From: [redacted](OGC) (FBI)
Sent: Tuesday, December 11, 2007 4:00 PM
To: [redacted]TD) (FBI)
Subject: RE: [redacted]issues summary

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NON-RECORD

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[redacted]

Office of Integrity and Compliance
JEH 7646
Tel. [redacted]
Fax
Mobile [redacted]

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OIC APPROVAL

From: [redacted]
Sent: Tuesday, December 11, 2007 2:55 PM
To: [redacted](OGC) (FBI)
Subject: RE: [redacted]issues summary

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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Please don't take it personnel. However, [redacted]

[redacted]

Thanks for listening, [redacted]

-----Original Message-----
From: [redacted](OGC) (FBI)
Sent: Tuesday, December 11, 2007 2:30 PM
To: [redacted]
Subject: RE: [redacted]issues summary

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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Thanks [redacted]

BTW: I was probably the source of that "nebulous verbal policy" but in defense it was provided in the best interest of the agents [redacted]

[redacted]

CELL/OTD 000580

CELLSITE-15402

[redacted]

[redacted]
Office of Integrity and Compliance
JEH 7646
Tel:
Fax
Mobile

b3
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PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OIC APPROVAL

From: [redacted]
Sent: Tuesday, December 11, 2007 1:10 PM
To: [redacted]
Cc:
Subject: RE: [redacted] issues summary

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b3
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My comments and concerns are noted in red.

Thanks,

[redacted]

<< File [redacted] Comments on [redacted] risk issues 20071203.wpd >>

-----Original Message-----
From: [redacted]
Sent: Thursday, December 06, 2007 4:40 PM
To: [redacted]
Subject: FW: [redacted] issues summary

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

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[redacted]

Please review content re WITT [redacted] risks and provide constructive feedback.

[redacted]

Please review [redacted] discussion and provide any additional input/clarification as needed. [redacted]

[redacted]

CELL/OTD 000581

From: [redacted] OGC) (FBI)
Sent: Wednesday, December 05, 2007 3:28 PM
To: [redacted]
Cc:
Subject: [redacted] issues summary

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

Thanks for taking the time to get together on Monday and review potential area of compliance risk relative to the [redacted]

I've put together a summary of my notes and a little extra stuff in an attempt to describe these issues. I have included a couple of brackets requesting additional input and would appreciate if you would rank these issues in terms of priority or significance of risk. I welcome all comments.

<< File: [redacted] risk issues 20071203.wpd >>

I need to produce a Leading Risk Indicator Report by next Thursday Dec. 13. So anything you could provide prior to that date would be much appreciated.

b3
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[redacted]
Office of Integrity and Compliance
JEH 7646
Tel: [redacted]
Fax
Mobile [redacted]

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CELL/OTD 000582

ALL INFORMATION CONTAINED
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DATE 09-25-2012 BY 65179 DMH/STW

[redacted](OTD) (FBI)

From: [redacted]OTD) (CON)
Sent: Friday, January 18, 2008 6:24 PM
To: [redacted]OTD) (FBI)
Cc: [redacted]OTD) (FBI)
Subject: RE: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

This is [redacted] is the second phase of the [redacted] It can [redacted] of the StingRay. If you need one right away, [redacted] is back in the office next Tuesday and he can request a [redacted] StingRay box.

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[redacted]
Consultant
Retired FBI SSA, 1984-2006
Tracking Technology Unit
Federal Bureau of Investigation
[redacted] Office
Cell

From: [redacted]
Sent: Wednesday, January 16, 2008 10:41 AM
To: [redacted](OTD) (CON)
Cc: [redacted]
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

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Hey [redacted]

I know [redacted] is out of town so I thought I might ask you. Does [redacted] (Harris' [redacted] currently work on the [redacted] If so, do we have a copy of the [redacted] wanted to determine where we stand with this mission. Do we have any other [redacted] etc. that works well fo [redacted]

Thanks,
[redacted]

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 000583

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-25-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Tuesday, January 29, 2008 11:31 AM
To: [redacted]
Cc:

Subject: RE: [redacted] b3 b6 b7C b7E

UNCLASSIFIED
NON-RECORD

See answer below. I copied everyone shown so that the information is shared. I also requested [redacted] to send us an advanced copy of the powerpoint slides for the [redacted] in March 24-28. I will also take your request to have [redacted] prepared a cheat sheet (quick user guide) for the system operations.

From: [redacted]
Sent: Wednesday, January 16, 2008 2:53 PM
To: [redacted]
Cc:
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

Hello [redacted] b3 b6 b7C b7E

There is a **very remote** possibility of needing to do some [redacted] in the near future so I have a few questions for you:

[redacted]

CELL/OTD 000585

[redacted]

5. If you have any time next week, I would like to get together and play with the [redacted] or what ever we did purchase?

Per our conversation, your busy schedule would not permit much time for you to play with the system. We will prepare and ship the entire system to [redacted] for preparation of the [redacted]

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Thanks,

[redacted]

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 000586

CELLSITE-15407

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-25-2012 BY 65179 DMH/SIW

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Monday, May 19, 2008 1:21 PM
To: [redacted]
Subject: FW: [redacted]

UNCLASSIFIED
NON-RECORD

Good info below:

All:

FYI: See below for additional info from [redacted] at OTD regarding [redacted]

[redacted]

SSA [redacted]
Violent Crimes Unit
[redacted] c)
fax)
[redacted]

From: [redacted] (OTD) (FBI)
Sent: Monday, May 19, 2008 11:42 AM
To: [redacted]
Subject: FW [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

We've had some success with [redacted] in the very recent past. I'd like to throw some notes for you to share if needed with your folks.

It is possible to [redacted]

Some things to note when [redacted]

1. you will be able to [redacted]
2. you will only be able to [redacted]

[redacted]

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CELL/OTD 08cv659 CELLSITE-15408

[redacted]

From: [redacted] (OTD) (FBI)
Sent: Monday, May 19, 2008 10:38 AM
To: [redacted] (OTD) (FBI)
Subject: FW: [redacted]

UNCLASSIFIED
NON-RECORD

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SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted]

From: [redacted] (CID) (FBI)
Sent: Monday, May 19, 2008 10:14 AM
To:

[redacted]

b6
b7C
b7E

CELL/OTD 000681LLSITE-15409

[redacted]

Cc:
Subject: FW: [redacted]

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UNCLASSIFIED
NON-RECORD

See below for some good information provided by VC WITT [redacted]

[redacted]

SSA [redacted]
Violent Crimes Unit

[redacted]

From: [redacted]
Sent: Friday, May 16, 2008 6:50 PM
To: [redacted]
Cc:

Subject: RE: [redacted]

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UNCLASSIFIED
NON-RECORD

Couple of items from [redacted]

[redacted]

Yesterday [redacted] put on a one day class in [redacted] for all law enforcement to discuss their commitment to helping law enforcement. They are apparently doing this in all regions of the country. Catch the one nearest you! It was pretty good they had members of their [redacted] present, and their legal compliance team. They even feed us breakfast and lunch. No charge. What I did learn was [redacted] does have a [redacted]

[redacted]

[redacted]

CELL/OTD 000661

CELLSITE-15410

We did some testing in the office on a [redacted] the Stingray. Not sure if it will work with [redacted] but this is a start.

[redacted]

I recently talked to [redacted] they advised they currently have [redacted]

[redacted]

Please pass on as appropriate.

b3
b6
b7C
b7E

[redacted]

From: [redacted]
Sent: Tuesday, April 15, 2008 3:05 PM
To: [redacted]
Cc:
Subject: RE: [redacted]

UNCLASSIFIED
NON-RECORD

b3
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b7E

[redacted]

My understanding is that these [redacted] - that although operates the same way - I don't believe by our current standards - we can track them with the Stingray. I am pretty sure of that.

[redacted]

From: [redacted]
Sent: Tuesday, April 15, 2008 3:57 PM
To: [redacted]
Cc:
Subject:

UNCLASSIFIED
NON-RECORD

b3
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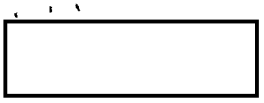
b7C
b7E

Gentlemen, I was approached by the Child Porn squad regarding the ability to [redacted] Has anybody used a Pen/TRAP or WITT [redacted] to [redacted] I'm assuming that [redacted]. If anybody has done this before it there a pony out there?

[redacted]

CELL/OTD 000662



b6
b7C
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UNCLASSIFIED

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CELL/OTD 000663

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-25-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Tuesday, May 27, 2008 11:02 AM
To: [redacted]
Cc: [redacted]
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

b3
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[redacted] forced [redacted] to go up on a Pen Register on a [redacted] [redacted] also helped make this possible, and they were up and running. Everytime that [redacted] [redacted] on the Pen Register. This happened about 2.5 weeks ago. [redacted] He had to switch and use [redacted] although he ultimately got the guy!

[redacted] was not [redacted] so he was ok to [redacted] Remember not to do this on [redacted] as they are [redacted] You still have the issues of [redacted] if the guy is a heavy user...

Talk to [redacted] about the [redacted] case and we should be able to force [redacted] to replicate.

[redacted]

P.S. If you don't make any way with this, I'll call up [redacted] and get everyone together again to see how it was done.

From: [redacted]
Sent: Tuesday, May 20, 2008 6:44 AM
To: [redacted]
Cc: [redacted]
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

b3
b6
b7C
b7E

Hey [redacted]

Hope all is well. I went through the below message traffic. While we can [redacted] WITT [redacted] the last time we tried to go up on an actual "pen register" the phone company [redacted] stated they could not provide [redacted] [redacted] They could provide [redacted] [redacted] but only manually and with significant time delay. If you remember we then asked [redacted] and he confirmed that this was correct. We even tried to force the phone company's hand by submitting a court order, but there was no success. Is this still the case? Is this true of all the phone companies or do some of them have the [redacted] [redacted] to provide [redacted]

[redacted]

From: [redacted]
Sent: Monday, May 19, 2008 1:21 PM
To: [redacted]
Subject: [redacted]

CELL/OTD 000668

UNCLASSIFIED
NON-RECORD

Good info below:

All:

FYI: See below for additional info from [redacted] at OTD regarding [redacted]

[redacted]

SSA [redacted]
Violent Crimes Unit
[redacted]

b3
b6
b7C
b7E

From: [redacted] (OTD) (FBI)
Sent: Monday, May 19, 2008 11:42 AM
To: [redacted]
Subject: [redacted]

b3
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b7C
b7E

UNCLASSIFIED
NON-RECORD

[redacted]

We've had some success with [redacted] in the very recent past. I'd like to throw some notes for you to share if needed with your folks.

It is possible to go up on a "pen register" and [redacted]

Some things to note when [redacted]

[redacted]

From: [redacted] (OTD) (FBI)
Sent: Monday, May 19, 2008 10:38 AM
To: [redacted] (OTD) (FBI)
Subject: [redacted]

CELL/OTD 000669

UNCLASSIFIED
NON-RECORD

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted]

b6
b7C

From: [redacted] (CID) (FBI)
Sent: Monday, May 19, 2008 10:14 AM
To:

[redacted]

b6
b7C
b7E

CELL/OTD 000670

CELLSITE-15415

Cc:
Subject:

UNCLASSIFIED
NON-RECORD

b3
b6
b7C
b7E

See below for some good information provided by VC WITT

SSA
Violent Crimes Unit

From:
Sent: Friday, May 16, 2008 6:50 PM
To:
Cc:
Subject:

UNCLASSIFIED
NON-RECORD

Couple of items from

Yesterday put on a one day class in for all law enforcement to discuss their commitment to helping law enforcement. They are apparently doing this in all regions of the country. Catch the one nearest you! It was pretty good they had members of their present, and their legal compliance team. They even feed us breakfast and lunch. No charge. What I did learn was does have a

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We did some testing in the office on a the Stingray. Not sure if it will work with but this is a start.

I recently talked to and they advised they currently have a

Please pass on as appropriate.

CELL/OTD 000671

[redacted]

b6
b7C
b7E

From: [redacted]
Sent: Tuesday, April 15, 2008 3:05 PM
To:
Cc:
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

b3
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b7C
b7E

[redacted]

My understanding is that these [redacted] - that although operates the same way - I don't believe by our current standards - we can [redacted] Stingray. I am pretty sure of that.

[redacted]

From: [redacted]
Sent: Tuesday, April 15, 2008 3:57 PM
To:
Cc:
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

Gentlemen, I was approached by the Child Porn squad regarding the ability to [redacted] Has anybody used a Pen/TRAP or WITT [redacted] to [redacted] I'm assuming that [redacted] If anybody has done this before it there a pony out there?

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[redacted]

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 000672

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-22-2012 BY 65179 DMH/SIW

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Tuesday, May 27, 2008 4:04 PM
To: [redacted]
Subject:

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

FYI

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From: [redacted]
Sent: Friday, May 23, 2008 11:01 AM
To:
Cc:
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

No - but if we meet we can raise the issue. What were the facts re the [redacted] issue

From: [redacted]
Sent: Friday, May 23, 2008 10:58 AM
To:
Cc:
Subject: [redacted]

b3
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b7E

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

Since we're on the topic, has policy ever been issued regarding the [redacted] we receive from the [redacted] The issue came up after the [redacted] incident last year, but I have not seen a formal policy either way regarding this issue.

[redacted]

From: [redacted]
Sent: Friday, May 23, 2008 10:54 AM
To:
Cc:
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

CELL/OTD 000674

[redacted]

This was an old issue that we were going to give a second look w OGC. Based on your assessment and of others with a technical or operational expertise -

Is this tool something we should seek to use as a [redacted] etc **OR** is this a tool that we should not seek?

We only want to meet re this issue if someone thinks that the tool has operational value? What do you think? What does [redacted] do??

From: [redacted]
Sent: Friday, May 23, 2008 10:29 AM
To: [redacted]
Cc:
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

I went in circles with this issue a few years ago when ERF had purchased [redacted] but refused to distribute them due to legal concerns and a lack of policy for their deployment. I assisted by writing a policy and they ended up [redacted]

b3
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b7C
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One of the problems in a tactical situation is that you will [redacted] Contact Engineer [redacted] of the WITT unit at ERF for more details on this issue.

[redacted] but are probably doing more harm than good. I have discussed this issue with SSA [redacted] and he can be contacted for more details on the [redacted] issues.

[redacted]

From: [redacted]
Sent: Thursday, May 22, 2008 12:48 PM
To: [redacted]
Cc:
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

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Any comments or suggestions? This topic was a previous concern - is it still of interest? Do you have any HQ guidance re this topic - is it adequate??

From: [redacted]
Sent: Thursday, May 22, 2008 12:44 PM
To: [redacted]
Cc:
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

CELL/BTD 000675

Our scenario is straight forward -

[redacted] - with SAC approval - we want the ability to [redacted]

[redacted] b3 b6 b7C b7E

Our overarching concern is for the safety of [redacted]

I will not be able to confirm until tomorrow when I get back in the office - but let's use next Weds afternoon at 200p as the target date. Do you have a room number??

From: SABOL, SHERRY E. (OGC) (FBI)
Sent: Wednesday, May 21, 2008 2:46 PM
To:
Cc:
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b3 b6 b7C b7E

[redacted]

AGC [redacted] has significant background on [redacted] issues and relevant statutory authorities as they relate to [redacted] and I'm told the [redacted] Given that [redacted] is gone and likely has the most background on what you're looking to achieve, I think it would be helpful for [redacted] to sit down with [redacted] and I to determine what scenarios you're concerned about. We will likely need to regroup with the [redacted] regarding the establishment of a process by which to handle requests.

Are you available to meet at HQ next week - does Wednesday afternoon at 2pm work for you?

Sherry E. Sabol
Section Chief
Science and Technology Law Office
Office of the General Counsel
HQ: [redacted]
Chantilly: [redacted]
bb [redacted]
PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

From: [redacted]
Sent: Wednesday, May 21, 2008 12:59 PM
To: SABOL, SHERRY E. (OGC) (FBI)
Cc:
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Sherry

CELL-OTD 000676

One of Motta's unresolved projects was to provide [redacted] with guidance re the use of a [redacted] b3 b7E tool to improve the safety [redacted]

Would you assign someone to review this issue.

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

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SENSITIVE BUT UNCLASSIFIED

CELL/OTD 000677

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-27-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Thursday, May 29, 2008 5:01 PM
To: [redacted]

b6
b7C
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CELL/OTD 000678 CELLSITE-15422

To:

Cc:
Subject: FW: Important WITT News Bulletin

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

From: (OTD) (FBI)
Sent: Thursday, May 22, 2008 4:18 PM
To: OTD) (FBI)
Subject: Important WITT News Bulletin

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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Could you disseminate this news bulletin to the field for the WITT program as some may not visit our website on a regular basis?

In the recent weeks has identified a problem with the Current investigation of the problem reveals that the Further analysis work is continuing and until a permanent solution is reached, a successful workaround solution has been identified.

CELL/OTD 000681

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-25-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Thursday, July 10, 2008 10:35 AM
To: [redacted] b3 b6 b7C b7E
Subject: Pony for Pen Register Coverage with [redacted]

UNCLASSIFIED
NON-RECORD

ALCON:

Attached is an EC to be completed by the case squad to initiate Pen Register coverage. I have taken the request for coverage for [redacted] and added a few lines to help us. I talked with [redacted] and we came up with the additional verbiage to ensure we get the line setup correctly in the [redacted] Also, we added the part about [redacted]

Please let me know if you all have any questions.

[redacted]

[redacted] Pony for Pen Register.ec

UNCLASSIFIED

CELL/OTD 000684

(Rev. 05-01-2008)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-25-2012 BY 65179 DMH/SIW

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 07/10/2008

To: **Attn:**

From:

Approved By:

Drafted By:

Case ID #: - SUB PEN (Pending)

Title:

Synopsis: Request squad assistance to initiate pen register coverage.

Details: assistance is requested to initiate pen register coverage in captioned matter. The target of the pen register is as follows:

NUMBER:
NAME:
ADDRESS:

Additionally, is requested to and also setup to

When initiating the pen register,

(LIST CASE AGENT AND WORKING THE CASE)

♦♦

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UNCLASSIFIED

CELL/OTD 000685

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-27-2012 BY 65179 DMH/STW

[redacted](OTD) (FBI)

From: [redacted]OTD) (FBI)
Sent: Thursday, July 10, 2008 3:07 PM
To:

[redacted]

b6
b7C
b7E

CELL/OTD 000686 CELLSITE-15429

To:
Cc:
Subject: FW: WITT News Bulletin [redacted]

b3
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b7C
b7E

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

NOTE the issue of [redacted]

Please forward as appropriate....

From: [redacted] (OTD) (FBI)
Sent: Thursday, July 10, 2008 1:58 PM
To: [redacted] (OTD) (FBI)
Subject: WITT News Bulletin

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

Pls help disseminate the following critical information to all [redacted] folks involved with WITT [redacted]

[redacted]

b3
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b7C
b7E

The [redacted] is no longer available due to pending patent infringement.

[redacted]

[redacted]

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 000688

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-27-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (ITB) (FBI)
Sent: Thursday, July 17, 2008 7:51 AM
To: [redacted]
Subject: FW: Draft PR/TT policy w/ WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

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b7E

Please take a look at this. I have not gotten a chance yet but will later today [redacted]

SSA [redacted]
[redacted] EAD Azmi
Information and Technology Branch
[redacted]

From: [redacted] (OGC) (FBI)
Sent: Wednesday, July 16, 2008 1:12 PM
To: [redacted] DO) (FBI)
Subject: Draft PR/TT policy w/ [redacted]

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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

prttdraft071508.doc

Your comments please....

[redacted]
Attorney
Office of Integrity and Compliance
JEH 7646
Tel [redacted]
Fax
Mobile [redacted]
http://oic.fbinet.fbi/

This information may be privileged and/or deliberative- NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OIC APPROVAL

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 000691

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-22-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Wednesday, March 21, 2012 9:02 AM
To: [redacted] (OTD) (FBI)
Subject: FOIA: WITT

Classification: UNCLASSIFIED
==========

From: [redacted] OTD) (FBI)
Sent: Thursday, November 06, 2008 10:58 AM
To: [redacted]

[redacted]

b3
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CELL/OTD 000711

CELLSITE-15446

[redacted]

b3
b6
b7C
b7E

Cc: [redacted]
(FBI)
Subject: WITT Technical Bulletin

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

If haven't done so there is a new [redacted] which offers an added capability o[redacted]

[redacted]

CELLSITE-15448
CELL/OTD 000713

[redacted]

Those who do not have access to the TTU [redacted] can contact [redacted]
[redacted] b3
[redacted] b6
[redacted] If additional technical support is needed, contact WITT b7C
staff. Please also share this information to your [redacted] colleagues. b7E

[redacted]

SENSITIVE BUT UNCLASSIFIED

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Classification: UNCLASSIFIED

CELL/OTD 000714
CELLSITE-15449

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-25-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Wednesday, March 21, 2012 8:58 AM
To: [redacted] (OTD) (FBI)
Subject: FOIA: WITT

Classification: UNCLASSIFIED
==========

From: [redacted]
Sent: Wednesday, November 03, 2010 2:44 PM
To: [redacted]
Cc: [redacted]
Subject: WITT Policy EC

b3
b6
b7C
b7E

Gents,

This has been reviewed by all parties and initially approved. Please review Electronic copy, as hard copy for signature will working its way to you. [redacted], once the Boss has put his mark on it, please disseminate to all of [redacted] Thanks all for the joint effort.

[redacted]

[redacted] WITTPolicyEC

==========
Classification: UNCLASSIFIED

CELL/OTD 000719

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-25-2012 BY 65179 DMH/SIW

[redacted](OTD) (FBI)

From: [redacted]OGC) (FBI)
Sent: Tuesday, October 02, 2007 11:31 AM
To: [redacted]
Cc:
Subject:

b3
b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

Hi [redacted]

The AG order is available at [redacted] (6 one down on the list)

-----Original Message-----
From: [redacted]
Sent: Tuesday, October 02, 2007 6:13 AM
To: [redacted]
Cc:
Subject:

UNCLASSIFIED
NON-RECORD

Hello [redacted]

b3
b6
b7C
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Hope all is well. Would you please e-mail me a copy of [redacted] regarding the [redacted] and the delegated authority to permit [redacted] on a case-by-case basis, to assist in [redacted] I'd like to read "the bible" and see where the MIOG requirements are derived from. A lot has changed since 1995. If you don't have it electronically let me know. If it's short enough, I'll give you a fax number. If not, you can mail it to to my attention at [redacted]

Thanks for the help,

[redacted]

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 000745

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-25-2012 BY 65179 DMH/STW

[redacted]OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Tuesday, October 02, 2007 1:48 PM
To: [redacted] (OTD) (FBI)
Subject: [redacted]

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UNCLASSIFIED
NON-RECORD

See attached note.

[redacted]
Procedure.doc...

UNCLASSIFIED

CELL/OTD 000746

-----Original Message-----
From:
Sent: Tuesday, October 02, 2007 1:03 PM
To:
Cc:
Subject:

UNCLASSIFIED
NON-RECORD

Attached is my attempt to separate the from merely matters. I was feeling strong about the amendments, until I read Is this paragraph the show stopper? Any suggestions, short of an amended AG Department Order? I am trying to make it easier to support on WITT matters. b3 b5 b6 b7C b7E

Thanks,

<< File: Use of FBI wpd >>

-----Original Message-----
From: (OGC) (FBI)
Sent: Tuesday, October 02, 2007 11:31 AM
To:
Cc:
Subject:

UNCLASSIFIED
NON-RECORD

b3 b6 b7C b7E

H

The AG order is available at (6 one down on the list)

-----Original Message-----
From:
Sent: Tuesday, October 02, 2007 6:13 AM
To:
Cc:
Subject:

UNCLASSIFIED
NON-RECORD

Hello

Hope all is well. Would you please e-mail me a copy of regarding the and the delegated authority to permit on a case-by-case basis, to assist in I'd like to read "the bible" and see where the MIOG requirements are

CELL/OTD 000749 CELLSITE-15473

derived from. A lot has changed since 1995. If you don't have it electronically let me know. If it's short enough, I'll give you a fax number. If not, you can mail it to to my attention at [redacted]

b6
b7C
b7E

Thanks for the help,

[redacted]

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 000750

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-28-2012 BY 65179 DMH/SIW

[redacted] (OTD) (FBI)

From: [redacted] (OGC) (FBI)
Sent: Wednesday, October 03, 2007 9:24 AM
To: [redacted]
Cc: [redacted]
Subject: [redacted]

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UNCLASSIFIED
NON-RECORD

Police cooperation case, is as I understand, [redacted] b5

Domestic Police Cooperation authority is [redacted]

62-3.3 Policy

(1) Upon receipt of requests for investigation from local or state law enforcement agencies involving matters in which there is no FBI jurisdictional interest, the FBI's cooperative role will be limited to the acquisition of records or information from the criminal files of local or state law enforcement agencies or records of nongovernmental organizations and concerns and other governmental agencies.

(a) Records or information are defined as material normally available to law enforcement agencies which can be obtained without a court order.
(b) When obtaining material outlined above, dissemination authority must be obtained from that agency providing the records/information, when appropriate.
(2) In addition to record gathering and dissemination noted above, the FBI can act in a liaison capacity between local and state law enforcement agencies to facilitate one agency handling the investigative requests of another.
(3) The FBI, on behalf of a local or state law enforcement agency, may verify the location of an individual. No interviews with subjects, suspects, or witnesses should be conducted by Bureau personnel. No extensive efforts are to be expended to locate individuals for interviews. FBI personnel are to merely verify their whereabouts, such as at a residence address or employment, etc.
(4) Domestic Police Cooperation matters received in the field should be opened on an individual case basis, the subject of the record indexed to the general indices, resulting disclosures recorded in accordance with Privacy Act requirements and maintained in accordance with existing instructions pertaining to the destruction of field office files and records, MAOP, Part II, 2-4.5.
(5) SACs may approve use of FBI resources on behalf of local and state agencies providing such action falls within the above guidelines. No communication need be forwarded to FBIHQ advising of the initiation of a Domestic Police Cooperation investigation.

(6) Name check requests for a review of pertinent information contained in our central records system received by FBIHQ from authorized state and local criminal justice agencies will be | processed by the|Executive Agencies Dissemination|Unit, Information|Management Division, in accordance with MAOP, Part II,9-3. Completed responses will be returned to the respective field office which covers the territory of the submitting agency for appropriate dissemination.
(7) Domestic Police Cooperation cases are not to be opened in the field for the purpose of conducting foreign inquiries through Interpol. All state and local law enforcement agencies in the United States have direct access to the United States

National Central Bureau (USNCB), Interpol, by mail or via the National Law Enforcement Telecommunications System (NLETS). The USNCB mailing address is:Interpol, U.S. Department of Justice, Washington, D.C. 20530. The NLETS ORI is "DCINTER0/0/."

This authority appears to also be codified by Regulation at 28 CFR 0.85(j)

See also Part I, Section 184-1 Investigative Authority

2) Under DOJ guidelines, the FBI's role in Domestic Police Cooperation, see this manual, Part 1, Section 62, entitled "Domestic Police Cooperation," is [redacted]

[redacted] b5

-----Original Message-----
From: [redacted]
Sent: Wednesday, October 03, 2007 6:57 AM
To: [redacted]
Cc:
Subject:

UNCLASSIFIED
NON-RECORD

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b7E

Thanks for the added info.

Further clarification however is needed on [redacted]

[redacted]

Thanks,

[redacted]

-----Original Message-----
From: [redacted] (OGC) (FBI)
Sent: Tuesday, October 02, 2007 3:11 PM
To: [redacted]
Cc:
Subject: [redacted]

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UNCLASSIFIED
NON-RECORD

Gentlemen:

CELL/OTD 000766

The issue is, unfortunately, not simply about whether [redacted]

[redacted]

b3
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So, if the objective is to make it easier to [redacted] WITT [redacted] matters, then one way would be to [redacted]

<< File: [redacted] pdf >>

OTD is making efforts to clarify and revise the policy and the AG order which if successful should make such assistance less administratively burdensome to provide--so stay tuned.....

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

[redacted]
Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va 22135
Tel: [redacted]
Fax
Cel

b6
b7C
b7E

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From: [redacted]
Sent: Tuesday, October 02, 2007 1:03 PM
To: [redacted]
Cc:
Subject: RE: [redacted]

b3
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b7C
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UNCLASSIFIED
NON-RECORD

[redacted]

Attached is my attempt to separate the [redacted] from merely [redacted] matters. I was feeling strong about the amendments, until I read [redacted] Is this paragraph the show stopper? Any suggestions, short of an amended AG Department Order? I am trying to make it easier to support [redacted] WITT [redacted]

CELL/OTD 000767

CELLSITE-15477

Thanks, [redacted]

<< File: Use of FBI [redacted] .wpd >>

b3
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b7C
b7E

-----Original Message-----
From: [redacted] OGC) (FBI)
Sent: Tuesday, October 02, 2007 11:31 AM
To: [redacted]
Cc:
Subject:

UNCLASSIFIED
NON-RECORD

Hi [redacted]

The AG order is available at [redacted] (6 one down on the list)

-----Original Message-----
From: [redacted]
Sent: Tuesday, October 02, 2007 6:13 AM
To:
Cc:
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

Hello [redacted]

Hope all is well. Would you please e-mail me a copy of [redacted] regarding the [redacted] the delegated authority to permit [redacted] on a case-by-case basis, to assist [redacted] I'd like to read "the bible" and see where the MIOG requirements are derived from. A lot has changed since 1995. If you don't have it electronically let me know. If it's short enough, I'll give you a fax number. If not, you can mail it to to my attention at [redacted]

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Thanks for the help, [redacted]

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 000768

CELLSITE-15478

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-26-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OGC) (FBI)
Sent: Thursday, October 04, 2007 11:04 AM
To: [redacted]
Cc:
Subject: [redacted]

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UNCLASSIFIED
NON-RECORD

[redacted]

-----Original Message-----
From: [redacted]
Sent: Wednesday, October 03, 2007 9:49 AM
To: [redacted]
Cc:
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

Thank you for the added information. I have a much better understanding of the Domestic Police Cooperation constraints now.

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I promise to give you a break if you give me a yes or no answer to: [redacted]

Yes / No

Sorry for being difficult,
and thanks again,
[redacted]

-----Original Message-----
From: [redacted] (OGC) (FBI)
Sent: Wednesday, October 03, 2007 9:24 AM
To: [redacted]
Cc:
Subject: [redacted]

b3
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b7C
b7E

UNCLASSIFIED
NON-RECORD

Police cooperation case, is as I understand [redacted]

Domestic Police Cooperation authority is [redacted]

b5

62-3.3 Policy

CELL/OTD 000770

(1) Upon receipt of requests for investigation from local or state law enforcement agencies involving matters in which there is no FBI jurisdictional interest, the FBI's cooperative role will be limited to the acquisition of records or information from the criminal files of local or state law enforcement agencies or records of nongovernmental organizations and concerns and other governmental agencies.

(a) Records or information are defined as material normally available to law enforcement agencies which can be obtained without a court order.
(b) When obtaining material outlined above, dissemination authority must be obtained from that agency providing the records/information, when appropriate.
(2) In addition to record gathering and dissemination noted above, the FBI can act in a liaison capacity between local and state law enforcement agencies to facilitate one agency handling the investigative requests of another.
(3) The FBI, on behalf of a local or state law enforcement agency, may verify the location of an individual. No interviews with subjects, suspects, or witnesses should be conducted by Bureau personnel. No extensive efforts are to be expended to locate individuals for interviews. FBI personnel are to merely verify their whereabouts, such as at a residence address or employment, etc.
(4) Domestic Police Cooperation matters received in the field should be opened on an individual case basis, the subject of the record indexed to the general indices, resulting disclosures recorded in accordance with Privacy Act requirements and maintained in accordance with existing instructions pertaining to the destruction of field office files and records, MAOP, Part II, 2-4.5.
(5) SACs may approve use of FBI resources on behalf of local and state agencies providing such action falls within the above guidelines. No communication need be forwarded to FBIHQ advising of the initiation of a Domestic Police Cooperation investigation.

(6) Name check requests for a review of pertinent information contained in our central records system received by FBIHQ from authorized state and local criminal justice agencies will be | processed by the|Executive Agencies Dissemination|Unit, Information|Management Division, in accordance with MAOP, Part II,9-3. Completed responses will be returned to the respective field office which covers the territory of the submitting agency for appropriate dissemination.
(7) Domestic Police Cooperation cases are not to be opened in the field for the purpose of conducting foreign inquiries through Interpol. All state and local law enforcement agencies in the United States have direct access to the United States National Central Bureau (USNCB), Interpol, by mail or via the National Law Enforcement Telecommunications System (NLETS). The USNCB mailing address is:Interpol, U.S. Department of Justice, Washington, D.C. 20530. The NLETS ORI is "DCINTER0/0/."

This authority appears to also be codified by Regulation at 28 CFR 0.85(j)

See also Part I, Section 184-1 Investigative Authority

2) Under DOJ guidelines, the FBI's role in Domestic Police Cooperation, see this manual, Part 1, Section 62, entitled "Domestic Police Cooperation," is [redacted]

[redacted] b5

-----Original Message-----

CELL/OTD 000771

CELLSITE-15480

From: [redacted]
Sent: Wednesday, October 03, 2007 6:57 AM
To: [redacted]
Cc:
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

Thanks for the added info.

Further clarification however is needed on [redacted]

[redacted]

b3
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Thanks,

[redacted]

-----Original Message-----
From: [redacted] OGC) (FBI)
Sent: Tuesday, October 02, 2007 3:11 PM
To:
Cc:
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

b3
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b7E

Gentlemen:

The issue is, unfortunately, not simply about whether [redacted]

[redacted]

CELL/OTD 000772

CELLSITE-15481

So, if the objective is to make it easier to [redacted] WITT [redacted] then one way would be to [redacted] b3 b5 b7E

<< File: [redacted] pdf >>

OTD is making efforts to clarify and revise the policy and the AG order which if successful should make such assistance less administratively burdensome to provide--so stay tuned…..

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

[redacted]
Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135
Tel: b6 b7C b7E
Fax [redacted]
Cell

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From: [redacted]
Sent: Tuesday, October 02, 2007 1:03 PM
To: [redacted]
Cc:
Subject: [redacted] b3 b5 b6 b7C b7E

UNCLASSIFIED
NON-RECORD

[redacted]

Attached is my attempt to separate the [redacted] from merely [redacted] matters. I was feeling strong about the amendments, until I read [redacted]

[redacted] Is this paragraph the show stopper? Any suggestions, short of an amended AG Department Order? I am trying to make it easier to support [redacted] WITT [redacted]

Thanks, [redacted]

<< File: Use of FBI [redacted] wpd >>

-----Original Message-----
From: [redacted] (OGC) (FBI)
Sent: Tuesday, October 02, 2007 11:31 AM
To: [redacted]
Cc:
Subject: [redacted] b3 b6 b7C b7E

UNCLASSIFIED
NON-RECORD

CELL/OTD 000773

CELLSITE-15482

Hi [redacted]

The AG order is available at [redacted] (6 one down on the list)

-----Original Message-----
From: [redacted]
Sent: Tuesday, October 02, 2007 6:13 AM
To: [redacted]
Cc:
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

b3
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b7E

Hello [redacted]

Hope all is well. Would you please e-mail me a copy of [redacted] regarding the [redacted] and the delegated authority to permit [redacted] on a case-by-case basis, to assist in [redacted]
I'd like to read "the bible" and see where the MIOG requirements are derived from. A lot has changed since 1995. If you don't have it electronically let me know. If it's short enough, I'll give you a fax number. If not, you can mail it to to my attention at [redacted]

Thanks for the help,
[redacted]

UNCLASSIFIED

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UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 000774

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-26-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Monday, October 15, 2007 4:56 PM
To: [redacted]
Subject: RE: [redacted] in Exigent Circumstances

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UNCLASSIFIED
NON-RECORD

Looks good. The only thing is : Does FBIHQ, [redacted], need to be cut in like they do for TIIIs.

-----Original Message-----
From: [redacted]
Sent: Thursday, October 11, 2007 3:15 PM
To: [redacted]
Cc: [redacted]
Subject: [redacted] in Exigent Circumstances

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UNCLASSIFIED
NON-RECORD

Hey [redacted],

Before we send this out to the office, would you mind reviewing this? We are just trying to educate our customers on the Exigent Circumstance requirements pertaining to [redacted] Any corrections or sugestions would be appreciated.

Thanks,
[redacted]

<< File: September 2007 [redacted] (Exigent Circumstances).wpd >>

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 000782

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-26-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] b3
Sent: Monday, October 15, 2007 5:31 PM b6
To: [redacted] b7C
Subject: RE: [redacted] in Exigent Circumstances b7E

UNCLASSIFIED
NON-RECORD

Since the Director isn't involved, [redacted] probably does not have to be notified.

-----Original Message-----
From: [redacted]
Sent: Thursday, October 11, 2007 3:15 PM
To: [redacted]
Cc: [redacted]
Subject: [redacted] in Exigent Circumstances

UNCLASSIFIED
NON-RECORD

Hey [redacted] b3 b6

Before we send this out to the office, would you mind reviewing this? We are just trying to educate our customers on the Exigent Circumstance requirements pertaining to [redacted] Any corrections or sugestions would be appreciated. b7C b7E

Thanks,
[redacted]

<< File: September 2007 [redacted] (Exigent Circumstances).wpd >>

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 000783

CELLSITE-15485

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-26-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Tuesday, October 16, 2007 4:18 PM
To: [redacted]
Subject: RE [redacted] Case

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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted] I just went to a class on this. Unfortunitly [redacted] requires a PC affidavit for any kind of [redacted]

-----Original Message-----
From: [redacted]
Sent: Monday, October 15, 2007 5:59 AM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted] Case

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Hey [redacted]

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Good to see you working again. Just a few reminders: You may want to address the [redacted] you may need a PC order. However, if you are not familiar with [redacted] Just reminders, not trying to get in your business. We are merely humble [redacted]

Take care,
[redacted]

-----Original Message-----
From: [redacted]
Sent: Friday, October 12, 2007 2:21 PM
To: [redacted]
Cc: [redacted]
Subject: [redacted] Case

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

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[redacted]

[redacted] and I spent the day talking about the [redacted] case and we have determined a course of action. The plan is to go up on a wire on either [redacted] This wire will be used to then spin up to [redacted] We will be concentrating our efforts on getting a "dirty call" on either [redacted] it does not matter which one. We are expecting to be up on the first wire in approximately 30 days after the first dirty call (OEO is requiring 21 days for PC reasons).

Current Efforts

- We have requested [redacted]. These subscribers will be used to get immediate Pen Registers.

CELL/OTD 000785

- We requested activation of a pen register on [redacted] home number. We have the order, but the installation requires [redacted]
- We are going to request to [redacted] on [redacted] We are waiting for him to put [redacted]

What we need at this time.

- We need someone, preferable [redacted] actively working the pen register subscriber information. This was our largest roadblock in the last TIII.

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[redacted]

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 000786

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-26-2012 BY 65179 DMH/STW

[redacted](OTD) (FBI)

From: [redacted](IR) (FBI)
Sent: Thursday, October 18, 2007 9:20 AM
To: [redacted]
Subject: RE: November 7-8, [redacted] of StingRay

UNCLASSIFIED
NON-RECORD

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b7E

[redacted]

Thanks,

[redacted]

-----Original Message-----
From: [redacted]
Sent: Thursday, October 18, 2007 3:45 AM
To: [redacted]
Cc:
Subject: November 7-8, [redacted] of StingRay

UNCLASSIFIED
NON-RECORD

b3
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b7E

Gents,

[redacted] from the Harris Corp has confirmed that they will be able to join us in various [redacted] StingRay on November 7th and 8th at [redacted] We are still waiting for the StingRay [redacted] It should be done on time. If [redacted] goes well, Harris will leave us with the [redacted] for further testing and use. This project is being undertaken by direction of [redacted] "Maybe he thinks we'll need [redacted]

[redacted]

Please e-mail me with the [redacted] we may be using, so I can send the info to Harris. This will allow them to [redacted] to feed our needs.

[redacted]

We know you will be short handed. If anyone of your team is available please join us. If not, we'll conduct the [redacted] [redacted] and provide you with the results.

Thanks,

[redacted]

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 000787

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-26-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OGC) (FBI)
Sent: Tuesday, October 23, 2007 2:36 PM
To: [redacted]
Cc:
Subject: RE: [redacted] in Exigent Circumstances

Importance: High

UNCLASSIFIED
NON-RECORD

b3
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September 2007 [redacted] Exig...

[redacted]

Sorry for the delay--I was unexpectedly out of the office for a couple of weeks. I have made some suggested edits to your summary attached --viewable in document/reviewer mode. Most significantly is the distinction that [redacted]

[redacted]

b3
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b7E

[redacted]

-----Original Message-----
From: [redacted]
Sent: Thursday, October 11, 2007 3:07 PM
To: [redacted]
Cc:
Subject: [redacted] in Exigent Circumstances

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UNCLASSIFIED
NON-RECORD

Hello [redacted]

If you have a moment would you please review the attached one page document? Our office and [redacted] always seem to have trouble in dealing with Exigent Circumstance matters. Any suggestions or clarifications would be appreciated.

Thanks,

[redacted]

<< File: September 2007 [redacted] (Exigent Circumstances).wpd >>

CELL/OTD 000788

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-26-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (ITB) (FBI)
Sent: Wednesday, October 24, 2007 8:39 AM
To: [redacted] (OTD) (FBI)
Subject: FW: [redacted] in Exigent Circumstances

Importance: High

UNCLASSIFIED
NON-RECORD

b3
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b7E

Please review her changes and let me know if this is good to go. [redacted]

[redacted]

-----Original Message-----
From: [redacted] (OGC) (FBI)
Sent: Tuesday, October 23, 2007 2:36 PM
To: [redacted]
Cc:
Subject: RE: [redacted] in Exigent Circumstances
Importance: High

b3
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UNCLASSIFIED
NON-RECORD

September 2007 [redacted] (Exig...

[redacted]

Sorry for the delay--I was unexpectedly out of the office for a couple of weeks. I have made some suggested edits to your summary attached --viewable in document/reviewer mode. Most significantly is the distinction that [redacted]

[redacted]

[redacted]

CELL/OTD 000793 CELLSITE-15492

-----Original Message-----
From:
Sent: Thursday, October 11, 2007 3:07 PM
To:
Cc:
Subject: in Exigent Circumstances

UNCLASSIFIED
NON-RECORD

Hello

If you have a moment would you please review the attached one page document? Our office and always seem to have trouble in dealing with Exigent Circumstance matters. Any suggestions or clarifications would be appreciated.

b3
b6
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b7E

Thanks,

<< File: September 2007 (Exigent Circumstances).wpd >>

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 000794

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-26-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Thursday, October 25, 2007 10:51 AM
To: [redacted] b3 b6 b7C b7E
Cc:
Subject: [redacted] User Alerts

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

The following is a list of items that were discovered and is documented for your benefits. This is also posted on the WITT website.

[redacted] b3 b7E

CELLSITE-15496

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-26-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Thursday, October 25, 2007 2:54 PM
To:

[redacted]

b6
b7C
b7E

CELL/OTD 000799
CELLSITE-15498

To:

[redacted]

b3
b7E

Subject: FW: WITT Technical Operations Alert

Follow Up Flag: Follow up
Flag Status: Flagged

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

CELL/OTD 000801

CELLSITE-15500

-----Original Message-----
From: [redacted](OTD) (CON)
Sent: Thursday, October 25, 2007 2:21 PM
To: [redacted]
Cc:
Subject: FW: WITT Technical Operations Alert

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Hi [redacted]
Would you please pass the following information on to each field office [redacted] is that is all we can do):

Wireless Intercept and Tracking Team Alerts:

[redacted] WITT [redacted]

(2) The latest iDEN [redacted] b3
[redacted] Currently the iDEN [redacted] StingRay and the [redacted] is not b6
supported [redacted] b7C
[redacted] b7E

Remember to check the WITT website often for product and troubleshooting information. Click here:
[redacted]

Thanks [redacted] -b

[redacted]
Consultant
Retired FBI SSA, 1984-2006
Tracking Technology Unit
Federal Bureau of Investigation
[redacted] - Office
- Cell

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 000802

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-26-2012 BY 65179 DMH/STW

[redacted](OTD) (FBI)

From: [redacted]
Sent: Friday, October 26, 2007 2:19 PM
To: [redacted]
Subject: FW: WITT Technical Operations Alert

Follow Up Flag: Follow up
Flag Status: Flagged

b3
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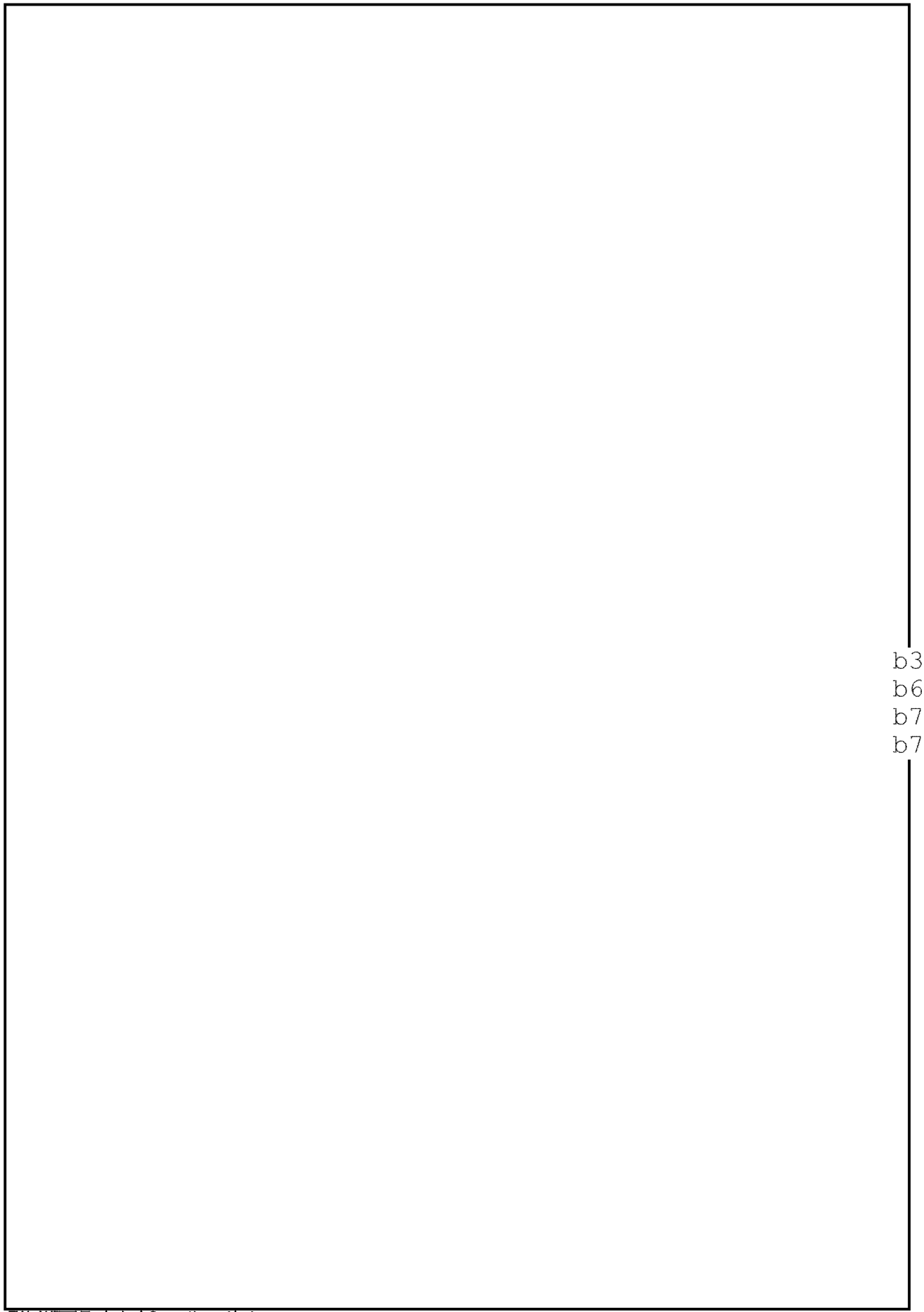
SENSITIVE BUT UNCLASSIFIED
NON-RECORD

-----Original Message-----
From: [redacted](OTD) (CON)
Sent: Thursday, October 25, 2007 2:54 PM
To: [redacted]

b6
b7C
b7E

CELL/OTD 000807

CELLSITE-15502



b3
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b7E

Subject: FW: WITT Technical Operations Alert

CELL/OTD 000808
CELLSITE-15503

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

-----Original Message-----
From: [redacted](OTD) (CON)
Sent: Thursday, October 25, 2007 2:21 PM
To: [redacted]
Cc:
Subject: FW: WITT Technical Operations Alert

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Hi [redacted]
Would you please pass the following information on to each field office [redacted]s that is all we can do):

Wireless Intercept and Tracking Team Alerts:

[redacted]WITT[redacted]

[redacted] b3 b6 b7C b7E

Remember to check the WITT website often for product and troubleshooting information. Click here:
[redacted]

Thanks [redacted] -b

[redacted]
[redacted] Consultant
Retired FBI SSA, 1984-2006
Tracking Technology Unit
Federal Bureau of Investigation
[redacted] - Office
- Cell

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 000809
CELLSITE-15504

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-26-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Friday, October 26, 2007 2:43 PM
To: [redacted]
Subject: RE: November 7-8, [redacted] StingRay

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UNCLASSIFIED
NON-RECORD

Be sure to have the appropriate [redacted] paperwork completed. Many considerations such as [redacted]

-----Original Message-----
From: [redacted]
Sent: Thursday, October 18, 2007 3:45 AM
To: [redacted]
Cc:
Subject: November 7-8, [redacted] StingRay

UNCLASSIFIED
NON-RECORD

Gents,

[redacted] from the Harris Corp has confirmed that they will be able to join us in various [redacted] StingRay on November 7th and 8th at [redacted] We are still waiting for the StingRay [redacted] It should be done on time. If [redacted] goes well, Harris will leave us with the [redacted] [redacted] for further testing and use. This project is being undertaken by direction of [redacted] "Maybe he thinks we'll need [redacted]

b3
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b7E

[redacted]

Please e-mail me with the [redacted] we may be using, so I can send the info to Harris. This will allow them to [redacted] to feed our needs.

[redacted]

We know you will be short handed. If anyone of your team is available please join us. If not, we'll conduct the [redacted] [redacted] and provide you with the results.

Thanks,

[redacted]

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 000810

~~SECRET~~

DATE: 10-12-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 10-12-2037

[redacted] (OTD) (FBI)

From: [redacted] OTD) (FBI)
Sent: Tuesday, January 11, 2011 6:51 AM
To: [redacted]
Subject: FW: Field Request [redacted] Request

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET//NOFORN~~
~~RECORD 268-HQ-1068430~~

b1
b3
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b7C
b7E

(S) [redacted]

From: [redacted] (OTD) (FBI)
Sent: Monday, January 10, 2011 11:36 AM
To: [redacted]
Cc: [redacted]
Subject: RE: Field Request [redacted] Request

b3
b6
b7C
b7E

~~UNCLASSIFIED~~
~~NON-RECORD~~

Thanks

From: [redacted] (OTD) (FBI)
Sent: Monday, January 10, 2011 11:34 AM
To: [redacted] (OTD) (FBI)
Subject: FW: Field Request [redacted] Request

~~UNCLASSIFIED~~
~~NON-RECORD~~

See below

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted]

From: [redacted] (OTD) (CON)
Sent: Monday, January 10, 2011 11:28 AM
To: [redacted]
Subject: RE: Field Request [redacted] Request

~~UNCLASSIFIED~~
~~NON-RECORD~~

~~SECRET~~

CELL/OTD 000840

CELLSITE-15506

~~SECRET~~

This is being handled by [redacted] is being submitted

From: [redacted] (OTD) (FBI)
Sent: Monday, January 10, 2011 10:27 AM
To: [redacted]
Subject: FW: Field Request [redacted] Request
Importance: High

~~UNCLASSIFIED~~
~~NON-RECORD~~

b3
b6
b7C
b7E

Do we have anything that meets the need

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted]

From: [redacted] (OTD) (FBI)
Sent: Monday, January 10, 2011 10:09 AM
To: [redacted]

b6
b7C
b7E

[redacted]

CELL/OTD 000841 CELLSITE-15507

~~SECRET~~

b3
b6
b7C
b7E

Cc:
Subject: FW: Field Request [redacted] Request

~~UNCLASSIFIED~~
~~NON-RECORD~~

From: [redacted]
Sent: Friday, January 07, 2011 3:02 PM
To: [redacted] (OTD) (FBI)
Subject: Field Request

Hi [redacted],

I was wondering if you could please forward to the [redacted]

b3
b6
b7C
b7E

Thanks,

[redacted]

[redacted] is looking to borrow a [redacted] As always, turnaround is short.....

Thanks in advance,

[redacted]

~~UNCLASSIFIED~~

~~SECRET~~

CELL/OTD 000843

CELLSITE-15509

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

~~DERIVED FROM: Multiple Sources~~
DECLASSIFY ON: 20360111
~~SECRET//NOFORN~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-26-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (CON)
Sent: Thursday, August 25, 2011 8:49 AM
To: [redacted] (OTD) (FBI)
Subject: FW: [redacted] -- UNCLASSIFIED

Classification: UNCLASSIFIED
==========

From: [redacted] (OTD) (FBI)
Sent: Wednesday, August 24, 2011 4:48 PM
To: [redacted]
Cc: [redacted]
Subject: FW: [redacted] - UNCLASSIFIED

b3
b6
b7C
b7E

Classification: UNCLASSIFIED
==========

[redacted]

Can someone buy [redacted] and have it sent/shipped to [redacted]

From: [redacted]
Sent: Tuesday, August 23, 2011 10:11 AM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted] -- UNCLASSIFIED

b3
b6
b7C
b7E

Classification: UNCLASSIFIED
==========

It's a [redacted] Looks like [redacted] may have it for [redacted] if you want to use a credit card. Let me know. Thanks.

From: [redacted] (OTD) (CON)
Sent: Tuesday, August 23, 2011 6:41 AM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted] -- UNCLASSIFIED

Classification: UNCLASSIFIED
==========

CELL/OTD 000845

CELLSITE-15511

Hey

Can you give us the make/model and how many As much information that is on the label would help us determine a replacement. said we are still identifying funds to get the

From:
Sent: Friday, August 19, 2011 6:37 PM
To:
Cc:
Subject: RE: --- UNCLASSIFIED

b3
b6
b7C
b7E

Classification: UNCLASSIFIED
==========

Hey What does it look like for a new We are basically dead in the water right now for WITT, and with the coming up, we want to get the ready to go. Please let me know if you need anything else from me. Thanks!

From:
Sent: Wednesday, August 17, 2011 1:12 PM
To:
Cc:
Subject: RE: --- UNCLASSIFIED

b3
b6
b7C
b7E

Classification: UNCLASSIFIED
==========

I believe the could be a contributing issue or the main issue- we had only for about

When I noticed the late yesterday, I noted in my request that we probably need a new as well. If you guys want to send us a and hold off on ordering a new we can give that a shot first. Thanks.

From: (OTD) (CON)
Sent: Wednesday, August 17, 2011 8:37 AM
To:
Cc:
Subject: --- UNCLASSIFIED

b3
b6
b7C
b7E

Classification: UNCLASSIFIED
==========

Hey

wanted me to check a couple of things with you before we order and ship another . He wanted me to ask you if your He said in order to see the If your keeps then we'll know for sure that you need a

CELL/OTD 000846 CELLSITE-15512

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

==========
Classification: UNCLASSIFIED

CELL/OTD 000847

~~SECRET~~

DATE: 10-05-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 10-05-2037

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Tuesday, August 14, 2007 6:57 PM
To: [redacted]
Cc:
Subject: [redacted]

b1
b3
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b7E

(S)

~~SECRET~~
~~RECORD 268-HQ-1068430~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

(S)

[redacted]

b1
b3
b7E

~~SECRET~~ 1

CELL/OTD

CELLSITE-15514

(S)

[redacted]

b1
b3
b7E
b6
b7C

[redacted]

Good luck...

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations~~
~~DECLASSIFY ON: 20170814~~
~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-26-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Monday, September 17, 2007 9:41 AM
To: [redacted]
Cc:
Subject: RE: Equipment

UNCLASSIFIED
NON-RECORD

b3
b6
b7C
b7E

[redacted]

This is the [redacted] I dropped off the first time I came up there to [redacted] width and length.
This is the [redacted] you were going to check to see if it works with the [redacted] and could enable you to [redacted]

[redacted]

-----Original Message-----
From: [redacted]
Sent: Monday, September 17, 2007 6:38 AM
To: [redacted]
Cc:
Subject: RE: Equipment

UNCLASSIFIED
NON-RECORD

b3
b6
b7C
b7E

I haven't picked one up. Let me see if [redacted] transferred one to us.

[redacted]

[redacted]

Did you transfer to us ar [redacted]

[redacted]

-----Original Message-----
From: [redacted]
Sent: Thursday, September 06, 2007 2:15 PM
To: [redacted]
Subject: FW: Equipment

UNCLASSIFIED
NON-RECORD

b3
b6
b7C
b7E

[redacted]

This sounds like the [redacted]?

[redacted]

CELL-OTD 000910

-----Original Message-----
From: [redacted]

Sent: Thursday, September 06, 2007 10:32 AM
To: [redacted]
Subject: Equipment

UNCLASSIFIED
NON-RECORD

Hey [redacted]
Do you have this item?
[redacted]

Thanks,
[redacted]
x4177

b3
b6
b7C
b7E

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 000911

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-26-2012 BY 65179 DMH/SIW

[redacted] (OTD) (FBI)

From: [redacted] OTD) (FBI)
Sent: Friday, September 28, 2007 4:25 PM
To: [redacted]
Subject: Your [redacted]

UNCLASSIFIED
NON-RECORD

b3
b6
b7C
b7E

Your [redacted] verified, and are ready.
However the one [redacted] that we have is not available.
Thus if you need [redacted] you have to use your [redacted]
If the [redacted] we can configure the [redacted]
Let us know.

[redacted]

UNCLASSIFIED

CELL/OTD 000912

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-27-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Monday, October 01, 2007 10:00 AM
To: [redacted] (OTD) (FBI)
Subject: RE: Your [redacted]

b3
b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

The [redacted]
No [redacted] was needed on the [redacted]
[redacted] were performed on the [redacted] as required to correct the [redacted] issue.
Whichever [redacted] you will be using, you will need to [redacted] In addition to this requirement, you will need to [redacted] I have talked to and requested [redacted] for this [redacted] last Friday but I am still waiting for the delivery of this [redacted] I will [redacted] directly rather than hanging on the [redacted] I called [redacted] on his cell phone and left him a message that he can pick the [redacted]

-----Original Message-----
From: [redacted]
Sent: Monday, October 01, 2007 5:49 AM
To: [redacted]
Subject: RE: Your [redacted]

UNCLASSIFIED
NON-RECORD

b3
b6
b7C
b7E

Thanks [redacted]

I will determine which [redacted] we will use [redacted] and bring it down when I pick up the [redacted]

Thanks again,
[redacted]

P.S. The [redacted] right?

-----Original Message-----
From: [redacted] (OTD) (FBI)
Sent: Friday, September 28, 2007 4:25 PM
To: [redacted]
Subject: Your [redacted]

UNCLASSIFIED
NON-RECORD

b3
b6
b7C
b7E

Your [redacted] verified, and are ready.
However the one [redacted] that we have is not available.
Thus if you need [redacted] you have to use your [redacted].
If the [redacted] we can configure the [redacted]
Let us know.

[redacted]

CELL/OTD 000913

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 000914

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-27-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Monday, September 24, 2007 2:58 PM
To: [redacted]
Cc: [redacted]
Subject: (OTD) (FBI) RE: Stingray [redacted] problems

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b3
b6
b7C
b7E

I had one other issue with the [redacted] After the [redacted]
[redacted] Harris [redacted]
[redacted]
Apparently the [redacted] doesn't always [redacted]
[redacted]

-----Original Message-----
From: [redacted]
Sent: Thursday, September 20, 2007 4:28 PM
To: [redacted]
Cc:
Subject: [redacted] problems

b3
b6
b7C
b7E

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

I ended up not sending our Stingray back to Harris to troubleshoot the [redacted] problem we were having. I now have it working. The problem appears to be that our [redacted] and the new Stingray software now seems to be working. I informed [redacted] of this solution and I thought you guys might like to know as well. Our [redacted] and I assume other Divisions should as well.

[redacted]

[redacted]

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 000915

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-27-2012 BY 65179 DMH/SIW

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Wednesday, September 19, 2007 3:02 PM
To: [redacted] (OTD) (FBI)
Subject: [redacted] power supply

b3
b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

[redacted] this is the power supply that [redacted] stated that we had to have [redacted] I bought mine online through [redacted]

[redacted]

UNCLASSIFIED

CELL/OTD 000916

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-28-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OGC) (FBI)
Sent: Friday, March 16, 2007 9:04 AM
To: [redacted]
Cc:
Subject: [redacted] b3 b6 b7C b7E
Attachments: PRTT unknown Aug 16 2006.doc

UNCLASSIFIED
NON-RECORD

[redacted]

Attached is a sample for a PR/TT to use WITT [redacted] I'm happy to speak with the AUSA.

[redacted] b3 b5 b7E

WITT

WITT

[redacted]

[redacted]

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

[redacted] b6 b7C

CELL/OTD 000918

CELLSITE-15523

Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135
Tel:
Fax
Cell

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From:
Sent: Friday, March 16, 2007 6:50 AM
To:
Cc:
Subject: FW:

b3
b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

Hey

I hope all is well. I previously provided with your pony Pen/2703D Order for utilizing (WITT) to determine if The AUSA apparently does not feel comfortable with this order and has suggested a search warrant. Would you mind speaking to the AUSA directly, so that we can I would think we could use a "search" or "seizure" warrant as long as we were careful on our verbage. I'll get the AUSA's contact info if you like.

Thanks,

-----Original Message-----
From:
Sent: Thursday, March 15, 2007 4:26 PM
To:
Subject: RE:

b3
b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

My AUSA felt that we should get a search warrant since we didn't have any info that

Can we use the same technology as part of a search warrant?

-----Original Message-----
From:
Sent: Thursday, March 15, 2007 10:13 AM

CELL/OTD 000919

CELLSITE-15524

To:
Cc:
Subject: RE:

UNCLASSIFIED
NON-RECORD

b3
b6
b7C
b7E

Hey just checking in.

Are we still planning on the ?

Thanks,

-----Original Message-----
From:
Sent: Wednesday, February 21, 2007 5:46 PM
To:
Subject: FW:

UNCLASSIFIED
NON-RECORD

b3
b6
b7C
b7E

I am on and my boss has talked with you about stingray (see below). We used your affidavit and sent it to our AUSA in They have been looking at it and I was told that I may be missing some statutory references. Have you guys ever gotten one of these through If yes, do you recall the AUSA's name? If they haven't, I am going to give them name and number so we can figure this thing out.

Thanks

-----Original Message-----
From:
Sent: Tuesday, January 30, 2007 3:13 PM
To:
Subject: FW:

UNCLASSIFIED
NON-RECORD

b3
b6
b7C
b7E

Per our discussion, the "pen" order for using et al. to ...

-----Original Message-----
From:
Sent: Tuesday, January 30, 2007 3:02 PM
To:
Cc:
Subject: FW:

CELL/OTD 00020

UNCLASSIFIED
NON-RECORD

SSA

As per our phone conversation yesterday, the second attachment "stingray" would be the appropriate pony. This document has been provided by of OGC. Once the "pen order" has been signed by the judge, please route it and the to your SAC and CDC for approval and then provide it to Please place my name on the so SSA knows to assign it to me. If you provide me with the I can prior to

b3
b6
b7C
b7E

I am assuming that your case agent has already subpoenad each of the to see if your Just checking!

Thanks,

-----Original Message-----
From: (OGC) (FBI)
Sent: Monday, November 14, 2005 1:15 PM
To:
Cc:
Subject: RE:

b3
b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

Attached is a copy of a DRAFT application and order to authorize WITT Also is a DRAFT app/order for a combined Pen & 2703(d) order that incorporates authority for use of WITT as well as to

-----Original Message-----
From: (OGC) (FBI)
Sent: Monday, November 14, 2005 11:57 AM
To:
Cc:
Subject: RE:

b3
b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

The attached includes some edits (use document/reviewer to see changes).

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135
Tel:
Fax
pager

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From:
Sent: Monday, November 07, 2005 8:49 PM
To:
Cc:
Subject: FW:

UNCLASSIFIED
NON-RECORD

We would like to make this document policy ASAP. This is our latest draft after provided some input earlier. Please provide legal guidance to ensure we have drafted an appropriate SOP for exigent circumstances. b3 b6 b7C b7E

-----Original Message-----
From:
Sent: Tuesday, October 25, 2005 4:05 PM
To:
Cc:
Subject: b3 b6 b7C b7E

UNCLASSIFIED
NON-RECORD

Please review and provide feedback. We truly need to improve our response time to an "Exigent Circumstance" situation. I think an SOP would be a big help.

Thank you,

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 000922

CELLSITE-15527

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 000923

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-27-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OGC) (FBI)
Sent: Friday, March 16, 2007 12:46 PM
To: [redacted]
Cc: [redacted]

Subject: [redacted]

b3
b5
b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

[redacted]

obviously my opinion is not necessarily shared by other attorneys, but [redacted]

[redacted]

-----Original Message-----
From: [redacted]
Sent: Friday, March 16, 2007 11:20 AM
To: [redacted]
Cc: [redacted]

Subject: RE: [redacted]

b3
b5
b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

[redacted]

I appreciate all your efforts in this matter. I truly see both arguments. However, [redacted]

[redacted]

Thanks again,

[redacted]

[redacted]

Please provide [redacted] with the AUSA's name and phone number so they can work this matter out.

Thanks,

[redacted]

CELL/OTD 000933

CELLSITE-15538

-----Original Message-----
From: [redacted] (OGC) (FBI)
Sent: Friday, March 16, 2007 8:04 AM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted]

b3
b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

[redacted]

Attached is a sample for a PR/TT to use WITT [redacted] I'm happy to speak with the AUSA.

[redacted]

b3
b5
b7E

[redacted] WITT [redacted]

[redacted] WITT [redacted]

[redacted]

CELL/OTD 000934 CELLSITE-15539

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Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135
Tel:
Fax
Cel

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From:
Sent: Friday, March 16, 2007 6:50 AM
To:
Cc:
Subject: FW:

b3
b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

Hey

I hope all is well. I previously provided with your pony Pen/2703D Order for utilizing (WITT) The AUSA apparently does not feel comfortable with this order and has suggested a search warrant. Would you mind speaking to the AUSA directly I would think we could use a "search" or "seizure" warrant as long as we were careful on our verbage. I'll get the AUSA's contact info if you like.

Thanks,

-----Original Message-----
From:
Sent: Thursday, March 15, 2007 4:26 PM
To:
Subject: RE:

b3
b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

My AUSA felt that we should get a search warrant since we didn't have any info that

Can we use the same technology as part of a search warrant?

CELL/OTD 000935

CELLSITE-15540

[redacted]

-----Original Message-----
From: [redacted]
Sent: Thursday, March 15, 2007 10:13 AM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted]

b3
b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

Hey just checking in.

Are we still planning on the [redacted]?

Thanks, [redacted]

-----Original Message-----
From: [redacted]
Sent: Wednesday, February 21, 2007 5:46 PM
To: [redacted]
Subject: FW: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

I am on [redacted] and my boss has talked with you about stingray (see below). We used your affidavit and sent it to our AUSA in [redacted] They have been looking at it and I was told that I may be missing some statutory references. Have you guys ever gotten one of these through [redacted] If yes, do you recall the AUSA's name? If they haven't, I am going to give them [redacted] name and number so we can figure this thing out.

b3
b6
b7C
b7E

Thanks

[redacted]

-----Original Message-----
From [redacted]
Sent: Tuesday, January 30, 2007 3:13 PM
To: [redacted]
Subject: FW: [redacted]

b3
b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

[redacted]

Per our discussion, the "pen" order for using [redacted] et al. to [redacted] ...

CELL/OTD 000936
CELLSITE-15541

-----Original Message-----
From:
Sent: Tuesday, January 30, 2007 3:02 PM
To:
Cc:
Subject: FW:

UNCLASSIFIED
NON-RECORD

SSA

As per our phone conversation yesterday, the second attachment "stingray" would be the appropriate pony. This document has been provided by of OGC. Once the "pen order" has been signed by the judge, please route it and the to your SAC and CDC for approval and then provide it to Please place my name on the so SSA knows to assign it to me. If you provide me with the I can prior to

b3
b6
b7C
b7E

I am assuming that your case agent has already subpoenad each of the to see if your Just checking!

Thanks,

-----Original Message-----
From: OGC) (FBI)
Sent: Monday, November 14, 2005 1:15 PM
To:
Cc:
Subject: RE:

b3
b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

Attached is a copy of a DRAFT application and order to authorize WITT Also is a DRAFT app/order for a combined Pen & 2703(d) order that incorporates authority for use of WITT as well as to

-----Original Message-----
From: OGC) (FBI)
Sent: Monday, November 14, 2005 11:57 AM
To:
Cc:
Subject: RE:

UNCLASSIFIED
NON-RECORD

The attached includes some edits (use document/reviewer to see changes).

CELL/OTD 000937
CELLSITE-15542

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Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135
Tel:
Fax
pager

b6
b7C
b7E

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From:
Sent: Monday, November 07, 2005 8:49 PM
To:
Cc:
Subject: FW:

UNCLASSIFIED
NON-RECORD

We would like to make this document policy ASAP. This is our latest draft after provided some input earlier. Please provide legal guidance to ensure we have drafted an appropriate SOP for exigent circumstances.

b3
b6
b7C
b7E

-----Original Message-----
From:
Sent: Tuesday, October 25, 2005 4:05 PM
To:
Cc:
Subject:

b3
b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

Please review and provide feedback. We truly need to improve our response time to an "Exigent Circumstance" situation. I think an SOP would be a big help.

CELL/OTD 000938
CELLSITE-15543

Thank you, [redacted]

b6
b7C

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

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UNCLASSIFIED

CELL/OTD 000939

CELLSITE-15544

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-27-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Monday, March 19, 2007 10:47 AM
To: [redacted]
Cc:
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

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Yes I have heard of the SOP [redacted] is referencing. In previous legal presentation this was presented and suggested in a case of this nature that [redacted] However, it was always suggested and presented to WITT to way on the side of caution. I think I can provide you with some of these presentations if you would like. Please give me a call. thanks

[redacted]
Wireless Intercept Tracking Team (WITT),
[redacted]

-----Original Message-----
From: [redacted]
Sent: Friday, March 16, 2007 12:24 PM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted]

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UNCLASSIFIED
NON-RECORD

[redacted]

I fully understand, however, [redacted] WITT [redacted] Please do not misconstrue my dialog with you. I appreciate the legal concerns and want our office to **fully comply**. However, as you well know I have never felt comfortable with the Bureau's lack of guidance in this matter. This unofficial, non written SOP is extremely problematic.

[redacted]

I have never heard of this SOP. Can you shed light on this?

Thanks,

[redacted]

CELL/OTD 000949

-----Original Message-----
From: (OGC) (FBI)
Sent: Friday, March 16, 2007 11:46 AM
To:
Cc:

Subject: RE:

UNCLASSIFIED
NON-RECORD

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obviously my opinion is not necessarily shared by other attorneys, but

-----Original Message-----
From:
Sent: Friday, March 16, 2007 11:20 AM
To:
Cc:

Subject: RE

UNCLASSIFIED
NON-RECORD

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I appreciate all your efforts in this matter. I truly see both arguments. However,

Thanks again,

Please provide with the AUSA's name and phone number so they can work this matter out.

Thanks,

CELL/OTD 000950

CELLSITE-15546

-----Original Message-----
From:
Sent: Friday, March 16, 2007 8:04 AM
To:
Cc:
Subject: RE:

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UNCLASSIFIED
NON-RECORD

Attached is a sample for a PR/TT to use WITT I'm happy to speak with the AUSA.

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WITT

WITT

[redacted]

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

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[redacted]
Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135
Tel:
Fax
Cell [redacted]

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From: [redacted]
Sent: Friday, March 16, 2007 6:50 AM
To: [redacted]
Cc: [redacted]
Subject: FW: [redacted]

UNCLASSIFIED
NON-RECORD

Hey [redacted]

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I hope all is well. I previously provided [redacted] with your pony Pen/2703D Order for utilizing [redacted] WITT) [redacted] The AUSA apparently does not feel comfortable with this order and has suggested a search warrant. Would you mind speaking to the AUSA directly, [redacted] I would think we could use a "search" or "seizure" warrant as long as we were careful on our verbage. I'll get the AUSA's contact info if you like.

Thanks,
[redacted]

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-----Original Message-----
From [redacted]
Sent: Thursday, March 15, 2007 4:26 PM
To: [redacted]
Subject: RE: [redacted]

UNCLASSIFIED
NON-RECORD

My AUSA felt that we should get a search warrant since we didn't have any info that [redacted]

Can we use the same technology as part of a search warrant?

-----Original Message-----
From:
Sent: Thursday, March 15, 2007 10:13 AM
To:
Cc:
Subject: RE:

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UNCLASSIFIED
NON-RECORD

Hey just checking in.

Are we still planning on the ?

Thanks,

-----Original Message-----
From:
Sent: Wednesday, February 21, 2007 5:46 PM
To:
Subject: FW:

UNCLASSIFIED
NON-RECORD

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I am on and my boss has talked with you about stingray (see below). We used your affidavit and sent it to our AUSA in They have been looking at it and I was told that I may be missing some statutory references. Have you guys ever gotten one of these through If yes, do you recall the AUSA's name? If they haven't, I am going to give them name and number so we can figure this thing out.

Thanks

-----Original Message-----
From
Sent: Tuesday, January 30, 2007 3:13 PM
To:
Subject: FW:

UNCLASSIFIED
NON-RECORD

Per our discussion, the "pen" order for using et al. to ..

-----Original Message-----
From:
Sent: Tuesday, January 30, 2007 3:02 PM
To:
Cc:
Subject: FW:

UNCLASSIFIED
NON-RECORD

SSA

As per our phone conversation yesterday, the second attachment "stingray" would be the appropriate pony. This document has been provided by of OGC. Once the "pen order" has been signed by the judge, please route it and the to your SAC and CDC for approval and then provide it to Please place my name on the so SSA knows to assign it to me. If you provide me with the I can prior to

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I am assuming that your case agent has already subpoenad each of the to see if your Just checking!

Thanks,

-----Original Message-----
From: OGC) (FBI)
Sent: Monday, November 14, 2005 1:15 PM
To:
Cc:
Subject: RE:

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b7E

UNCLASSIFIED
NON-RECORD

Attached is a copy of a DRAFT application and order to authorize WITT Also is a DRAFT app/order for a combined Pen & 2703(d) order that incorporates authority for use of WITT as well as to

-----Original Message-----
From: OGC) (FBI)
Sent: Monday, November 14, 2005 11:57 AM

To:

C

Subject: RE:

UNCLASSIFIED
NON-RECORD

The attached includes some edits (use document/reviewer to see changes).

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

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Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135
Tel:
Fax
pag

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From:
Sent: Monday, November 07, 2005 8:49 PM
To:

Cc:

Subject: FW:

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b7E

UNCLASSIFIED
NON-RECORD

We would like to make this document policy ASAP. This is our latest draft after provided some input earlier. Please provide legal guidance to ensure we have drafted an appropriate SOP for exigent circumstances

-----Original Message-----
From:

Sent: Tuesday, October 25, 2005 4:05 PM
To: [redacted]
Cc: [redacted]
Subject:

UNCLASSIFIED
NON-RECORD

b3
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Please review and provide feedback. We truly need to improve our response time to an "Exigent Circumstance" [redacted] situation. I think an SOP would be a big help.

Thank you,

[redacted]

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UNCLASSIFIED

UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-27-2012 BY 65179 DMH/SIW

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Monday, March 19, 2007 4:54 PM
To: [redacted]
Cc:
Subject:

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UNCLASSIFIED
NON-RECORD

No you are right from that prospective we have never ref agents to [redacted] in a SOP. NEXT

[redacted]
Wireless Intercept Tracking Team (WITT),
[redacted]

-----Original Message-----
From: [redacted]
Sent: Monday, March 19, 2007 11:57 AM
To: [redacted]
Cc: [redacted]
Subject: RE [redacted]

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UNCLASSIFIED
NON-RECORD

Hey [redacted]

Hope you are doing well. So we don't confuse the issues, let's take them one at a time:

The SOP stating that [redacted] Where can this SOP be found? Please provide.

Thanks, [redacted]

-----Original Message-----
From: [redacted]
Sent: Monday, March 19, 2007 9:47 AM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted]

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UNCLASSIFIED
NON-RECORD

Yes I have heard of the SOP [redacted] is referencing. In previous legal presentation this was presented and suggested in a case of this nature that [redacted] However, it was always suggested and presented to

WITT to way on the side of caution. I think I can provide you with some of these presentations if you would like. Please give me a call. thanks

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[redacted]

-----Original Message-----
From: [redacted]
Sent: Friday, March 16, 2007 12:24 PM
To [redacted]
Cc [redacted]

Subject: RE: [redacted]

UNCLASSIFIED
NON-RECORD

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[redacted]

I fully understand, however [redacted]
WITT [redacted]

[redacted] Please do not misconstrue my dialog with you. I appreciate the legal concerns and want our office to **fully comply**. However, as you well know I have never felt comfortable with the Bureau's lack of guidance in this matter. This unofficial, non written SOP is extremely problematic.

[redacted]

I have never heard of this SOP. Can you shed light on this?

Thanks,

[redacted]

-----Original Message-----
From: [redacted] (OGC) (FBI)
Sent: Friday, March 16, 2007 11:46 AM
To: [redacted]
Cc: [redacted]

Subject: RE: [redacted]

b3
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UNCLASSIFIED
NON-RECORD

[redacted]

CELL/OTD 000959
CELLSITE-15555

obviously my opinion is not necessarily shared by other attorneys, but [redacted]

b3
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b7E

-----Original Message-----
From: [redacted]
Sent: Friday, March 16, 2007 11:20 AM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

I appreciate all your efforts in this matter. I truly see both arguments. However, [redacted]

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b7E

Thanks again,

[redacted]

[redacted]

Please provide [redacted] with the AUSA's name and phone number so they can work this matter out.

Thanks,

[redacted]

-----Original Message-----
From: [redacted] (OGC) (FBI)
Sent: Friday, March 16, 2007 8:04 AM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted]

UNCLASSIFIED
NON-RECORD

CELL/OTD 000960

CELLSITE-15556

Attached is a sample for a PR/TT to use WITT
I'm happy to speak with the AUSA.

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WITT

WITT

CELL/OTD 00096 CELLSITE-15557

[redacted]

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

[redacted]
Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135
Tel: [redacted]
Fax
Cel

b3
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SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From: [redacted]
Sent: Friday, March 16, 2007 6:50 AM
To: [redacted]
Cc: [redacted]
Subject: FW: [redacted]

UNCLASSIFIED
NON-RECORD

Hey [redacted]

I hope all is well. I previously provided [redacted] with your pony Pen/2703D Order for utilizing [redacted] (WITT) [redacted] The AUSA apparently does not feel comfortable with this order and has suggested a search warrant. Would you mind speaking to the AUSA directly, [redacted] I would think we could use a "search" or "seizure" warrant as long as we were careful on our verbage. I'll get the AUSA's contact info if you like.

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Thanks, [redacted]

-----Original Message-----
From: [redacted]
Sent: Thursday, March 15, 2007 4:26 PM
To: [redacted]
Subject: RE: [redacted]

UNCLASSIFIED
NON-RECORD

CELL/OTD 000962
CELLSITE-15558

My AUSA felt that we should get a search warrant since we didn't have any info that [redacted]

Can we use the same technology as part of a search warrant?

[redacted]

-----Original Message-----
From: [redacted]
Sent: Thursday, March 15, 2007 10:13 AM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted]

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UNCLASSIFIED
NON-RECORD

Hey just checking in.

Are we still planning on the [redacted]

Thanks,

[redacted]

-----Original Message-----
From: [redacted]
Sent: Wednesday, February 21, 2007 5:46 PM
To: [redacted]
Subject: FW: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

b3
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I am on [redacted] and my boss has talked with you about stingray (see below). We used your affidavit and sent it to our AUSA in [redacted] They have been looking at it and I was told that I may be missing some statutory references. Have you guys ever gotten one of these through [redacted] If yes, do you recall the AUSA's name? If they haven't, I am going to give them [redacted] name and number so we can figure this thing out.

Thanks

[redacted]

CELL/OTD 009543 CELLSITE-15559

[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, January 30, 2007 3:13 PM
To: [redacted]
Subject: FW: [redacted]

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UNCLASSIFIED
NON-RECORD

[redacted]

Per our discussion, the "pen" order for using [redacted] et al. to [redacted]..

-----Original Message-----
From: [redacted]
Sent: Tuesday, January 30, 2007 3:02 PM
To: [redacted]
Cc: [redacted]
Subject: FW: [redacted]

UNCLASSIFIED
NON-RECORD

SSA [redacted]

As per our phone conversation yesterday, the second attachment "stingray" would be the appropriate pony. This document has been provided by [redacted] of OGC. Once the "pen order" has been signed by the judge, please route it and the [redacted] to your SAC and CDC [redacted] for approval and then provide it to [redacted]. Please place my name on the [redacted] so SSA [redacted] knows to assign it to me. If you provide me with the [redacted] I can [redacted] prior to [redacted]

b3
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b7E

I am assuming that your case agent has already subpoenad each of the [redacted] to see if your [redacted] Just checking!

Thanks, [redacted]

-----Original Message-----
From: [redacted]
Sent: Monday, November 14, 2005 1:15 PM
To [redacted]
Cc: [redacted]

[redacted]

Subject: RE: [redacted]

UNCLASSIFIED
NON-RECORD

Attached is a copy of a DRAFT application and order to authorize WITT [redacted] Also is a DRAFT app/order for a combined Pen & 2703(d) order that incorporates authority for use of WITT [redacted] as well as to [redacted]

-----Original Message-----
From: [redacted] (OGC) (FBI)
Sent: Monday, November 14, 2005 11:57 AM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted]

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UNCLASSIFIED
NON-RECORD

The attached includes some edits (use document/reviewer to see changes).

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

[redacted]
Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135
Tel: [redacted]
Fax
pag

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From: [redacted]
Sent: Monday, November 07, 2005 8:49 PM
To: [redacted]
Cc: [redacted]

[redacted]

Subject: FW: [redacted]

UNCLASSIFIED
NON-RECORD

We would like to make this document [redacted] policy ASAP. This is our latest draft after [redacted] provided some input earlier. Please provide legal guidance to ensure we have drafted an appropriate SOP for exigent circumstances. [redacted]

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[redacted]

-----Original Message-----
From: [redacted]

Sent: Tuesday, October 25, 2005 4:05 PM
To: [redacted]

Cc: [redacted]

b3
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Subject:

UNCLASSIFIED
NON-RECORD

Please review and provide feedback. We truly need to improve our response time to an "Exigent Circumstance" [redacted] situation. I think an SOP would be a big help.

Thank you,

[redacted]

CELL/OTD 000967

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-27-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Tuesday, March 20, 2007 5:42 PM
To: [redacted]
Subject: RE: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

The emails below began when my AUSA thought [redacted] stingray [redacted] b3
[redacted] b6
b7C
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I foresee using this technology now that I know it exists. In the next couple weeks, I will probably use the PR/TT or a search warrant to use WITT to [redacted] I'll have my AUSA call you then to ensure that our order (or affidavit) is correct in referring to the technique.

Thanks for all of the info,

[redacted]

-----Original Message-----
From: [redacted]
Sent: Friday, March 16, 2007 1:24 PM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted]

UNCLASSIFIED
NON-RECORD

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b7E

[redacted]

I fully understand, however, [redacted] WITT training. [redacted]

[redacted] Please do not misconstrue my dialog with you. I appreciate the legal concerns and want our office to **fully comply**. However, as you well know I have never felt comfortable with the Bureau's lack of guidance in this matter. This unofficial, non written SOP is extremely problematic.

[redacted]

I have never heard of this SOP. Can you shed light on this?

Thanks,

CELL/OTD 000969

CELLSITE-15564

[redacted]

-----Original Message-----
From: [redacted] (OGC) (FBI)
Sent: Friday, March 16, 2007 11:46 AM
To: [redacted]
Cc: [redacted]

Subject: RE: [redacted]

UNCLASSIFIED
NON-RECORD

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b7E

[redacted]

obviously my opinion is not necessarily shared by other attorneys, but [redacted]

[redacted]

-----Original Message-----
From: [redacted]
Sent: Friday, March 16, 2007 11:20 AM
To: [redacted]
Cc: [redacted]

Subject: RE: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

I appreciate all your efforts in this matter. I truly see both arguments. However, [redacted]

[redacted]

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Thanks again,

[redacted]

[redacted]

Please provide [redacted] with the AUSA's name and phone number so they can work this matter out.

Thanks,

[redacted]

CELL/OTD 000970

CELLSITE-15565

-----Original Message-----
From: [redacted] (OGC) (FBI)
Sent: Friday, March 16, 2007 8:04 AM
To: [redacted] b3 b6
Cc: [redacted] b7C
Subject: RE: [redacted] b7E

UNCLASSIFIED
NON-RECORD

[redacted]

Attached is a sample for a PR/TT to use WITT [redacted] I'm happy to speak with the AUSA.

Depending on the circumstances in which the [redacted] in this case will be most

[redacted] b3

[redacted] b5 b7E

[redacted] WITT [redacted]

[redacted] WITT [redacted]

[redacted]

[redacted]

CELL/OTD 000971 CELLSITE-15566

[redacted]

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

b3
b5
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b7E

[redacted]
Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135
Tel:
Fax
Cell

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From:
Sent: Friday, March 16, 2007 6:50 AM
To:
Cc:
Subject: FW:

UNCLASSIFIED
NON-RECORD

Hey

b3
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I hope all is well. I previously provided with your pony Pen/2703D Order for utilizing (WITT) The AUSA apparently does not feel comfortable with this order and has suggested a search warrant. Would you mind speaking to the AUSA directly. I would think we could use a "search" or "seizure" warrant as long as we were careful on our verbage. I'll get the AUSA's contact info if you like.

Thanks,

-----Original Message-----
From:
Sent: Thursday, March 15, 2007 4:26 PM
To:
Subject: RE:

b3
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UNCLASSIFIED
NON-RECORD

My AUSA felt that we should get a search warrant since we didn't have any info that

CELL/OTD 000972

CELLSITE-15567

[redacted]

Can we use the same technology as part of a search warrant?

[redacted]

-----Original Message-----
From: [redacted]
Sent: Thursday, March 15, 2007 10:13 AM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted]

b3
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b7C
b7E

UNCLASSIFIED
NON-RECORD

Hey just checking in.

Are we still planning on the [redacted]?

Thanks, [redacted]

-----Original Message-----
From: [redacted]
Sent: Wednesday, February 21, 2007 5:46 PM
To: [redacted]
Subject: FW: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

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Thanks

[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, January 30, 2007 3:13 PM
To: [redacted]
Subject: FW: [redacted]

CELL/OTD 000973 CELLSITE-15568

UNCLASSIFIED
NON-RECORD

Per our discussion, the "pen" order for using [redacted] et al. to [redacted]..

-----Original Message-----
From: [redacted]
Sent: Tuesday, January 30, 2007 3:02 PM
To: [redacted]
Cc: [redacted]
Subject: FW: [redacted]

UNCLASSIFIED
NON-RECORD

SSA [redacted]

As per our phone conversation yesterday, the second attachment "stingray" would be the appropriate pony. This document has been provided by [redacted] of OGC. Once the "pen order" has been signed by the judge, please route it and the [redacted] to your SAC and CDC [redacted] for approval and then provide it to [redacted] Please place my name on the [redacted] so SSA [redacted] knows to assign it to me. If you provide me with the [redacted] I can [redacted] prior to [redacted]

b3
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b7C
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I am assuming that your case agent has already subpoenad each of the [redacted] to see if your [redacted] [redacted] Just checking!

Thanks,

[redacted]

-----Original Message-----
From: [redacted] (OGC) (FBI)
Sent: Monday, November 14, 2005 1:15 PM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted]

b3
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UNCLASSIFIED
NON-RECORD

Attached is a copy of a DRAFT application and order to authorize WITT [redacted] Also is a DRAFT app/order for a combined Pen & 2703(d) order that incorporates authority for use of WITT [redacted] as well as to [redacted]

-----Original Message-----
From: [redacted] (OGC) (FBI)
Sent: Monday, November 14, 2005 11:57 AM

CELL/OTD 000974 CELLSITE-15569

To:

Cc:

Subject: RE:

UNCLASSIFIED
NON-RECORD

The attached includes some edits (use document/reviewer to see changes).

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

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b7C
b7E

Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135
Tel:
Fax
page

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From:
Sent: Monday, November 07, 2005 8:49 PM
To:

Cc:

Subject: FW:

UNCLASSIFIED
NON-RECORD

b3
b6
b7C
b7E

We would like to make this document policy ASAP. This is our latest draft after provided some input earlier. Please provide legal guidance to ensure we have drafted an appropriate SOP for exigent circumstances.

-----Original Message-----
From:

Sent: Tuesday, October 25, 2005 4:05 PM
To: [redacted]
[redacted]
Cc: [redacted]
[redacted]
Subject:

UNCLASSIFIED
NON-RECORD

b3
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Please review and provide feedback. We truly need to improve our response time to an "Exigent Circumstance" [redacted] situation. I think an SOP would be a big help.

Thank you,
[redacted]

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

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CELL/OTD 000976 CELLSITE-15571

ALL INFORMATION CONTAINED
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DATE 09-27-2012 BY 65179 DMH/SIW

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Wednesday, March 21, 2007 9:49 AM
To: [redacted] (OTD) (FBI)
Subject: RE: Pen Register [redacted]

UNCLASSIFIED
NON-RECORD

Just returned to town and read your helpful messages. I got the faxed warrant information. Thank you so much. I will call the AUSA and get that done as soon as possible. [redacted]

-----Original Message-----
From: [redacted]
Sent: Monday, March 19, 2007 2:02 PM
To: [redacted]
Subject: RE: Pen Register [redacted]

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UNCLASSIFIED
NON-RECORD

A few more notes:

1. The order is purely for [redacted] nothing in the order should mention the [redacted] That's not necessary. That's purely Bureau admin and a separate matter.
2. Costs for you. The first [redacted] costs [redacted] each subsequent [redacted] is [redacted] It used to be [redacted] per [redacted]
3. Research confirms that [redacted]

Thanks,
[redacted]

-----Original Message-----
From: [redacted]
Sent: Friday, March 16, 2007 3:33 PM
To: [redacted]
Subject: RE: Pen Register [redacted]

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NON-RECORD

[redacted]

Just to keep you up-to-date, I have completed the EC and forwarded it to [redacted] to cover you. We will pursue a court order sometime next week with AUSA [redacted] It will have the [redacted] provision and the [redacted] in the court order. M

-----Original Message-----
From: [redacted]
Sent: Friday, March 16, 2007 12:57 PM
To: [redacted]
Cc:
Subject: FW: Pen Register [redacted]

CELL/OTD 000978

CELLSITE-15572

UNCLASSIFIED
NON-RECORD

Hey [redacted]

To keep the ball rolling I have provisioned a [redacted] b3 b7E

[redacted]

I however, do need you to complete a short EC to [redacted] (as she mentions below) asking her to [redacted] She has done so already on good faith, but needs the paper trail.

Thanks, [redacted]

P.S. I would recommend that you complete a [redacted] requesting possible [redacted] This way in the event that you need to [redacted] (Just complete the [redacted] note on it that I am already supporting you on this matter; attach a copy of the Pen/2703 D order, and route through your SSA, ASAC/SAC, [redacted] and SSA [redacted]

Just a humble sugestion.

-----Original Message-----
From: [redacted]
Sent: Friday, March 16, 2007 6:23 AM
To: [redacted]
Subject: RE: Pen Register (CR-2)

b3 b6 b7C b7E

UNCLASSIFIED
NON-RECORD

Hi [redacted]

[redacted] there is no Case ID for [redacted] Just so that I have a clear understanding, they are requesting pen register, trap and trace and [redacted] If this is correct, please let me know and I will [redacted] The line expires 5/12/07.

SA [redacted] or SA [redacted] I will need a short EC requesting this line be placed in the [redacted]

Please e-mail or call on ext. 4221, the phone at my desk is not working.

Thanks,

[redacted]

-----Original Message-----

CELL/OTD 000979

CELLSITE-15573

From: [redacted]
Sent: Friday, March 16, 2007 6:58 AM
To: [redacted]
Cc:
Subject: Pen Register [redacted]

UNCLASSIFIED
NON-RECORD

Hello [redacted]

I believe yesterday or "very recently" you went up on a Pen Register for [redacted]
When you have a moment can you provide me with the [redacted] so I can [redacted]
[redacted] know [redacted] Also
please send to the [redacted] so that we can have [redacted] as well.

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Thanks,
[redacted]

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CELL/OTD 000980

FEDERAL BUREAU OF INVESTIGATION
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DATE 10-02-2012 BY 65179 DMH/STW

[redacted]

From: [redacted]
Sent: Friday, March 24, 2006 11:42 AM
To: [redacted]

Cc:
Subject: WITT Legal

UNCLASSIFIED
NON-RECORD

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All, this is the most recent Legal presentation from [redacted] regarding WITT. Please distribute... Thanks [redacted]

WITT
[redacted] March 23, 200[redacted]

SSA [redacted]

[redacted]

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CELL/OTD 001107

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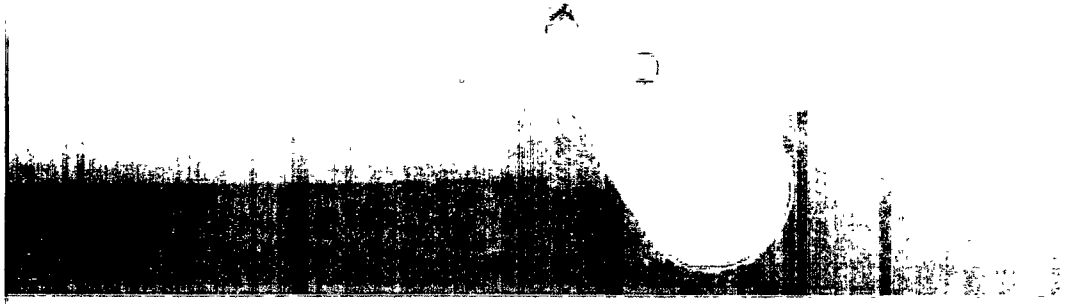
DATE 10-02-2012 BY 65179 DMH/SIW

CELL/OTD 001108

WITT

Wireless Intercept and Tracking Team



Cellular Tracking Legal Issues

March 23, 2006

WITT
Wireless Intercept and Tracking Team

Overview

- DOJ's Policy on Cellsite Simulators: **Pen Register Device** (18 U.S.C. § 3127(3))
  - Old Law vs. New Law
  - Non-Target users (Privacy Interest)
  - Potential Interference
  - Liability
- Recent Court Decisions on cellsite location data
  - distinguish
- Emergency Pen Register Authority
  - Federal v. State Orders
  - Voluntary Disclosures
- Loan of ELSUR Policy
  - liability
- Protecting Sensitive Techniques
  - Use as evidence
  - Qualified Privilege

CELL/OTD 001109

WiTT
Wireless Intercept and Tracking Team

New DOJ Opinion:

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DOJ/CCIPS: Pen/Trap **order** [redacted] to use its own equipment to obtain any "signaling information" transmitted from a cellular telephone to:

1) Identify a target phone **or**
2) Locate a phone

DOJ: **"signaling information"** is any non-content information "transmitted by" a telephone instrument

CELL/OTD 001112

CALEA: technical standard for location parameters (J-STD-025)

- **Origination** (of an outgoing call from target phone)
- **Answer** (at answer of a call terminating to the target phone)
- **Release** (at the end of the call for both incoming and outgoing calls)

- (http://www.tiaonline.org/standards/search_results2.cfm?document_no= J-STD-025-A www.tiaonline.org)

CELL/OTD 001115

- Recent Court Decisions
  - CALEA prohibits collecting location information "solely pursuant" to a PR/TT
  - SCA 18 USC 2703(d)
    -
    -

CELL/OTD 001117
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WITT
Wireless Intercept and Tracking Team

Guidance

- [redacted]

- **AND Use a Separate PR/TT order for WITT gear**
  - [redacted]
    - Advise of [redacted]
    - [redacted]
    - Not retain records?

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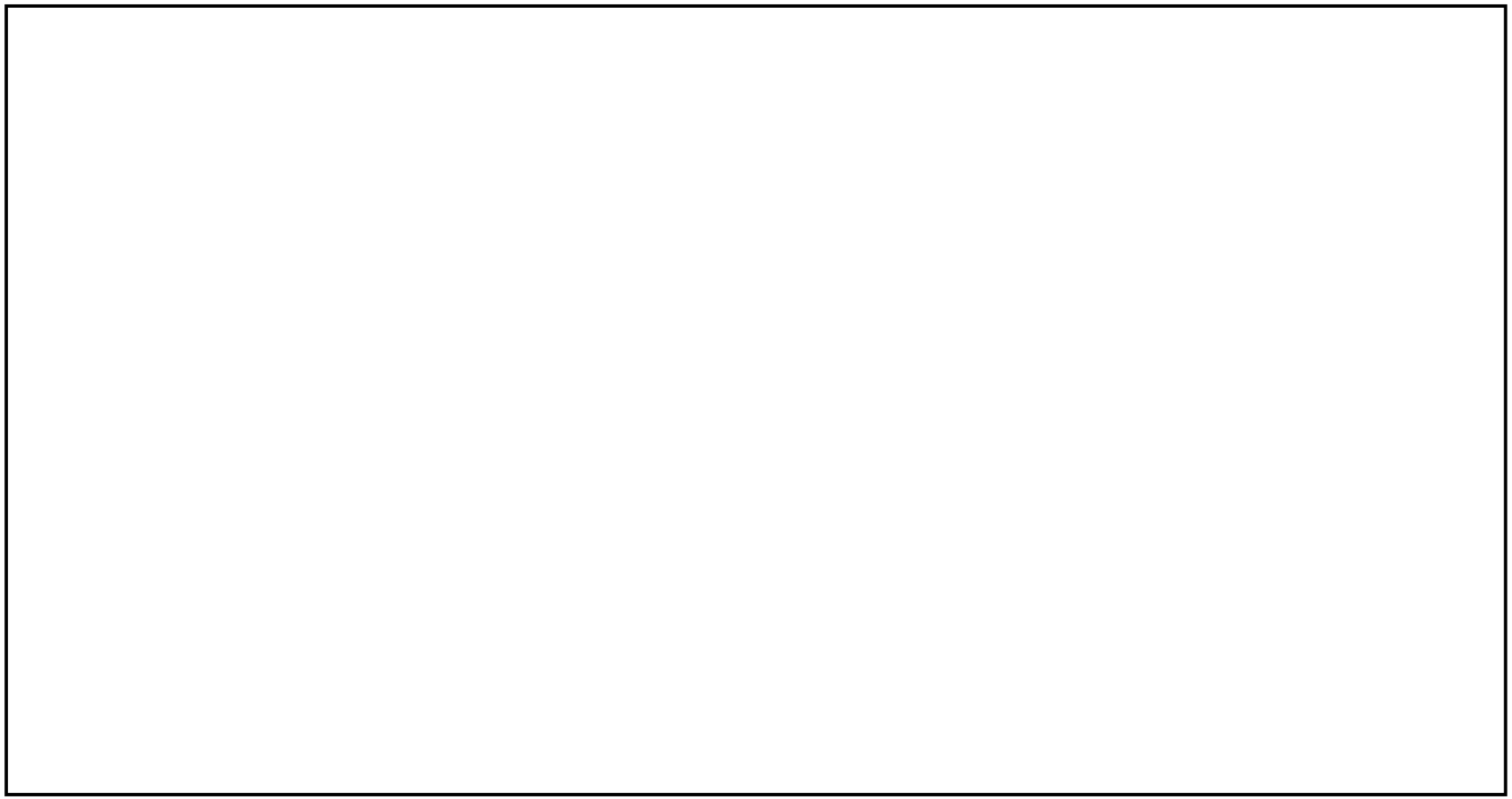
CELL/OTD 001121

WITT
Wireless Intercept and Tracking Team

Incidental Collection

(2) advise court of **potential for incidental collection** on innocent users



CELL/OTD 001123

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CELLSITE-236

(5)

Therefore, pursuant to 18 U.S.C. § 3123(d), I request that this application and order be sealed until otherwise ordered by this court; and

-

CELLSITE 001128
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WITT
Wireless Intercept and Tracking Team

STATE Authority

IF State Authority: may assist **if** either:

- **Joint case** (i.e., significant FBI interest and resources—**Federal Nexus**

- **Written request from State** for assistance in a purely state matter;
- BOTH Trigger compliance with Loan of ELSUR policy
  - MIOG, Part 2, 16-4.13.4

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DATE 10-02-2012 BY 65179 DMH/STW

[redacted]

From: [redacted]
Sent: Wednesday, February 21, 2007 5:46 PM
To: [redacted]
Subject: FW: Cell Tracking
Attachments: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

I am on [redacted] and my boss has talked with you about stingray (see below). We used your affidavit and sent it to our AUSA in [redacted] They have been looking at it and I was told that I may be missing some statutory references. Have you guys ever gotten one of these through [redacted] If yes, do you recall the AUSA's name? If they haven't, I am going to give them [redacted] name and number so we can figure this thing out.

Thanks

SA [redacted]
[redacted]
[redacted] Desk
Cell

-----Original Message-----
From: [redacted]
Sent: Tuesday, January 30, 2007 3:13 PM
To: [redacted]
Subject: FW: [redacted]

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UNCLASSIFIED
NON-RECORD

[redacted]

Per our discussion, the [redacted] for using [redacted] et al. [redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, January 30, 2007 3:02 PM
To: [redacted]
Cc: [redacted]
Subject: FW: [redacted]

UNCLASSIFIED
NON-RECORD

SSA [redacted]

As per our phone conversation yesterday, the second attachment "stingray" would be the appropriate pony. This document has been provided by [redacted] of OGC. [redacted]

[redacted]

Thanks,

-----Original Message-----
From:
Sent: Monday, November 14, 2005 1:15 PM
To:
Cc:
Subject: RE:

UNCLASSIFIED
NON-RECORD

Attached is a copy of a DRAFT application and order to authorize WITT Also is a DRAFT app/order for a

-----Original Message-----
From:
Sent: Monday, November 14, 2005 11:57 AM
To:
Cc:
Subject: RE:

UNCLASSIFIED
NON-RECORD

The attached includes some edits (use document/reviewer to see changes).

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Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From:
Sent: Monday, November 07, 2005 8:49 PM
To:
Cc:
Subject: FW:

UNCLASSIFIED
NON-RECORD

We would like to make this document This is our latest draft after provided some input earlier. Please provide legal guidance to ensure we have drafted an appropriate SOP for

CELL/OTD 001070

CELLSITE-254

SSA [redacted]

[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, October 25, 2005 4:05 PM
To [redacted] b3
[redacted] b6
Cc: [redacted] b7C
Subject: b7E

UNCLASSIFIED
NON-RECORD

Please review and provide feedback. We truly need to improve our response time to an [redacted] I think an SOP would be a big help.

Thank you,

[redacted]

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CELL/OTD 001071

CELLSITE-255

~~SECRET~~

DATE: 10-13-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 10-13-2037

[redacted]

From: [redacted]
Sent: Thursday, July 20, 2006 4:22 PM
To: [redacted]
Cc:
Subject: RE: Schedule to meet with you?

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WHERE SHOWN OTHERWISE

~~SECRET~~
~~RECORD~~ [redacted] (S)

[redacted]

(S) [redacted]

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-----Original Message-----
From: [redacted]
Sent: Thursday, July 20, 2006 11:05 AM
To: [redacted]
Cc:
Subject: RE: Schedule to meet with you?

~~SECRET~~
~~RECORD~~ [redacted] (S)

[redacted]

(S) [redacted]

CELL/OTD 001147 CELLSITE-291

~~SECRET~~

(S)

-----Original Message-----
From:
Sent: Wednesday, July 19, 2006 2:05 PM
To:
Cc:
Subject: Schedule to meet with you?

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~~RECORD~~

(S)

(S)

Special Agent

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations~~
~~DECLASSIFICATION EXEMPTION 1~~
~~SECRET~~

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations~~
~~DECLASSIFICATION EXEMPTION 1~~
~~SECRET~~

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations~~
~~DECLASSIFICATION EXEMPTION 1~~
~~SECRET~~

~~SECRET~~

CELL/OTD 001148

CELLSITE-292

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations~~
~~DECLASSIFICATION EXEMPTION 1~~
~~SECRET~~

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations~~
~~DECLASSIFICATION EXEMPTION 1~~
~~SECRET~~

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations~~
~~DECLASSIFICATION EXEMPTION 1~~
~~SECRET~~

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations~~
~~DECLASSIFICATION EXEMPTION 1~~
~~SECRET~~

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DATE 10-13-2012 BY 65179 DMH/STW

[redacted]

From: [redacted]
Sent: Tuesday, November 22, 2005 12:05 PM
To: [redacted]
Cc:
Subject: RE: [redacted]

UNCLASSIFIED
NON-RECORD

Thanks [redacted]

SSA [redacted]

[redacted]

[redacted]

-----Original Message-----
From [redacted]
Sent: Tuesday, November 22, 2005 12:03 PM
To: [redacted]
Subject: RE: [redacted]

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UNCLASSIFIED
NON-RECORD

FYI: You might want to include a reference to the below---another policy approval requirement before SAs may [redacted]

[redacted]

[redacted]

-----Original Message-----
From: [redacted]
Sent: Monday, November 14, 2005 11:57 AM
To [redacted]
Cc
Subject: RE: [redacted]

UNCLASSIFIED
NON-RECORD

The attached includes some edits (use document/reviewer to see changes).

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

[redacted]
Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility

CELL/OTD 001175

Bldg. 27958A Room A-207B
Quantico, Va. 22135
[redacted]

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From: [redacted]
Sent: Monday, November 07, 2005 8:49 PM
To: [redacted]
Cc:
Subject: FW: [redacted]

UNCLASSIFIED
NON-RECORD

We would like to make this document [redacted] policy ASAP. This is our latest draft afte[redacted] provided some input earlier. Please provide legal guidance to ensure we have drafted an appropriate SOP for [redacted]

SSA [redacted]

[redacted]

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-----Original Message-----
From: [redacted]
Sent: Tuesday, October 25, 2005 4:05 PM
To: [redacted]
Cc: [redacted]
Subject:

UNCLASSIFIED
NON-RECORD

Please review and provide feedback. We truly need to improve our response time to an [redacted] I think an SOP would be a big help.

Thank you,

[redacted]

UNCLASSIFIED

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CELL/OTD 001176

CELLSITE-315

UNCLASSIFIED

UNCLASSIFIED

To:

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b7C
b7E

Subject:

To All

I agree with most of the provisions of SA [redacted] and most Divisions will need to tailor the guidelines to their own structure. Specific protocol may need to be amended based on the results of meeting with CID concerning case agent [redacted]

[redacted]

CELL/OTD 001188

CELLSITE-323

I have attached a PDF document provided to me by There are subtle differences in our authority emanating form DOJ. I believe

This email does not require a response from anyone - but I welcome ideas that we can present to further our case and cause to CID.

WITT.pdf

Have a safe holiday season.....

SSA

-----Original Message-----
From:
Sent: Tuesday, December 20, 2005 5:03 PM
To:

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CELL/OTD 001189 CELLSITE-324

[redacted]

Subject: FW: WITT [redacted]

UNCLASSIFIED
NON-RECORD

Happy Holidays to each and everyone.

See attached "proposed" guidelines. Work with your CDC/AUSA to ensure that the procedures they deem appropriate for your division are followed. [redacted] WITT matters and are a model to follow.

[redacted]

Thanks [redacted]

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-----Original Message-----
From: [redacted]
Sent: Tuesday, December 20, 2005 2:58 PM
To: [redacted]
Cc:
Subject: RE: WITT [redacted]

UNCLASSIFIED
NON-RECORD

<< File: Revised SOP fo [redacted]
This from [redacted] may be of some assistance

-----Original Message-----
From: [redacted]
Sent: Tuesday, December 20, 2005 12:40 PM
To: [redacted]
Cc:
Subject: WITT [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

I spoke with [redacted] after her presentation and advised that I'd like a copy of her powerpoint presentation. She said she thought you'd be getting that out to the Field? We're trying to come up with guidelines [redacted]

CELL/OTD 001191 CELLSITE-326

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-13-2012 BY 65179 DMH/STW

[redacted]

From: [redacted]
Sent: Thursday, December 22, 2005 10:05 AM
To: [redacted]
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

[redacted]

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Saw your SOP re: WITT. You are great - you need to be at HQ writing policy. I attached a copy of [redacted] policy that may be of some value - if not trash it.

Have a Great Christmas!!!! [redacted]

SSA [redacted]

[redacted]

[redacted]

UNCLASSIFIED

CELL-OTD 001206

CELLSITE-328

(Rev. 01-31-2003)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-13-2012 BY 65179 DMH/SIW

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 09/02/2005

To: **Attn:** All Agents

From:
Chief Division Counsel
Contact: CDC

Approved By:

Drafted By:

Case ID #: (Pending)
(Pending)

Title: Legal Requirements for

Synopsis: This EC explains the legal authority required to
Wireless Intercept and Tracking Team (WITT).

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Enclosure(s):

CELL/OTD 001207

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

FYI: the attached Wpd doc is the latest in the series of decisions on compelling
-----Original Message-----
From:
Sent: Monday, October 31, 2005 3:06 PM
To:
Subject: FW

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

-----Original Message-----
From:
Sent: Wednesday, October 26, 2005 2:46 PM
To: FBI_ALL CDCs
Cc: HQ_DIV09_STLU
Subject: RE:

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Here's the

-----Original Message-----
From:
Sent: Wednesday, October 26, 2005 1:30 PM
To: FBI_ALL CDCs
Cc: HQ_DIV09_STLU
Subject:

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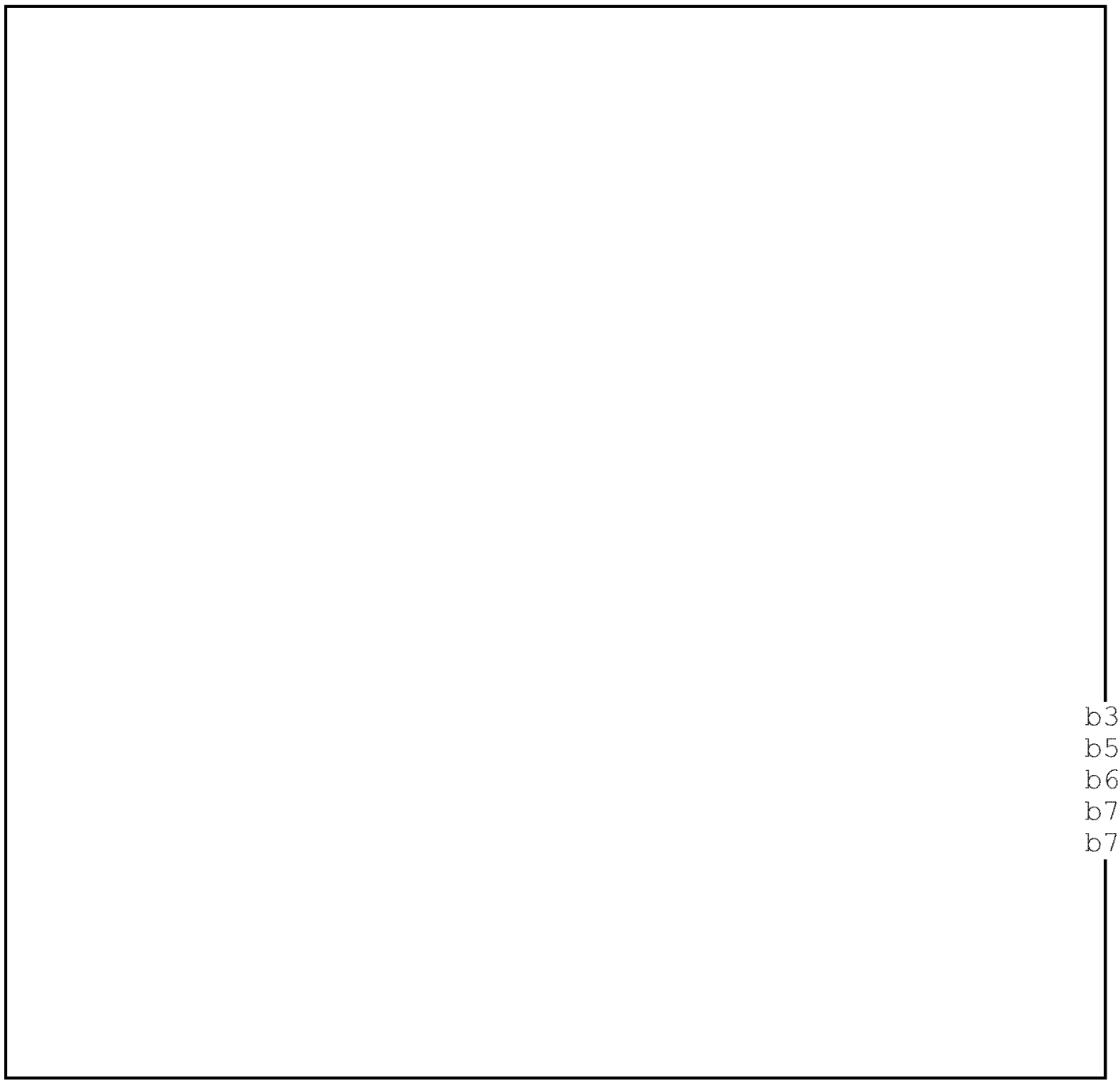
SENSITIVE BUT UNCLASSIFIED
NON-RECORD

To Update you on the status of current litigation on the authority to

CELL/OTD 001214CELLSITE-336



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Please keep us apprised of developments in your district.

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

[redacted]
Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135
[redacted]

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

CELL/OTD 001215
CELLSITE-337

-----Original Message-----
From: [redacted]
Sent: Thursday, September 01, 2005 9:36 AM
To: FBI_ALL CDCs
Subject: [redacted]

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NON-RECORD

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

There is a rapidly growing trend among magistrate judges throughout the nation [redacted]

[redacted]

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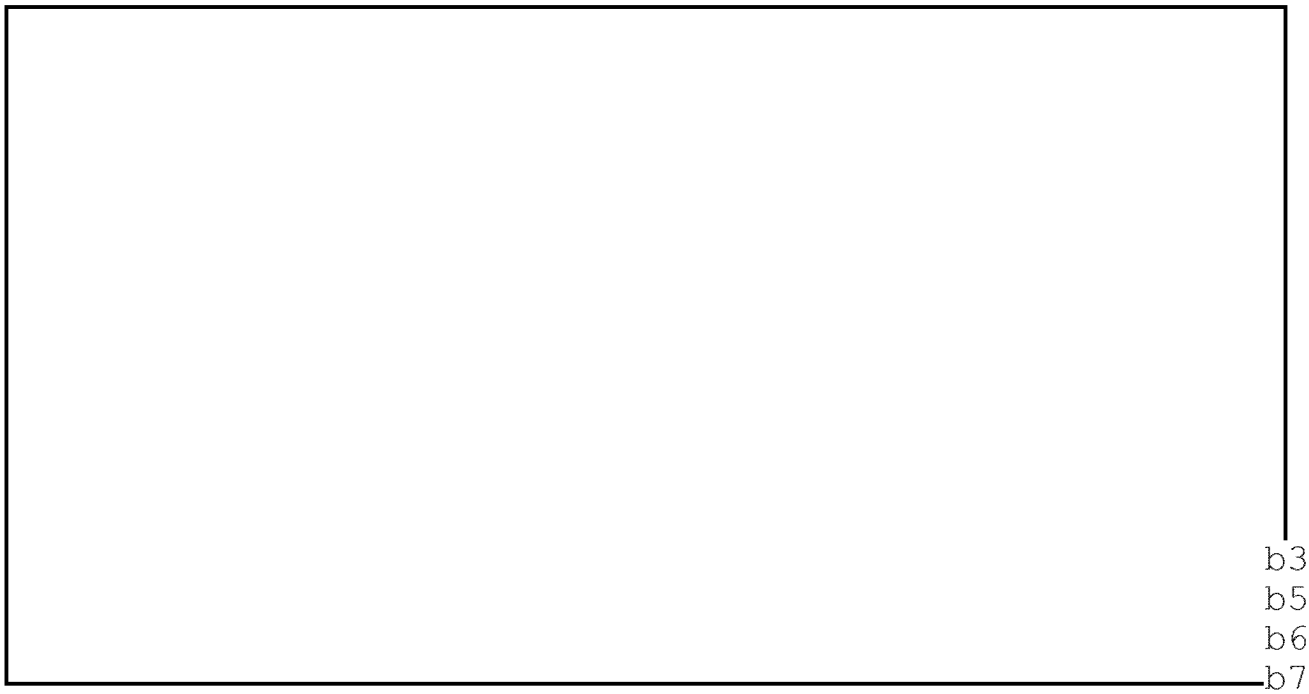
CELL/OTD 001216 CELLSITE-338



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PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

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CELL/OTD 001217

CELLSITE-339

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CELL/OTD 001218

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Slip Copy
Slip Copy, 2005 WL 3471754 (S.D.N.Y.)
(Cite as: 2005 WL 3471754 (S.D.N.Y.))

Only the Westlaw citation is currently available.

United States District Court,
S.D. New York.
In re APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER FOR DISCLOSURE OF TELECOMMUNICATIONS RECORDS AND AUTHORIZING THE USE OF A PEN REGISTER AND TRAP AND TRACE
No. 05 MAG.1763.

Dec. 20, 2005.

OPINION AND ORDER

GORENSTEIN, Magistrate J.

*1 On October 19, 2005, the Court granted an *ex parte* application from the Government seeking an order requiring a provider of cellular telephone service to produce, *inter alia,* information pertaining to the location of cell site towers receiving a signal from a particular cellular telephone for a period of 60 days. The Court's Order expired on December 18, 2005. Because at least three other district courts have concluded that the Government lacks statutory authority for applications relating to certain types of cell site data, the Court is setting forth the reasons it granted the application in this case. Subsequent to the issuance of the Order, the Court sought additional information and briefing from the Government regarding the application. In addition, the Court asked the Federal Defenders of New York, Inc. to appear as *amicus curiae.* The Court has greatly benefitted from the briefing provided by both sides.

I. *BACKGROUND*

Cellular telephones communicate by means of signals to cellular telephone towers, which are operated by the various commercial carriers that provide cellular telephone service. As a cell phone user moves from place to place, the cell phone automatically switches to the tower that provides the best reception. In this case, the Government's application sought information on a prospective basis regarding cell towers being signaled by a specifically identified cellular telephone. The application, which remains under seal, furnishes detailed information indicating that the user of the target cellular telephone is engaged in ongoing criminal activity involving the illegal sale of contraband and that a warrant for the arrest of this person is outstanding. An order was previously granted by another Magistrate Judge in this District for cell site information with respect to the same target telephone.

The relevant portions of the application seek, for a period of 60 days, "cell site activations" for the telephone. The application also seeks a directive that the provider of the service furnish a map showing cellular tower "locations/addresses, sectors and orientations" as well as "the physical address/location of all cellular towers in the specified market." In a portion of the application not relevant to the instant opinion, the application seeks numbers dialed, incoming numbers, call durations, and other information relating to the subscriber of the target cellular telephone. The application contains additional provisions requiring that the provider furnish certain assistance to the federal law enforcement agents necessary to comply with the requested court order.

While the application uses the term "cell-site activations," the Government has specified that it seeks "cell-site information concerning the physical location of the antenna towers associated with the beginning and termination of calls to and from a particular cellphone." *See* Letter to the Court from Thomas A.G. Brown, dated November 22, 2005 ("Gov't Letter"), at 10. This phrasing corresponds roughly to the information that in fact has been obtained by the Government in this District in the past with respect to cell site information. Under prior orders issued in this District, the Government has been able to obtain a list of each call made by the subject cell phone, along with a date, start time and end time. With respect to the beginning or end of the call (and possibly sometimes in between), there is a listing of a three-digit number assigned to a cellphone tower or base station. At least one cellular provider will give, in addition to the number of the tower, a digit ("1," "2" or "3") indicating a 120 degree "face" of the tower towards which the cell phone is signaling.

*2 In suburban or rural areas, towers can be many miles apart. The Court has examined a map of cellular towers of a provider in lower Manhattan, which is one of the areas more densely populated by towers. In this area, the towers may be anywhere from several hundred feet to as many as 2000 feet or more apart.

The Court is aware of three cases that have considered the availability of cell site data: *In re Application for Pen Register and Trap/Trace Device with Cell Site Location Authority,* 396 F.Supp.2d 747 (S.D.Tex.2005) ("Texas Decision"); *In the Matter of an Application of the United States for an Order (1) Authorizing the Use of a Pen Register and a Trap and Trace Device and (2) Authorizing Release of Subscriber Information and/or Cell Site Information,* 396 F.Supp.2d 294 (E.D.N.Y.2005) ("EDNY Decision); and *In re Application of the United States for an Order Authorizing the Installation and Use of*

a Pen Register and a Caller Identification System on Telephone Numbers (Sealed) and Production of Real Time Cell Site Information, 2005 WL 3160860 (D.Md. Nov. 29, 2005) ("Maryland Decision"). These cases appear to involve requests for cell site information that go beyond both what has been sought in this case and what has actually been received by the Government pursuant to any cell site application in this District. First, the cell site information provided in this District is tied only to telephone calls actually made or received by the telephone user. Thus, no data is provided as to the location of the cell phone when no call is in progress. Second, at any given moment, data is provided only as to a single cell tower with which the cell phone is communicating. Thus, no data is provided that could be "triangulated" to permit the precise location of the cell phone user. Third, the data is not obtained by the Government directly but is instead transmitted from the provider digitally to a computer maintained by the Government. That is, the provider transmits to the Government the cell site data that is stored in the provider's system. The Government then uses a software program to translate that data into a usable spreadsheet.

II. *DISCUSSION*

The Government's application cites to two enactments: the statutes governing the installation of pen registers and trap and trace devices, 18 U.S.C. §§ 3121-27 ("the Pen Register Statute"), and a provision of the Stored Wire and Electronic Communications and Transactional Records Access Act codified at 18 U.S.C. § 2703. We begin our discussion with the text of these statutes inasmuch as "[e]very exercise in statutory construction must begin with the words of the text." *Saks v. Franklin Covey Co.,* 316 F.3d 337, 345 (2d Cir.2003). "The plainness or ambiguity of statutory language is determined by reference to the language itself, the specific context in which that language is used, and the broader context of the statute as a whole." *Robinson v. Shell Oil Co.,* 519 U.S. 337, 341 (1997) (citations omitted). In general, if the statutory language is not ambiguous, the statute is construed according to the plain meaning of the words. *See, e.g., Greenery Rehab. Group, Inc. v. Hammon,* 150 F.3d 226, 231 (2d Cir.1998) (citing *Rubin v. United States,* 449 U.S. 424, 430 (1981)). We look to the legislative history and other tools of statutory construction only if the statutory terms are ambiguous. *Id.* (citing *Aslanidis v. United States Lines, Inc.,* 7 F.3d 1067, 1073 (2d Cir.1993)).

A. *Pen Register Statute*

***3** The Pen Register Statute is the statute used to obtain information on an ongoing or prospective basis regarding outgoing calls from a particular telephone (captured by a "pen register") and incoming calls (captured by a "trap and trace" device). These devices are more fully defined in 18 U.S.C. § 3127(3), (4). [FN1] A "pen register" is defined as a device that provides not merely the telephone number of a telephone call dialed from the subject telephone--the most common use of the term "pen register"--but also "signaling information" transmitted by the subject telephone itself or the "facility from which a wire or electronic communication is transmitted," 18 U.S.C. § 3127(3). The term "signaling information" was added by the USA PATRIOT Act in 2001. *See* Pub.L. No. 107-56, § 216(c)(2), 115 Stat. 272, 290 (2001). Prior to the enactment of the USA PATRIOT act, the District of Columbia Circuit had held in connection with its interpretation of a related statute, 47 U.S.C. § 1001(2), that because a cell phone sends "signals" to cellphone towers in order to operate, the term "signaling information" includes information on the location of cell site towers used by a cellular telephone. *See United States Telecom. Ass'n v. FCC,* 227 F.3d 450, 458, 463-64 (D.C.Cir.2000). [FN2] While one cell site decision notes an absence of legislative history indicating that Congress intended cell site data to be included in this term when it enacted the USA PATRIOT Act, *see* Texas Decision, 396 F.Supp.2d at 761, the language enacted is not so limited. Indeed, the legislative history reflects that the language regarding "signaling information" would apply "across the board to all communications media." H.R.Rep. No. 107-236(I), 107th Cong., 1st Sess., *available at* 2001 WL 1205861, at *53 (Oct. 11, 2001). Accordingly, we will interpret this provision in accordance with its most obvious meaning and the one that naturally would have been available to Congress, through the *United States Telecom* case, when the statutory language was enacted in 2001. *See Lorillard v. Pons,* 434 U.S. 575, 581 (1978) ("Where ... Congress adopts a new law incorporating sections of a prior law, Congress normally can be presumed to have had knowledge of the interpretation given to the incorporated law, at least insofar as it affects the new statute.").

> FN1. At one time, a "pen register" referred perforce to a physical device that recorded information regarding outgoing telephone calls. In this District at least, law enforcement agencies do not in all instances need to install a physical device on a telephone line to obtain information regarding these calls. Instead, information that was heretofore captured by a pen register can now be transmitted digitally by the telephone service provider. The Government has properly assumed that, despite this change in technology, it is bound to follow the Pen Register Statute to obtain information otherwise covered by the statute.

> FN2. Because the location information is "transmitted" by the cell phone, a pen register (not a trap and trace device) identifies location information for both incoming and outgoing calls. *See* 18 U.S.C. § 3127(3).
> On a separate point, *amicus* contends that the "signaling information" available under the Pen Register Statute is only the "signaling information" that is transmitted during a particular telephone call. *See* Letter to the Court from Yuanchung Lee, dated October 27, 2005

("*Amicus* Letter") at 16. The statute is ambiguous on this point, however. It says only that a pen register records the "signaling information transmitted by an instrument or facility from which a wire or electronic communication is transmitted." 18 U.S.C. § 3127(3). The term "is transmitted" is susceptible of two meanings: it could refer either to a particular communication or to an ongoing transmission. It is not necessary to reach this issue, however, because here the Government has sought only cell-site information tied to telephone calls.

In addition, construing the pen register definition as covering the capture of cell site data is the only way to make sense of a separate statute: 47 U.S.C. § 1002. As described in the next section, that statute specifically assumes that cell site data is available under the Pen Register Statute.

Notably, the showing required to install a pen register is a low one: the Government need only identify the law enforcement agency conducting the investigation and certify that the information likely to be obtained is "relevant to an ongoing criminal investigation" being conducted by the agency. 18 U.S.C. § 3122(b)(1), (2). Orders requiring the installation of a pen register may not exceed 60 days, though they may be extended for additional 60- day periods if the required showing is made. 18 U.S.C. § 3123(c). In certain emergency situations, a pen register may be installed even in the absence of a court order. 18 U.S.C. § 3125. The Pen Register Statute explicitly excludes from its definition "the contents of any communication"--an exclusion not relevant to the instant application as there is no effort to obtain the contents of any telephone calls. *See* 18 U.S.C. § 3127(3).

*4 The Government has certified that the cell site information it seeks here is "relevant and material to an ongoing investigation." Thus, the Pen Register Statute would by itself provide authority for the order being sought by the Government were it not for a provision codified elsewhere in the United States Code. That provision occurs in an "exception" clause within 47 U.S.C. § 1002, which is entitled "Assistance capability requirements."

B. *47 U.S.C. § 1002*

Section 1002 was enacted as part of the Communications Assistance for Law Enforcement Act of 1994. It requires telecommunications carriers to ensure that their equipment is capable of providing a law enforcement agency with information to which it may be entitled under statutes relating to electronic surveillance. Section 1002 provides, in pertinent part, as follows:

> a telecommunications carrier shall ensure that its equipment, facilities, or services that provide a customer or subscriber with the ability to originate, terminate, or direct communications are capable of--
>
> * * *
>
> (2) expeditiously isolating and enabling the government, pursuant to a court order or other lawful authorization, to access call-identifying information that is reasonably available to the carrier--
>
> (A) before, during, or immediately after the transmission of a wire or electronic communication (or at such later time as may be acceptable to the government); and
>
> (B) in a manner that allows it to be associated with the communication to which it pertains,
>
> *except that, with regard to information acquired solely pursuant to the authority for pen registers and trap and trace devices (as defined in section 3127 of Title 18), such call-identifying information shall not include any information that may disclose the physical location of the subscriber (except to the extent that the location may be determined from the telephone number);*

47 U.S.C. § 1002(a)(2) (emphasis added).

The phrase "information that may disclose the physical location of the subscriber" in the exception clause can reasonably be interpreted to encompass the prospective cell site information being sought by the Government here, although, as already discussed, the information the Government obtains in this District "disclose[s] the physical location" of the subscriber in only the roughest manner. [FN3]

> FN3. A literal reading of this exception clause might lead one to question whether it is of any relevance at all to the Government's application inasmuch as the clause is framed only as an exception to the sort of "capab[ilities]" a carrier is obligated to "ensure" that it possesses. Under this reading, the exception clause merely states that a carrier is not obligated to ensure that it possesses the capability to disclose physical location information. The clause says nothing about whether the carrier should or should not disclose such information. Nor does it say anything about whether the Government may obtain an order for such information. As is described below, however, the legislative history relevant to this provision reflects that a literal reading of this kind would be at odds with the intention of Congress.

The effect of the exception clause is not obvious at first glance. But the clause plainly reflects an underlying assumption that physical location data *would* have been obtainable under the Pen Register Statute in the absence of the exception clause. Otherwise, it would have been unnecessary to add the exception clause at all. Indeed, the legislative history of section 1002 states as much. *See* H. Rep. 103-827(I), reprinted in 1994 U.S.C.C.A.N. 3489, 3497, 1994 WL 557197, at *17 (Oct. 4, 1994) ("Currently, in some cellular systems, transactional data that could be obtained by a pen register may include location information."); S. Rep. 103-402, *available at* 1994 WL

562252, at *18 (Oct. 6, 1994) (same). [FN4]

> FN4. In fact, the definition of a "pen register" in effect at the time of the exception clause's passage did not seem to include cell site or location information, inasmuch as the term "pen register," prior to the USA PATRIOT Act amendment in 2001, had been defined as a device that identified "the number dialed or otherwise transmitted." *See* Pub.L. No. 99-508, § 301, 100 Stat 1848 (Oct. 21, 1986). Nonetheless, Congress obviously thought such information was available under the Pen Register Statute when the exception clause was enacted in 1994.

*5 But if the exception clause of 47 U.S.C. § 1002(a)(2) is read to mean that a pen register may not be used at all to deliver cell site information to the Government, then the Government may not acquire cell site information by *any* mechanism. This is because the Pen Register Statute is clear that the device that captures cell site information--that is, a "pen register"--may be installed only pursuant to the Pen Register Statute itself. As noted, the Pen Register Statute defines a pen register as a device that provides "signaling information" (*e.g.*, cell site information). *See* 18 U.S.C. § 3127(3). At the same time, the Pen Register Statute states unequivocally (with exceptions not relevant here) that "no person may install or use a pen register ... without first obtaining a court order under section 3123"--that is, pursuant to a court order issued under the Pen Register Statute itself. *See* 18 U.S.C. § 3121(a). Taken together, the two sections require that prospective cell site information may be obtained *only* pursuant to the Pen Register Statute. If the exception clause in 47 U.S.C. § 1002(a)(2) is read to mean that the Pen Register Statute may not be used in any form to obtain cell site information, as is urged by *amicus* and the other cell site cases, the exception clause in combination with section 3121(a) would constitute a directive that cell site information was not obtainable by any mechanism at all.

Amicus and the other cell site cases do not address this question and simply assume that 47 U.S.C. § 1002(a)(2) means that some mechanism other than the Pen Register Statute may be used to obtain cell site information as long as this mechanism stands on its own--that is, as an independent ground authorizing the collection of cell site data. The cell site cases believe a search warrant under Fed.R.Crim.P. 41 is the appropriate mechanism, *see, e .g.*, Texas Decision, 396 F.Supp.2d at 757, and *amicus* asserts that it is the Title III wiretap statute, *see* Letter to the Court dated December 6, 2005 from Yuanchung Lee, at 5-6. But, again, this reading fails to give effect to the explicit directives contained in the Pen Register Statute that a pen register--which is defined to include a device providing cell site information--can be installed only pursuant to "a court order under section 3123 of [Title 18]." 18 U.S.C. § 3121(a). In other words, Fed.R.Crim.P. 41 or Title III cannot by themselves provide authority for the Government's application because any warrant or order issued pursuant to those mechanisms must necessarily authorize the installation of a "pen register."

If the cell site cases and *amicus* were correct in their interpretation of the exception clause--that is, that it constitutes a simple direction that no cell site information may be obtained pursuant to the Pen Register Statute--this Court might conclude that Congress intended that the Government could not obtain cell site information by any means. However, the exception clause in fact does not contain a direction that no cell site information may be obtained "pursuant" to the Pen Register Statute. Instead, it states that cell site information may not be obtained *"solely* pursuant" to the Pen Register Statute. 47 U.S.C. § 1002(a)(2). The phrase "solely pursuant" is an unusual one--so unusual that the only time it appears in the United States Code is in 47 U.S.C. § 1002(a)(2). [FN5]

> FN5. The phrase "only pursuant" appears several dozen times in the United States Code. But in each instance the phrase is used to direct affirmatively how an act is to be done--for example, to direct that judicial review of an order may be obtained "only pursuant" to a particular statutory provision. 49 U.S.C. § 46301(d)(7)(D)(iii). Here, however, the exception clause authorizes something to be done as long as it is *not* done "solely pursuant" to a particular statutory provision. Thus, the statutes using "only pursuant" provide no assistance in our interpretation.

*6 The use of the word "solely" is significant. "Solely" means "without another" or "to the exclusion of all else." *See Merriam-Webster's Collegiate Dictionary* (10th ed.2000), at 1114. If we are told that an act is not done "solely" pursuant to some authority, it can only mean that the act is done pursuant to that authority *"with* [ ] another" authority. *Id.* As a result, the use of the word "solely" in section 1002 necessarily implies that "another" mechanism may be combined--albeit in some unspecified way--with the Pen Register Statute to authorize disclosure of cell site information.

As just noted, *amicus* and the other cell-site cases read the exception clause as a direction to the Government to rely exclusively on some other mechanism to obtain the cell-site information and to rely on that other mechanism alone. We have already pointed out one problem with this reading--that it results in a contradiction in the terms of the Pen Register Statute and 47 U .S.C. § 1002. But there is a second problem, which is reflected in section 1002 itself. If section 1002 means that the Pen Register Statute cannot be relied on whatsoever to obtain cell site information, it would have been sufficient for the statute's drafters to use the word "pursuant" rather than the phrase "solely pursuant." In other words, the use of the word "pursuant" would have been enough by itself to give a clear direction

that cell-site information cannot be obtained under the Pen Register Statute. Given the doctrine that "we must, if possible, construe a statute to give every word some operative effect," *Cooper Industries, Inc. v. Aviall Services, Inc.,* 125 S.Ct. 577, 584 (2004), the word "solely" must be given semantic content if it is possible to do so. The most reasonable reading of the word "solely" is that if cell-site information is not being obtained "solely" pursuant to the statute, it is being obtained pursuant to the opposite of "solely": that is, not "alone" but in combination with some other mechanism.

While we have extracted some semantic content out of the word "solely," it has hardly been a satisfying exercise inasmuch as we are left with the conclusion that Congress has given a direction that cell site information may be obtained through some unexplained combination of the Pen Register Statute with some other unspecified mechanism. As unsatisfying as this result is, the only alternative is either (1) to ignore the plain dictate of 18 U.S.C. § 3121(a) by assuming that 47 U.S.C. § 1002 means that some other mechanism may be used to intercept "physical location" information if it can do so on an independent basis, or (2) to ignore Congress's inclusion of the otherwise unnecessary word "solely" and conclude that ongoing cell site data is not obtainable at all.

We reject the first choice as it requires us to ignore a clear statutory command. Nor can we accept the second choice because it requires us to conclude that Congress intended that ongoing cell site location information could not be obtained by any means at all. Congress, however, plainly manifested its intention to the contrary. First, as noted, any such interpretation necessarily reads the word "solely" out of the exception clause. If Congress had intended that no prospective cell site data be obtainable, it would have simply said in the exception clause that physical location information could not be obtained "pursuant" to the Pen Register Statute.

*7 Second, the only legislative history that directly bears on the meaning of the exception clause--consisting of a prepared statement of former Federal Bureau of Investigation ("FBI") director Louis Freeh--reflects that the § 1002 exception was put in at the suggestion of the FBI itself, as a way of assuring Congress that the FBI would rely on mechanisms--referred to as "court orders and subpoenas"--other than the Pen Register Statute to obtain physical location information, including cell site data. *See Police Access to Advanced Communication Systems: Before the Subcommittee on Technology and the Law of the Committee on the Judiciary United States Senate and the Subcommittee on Civil and Constitutional Rights of the Committee on the Judiciary House of Representatives* (1994) (statement of FBI Director Louis J. Freeh) ("Freeh Statement"), *available at* 1994 WL 223962 ("Even when such generalized location information, or any other type of 'transactional' information, is obtained from communications service providers, court orders or subpoenas are required and are obtained."). Thus, it would not make sense for Congress to have taken Director Freeh up on his proposal by barring law enforcement agencies from obtaining cell site information entirely.

Third, the District of Columbia Circuit, in considering the "solely pursuant" exception in the context of a Federal Communications Commission's rule-making proceeding, approved of the FCC's decision that section 1002 "simply imposes upon law enforcement an authorization requirement different from that minimally necessary for use of pen registers and trap and trace devices." *United States Telecom Ass'n,* 227 F.3d at 463 (citing *In the Matter of Communications Assistance for Law Enforcement Act,* 14 F.C.C.R. 16794, 16815, ¶ 44 (1999)). The plain import of this statement is that law enforcement agencies would be able to get authorizations to obtain cell site information from some mechanism, although the Government would have to meet an authorization requirement different from the minimal standard provided in the Pen Register Statute.

Having rejected the two alternatives--that is, that cell site data can be obtained without reliance on the Pen Register Statute or that it is not obtainable at all--we are back at the originally discussed reading of the word "solely." We thus conclude that Congress expected physical location information--including cell site information--would be obtainable by the Government by using some mechanism in combination with the Pen Register Statute. The idea of combining some mechanism with as yet undetermined features of the Pen Register Statue is certainly an unattractive choice. After all, no guidance is provided as to how this "combination" is to be achieved. But, again, in light of the language used in section 1002, the Court believes that it is the only choice possible.

The next question is (1) whether the other mechanism relied on by the Government--18 U.S.C. § 2703--is an appropriate mechanism to "combine" with the Pen Register Statute, and (2) if so, how section 2703 should be "combined" with the Pen Register Statute. To answer these questions, we turn to an examination of section 2703.

C. *Section 2703*

*8 Section 2703 contains three main sections that authorize the Government to obtain records. Two are not relevant here: section 2703(a) authorizes disclosure of the contents of wire or electronic communications held by a "provider of electronic communication service" and section 2703(b) authorizes disclosure of the contents of wire or electronic communications in a "remote computing service ."

Section 2703(c)(1) --the section relied upon by the Government--provides that a "governmental entity may require a provider of electronic communication service or remote computing service to disclose a record or other information pertaining to a subscriber to or customer of

such service (not including the contents of communications)," provided the Government "offers specific and articulable facts showing ... reasonable grounds to believe that ... the records or other information sought, are relevant and material to an ongoing criminal investigation" under 18 U.S.C. § 2703(d). A separate portion of section 2703 provides that basic subscriber information--such as name, address and duration of calls--need not even meet this threshold showing but is obtainable merely by subpoena. *See* 18 U.S.C. § 2703(c)(2). The Government may obtain additional information about a subscriber under 18 U.S.C. § 2703(c)(1)(B) as long as the "specific and articulable facts" standard is met.

The first question that arises is whether prospective cell site data is encompassed in the phrase "record or other information pertaining to a subscriber to or customer of [an electronic communication] service."

Certainly, prospective cell site data is "information," and it may also be said--in this District at least--to be in the form of a "record" inasmuch as cell site information is transmitted to the Government only after it has been in the possession of the cell phone company. Cell site data also "pertain[s]" to a subscriber to or customer of cellular telephone service. The remaining question is whether cellular telephone service constitutes an "electronic communication service." According to 18 U.S.C. § 2711(1), we must turn to 18 U.S.C. § 2510 for the definition of this term. Section 2510 defines an "electronic communication service" to mean "any service which provides to users thereof the ability to send or receive wire or electronic communications." 18 U.S.C. § 2510(15).

The phrase "electronic communication" is itself defined. Section 2510(12) provides that "electronic communication" means "any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic or photooptical system that affects interstate or foreign commerce." With the definition taken thus far, it would be plain that a user of a cellular telephone is a "customer of an electronic communication service" under section 2703(d) since the cellular telephone makes transmissions to a tower through an electromagnetic system. *See generally* http://www.fda.gov/cellphones/qa.html# 1 (wireless phones rely on radio-frequency energy, which is a form of electromagnetic energy).

*9 *Amicus* argues, however, that an exception contained in the definition of "electronic communication" in section 2510(12) is of importance here. *Amicus* Letter at 8. The exception states that an "electronic communication ... does not include ... any communication from a tracking device (as defined in section 3117 of this title)." 18 U.S.C. § 2510(12)(C). Section 3117 in turn defines a tracking device as "an electronic or mechanical device which permits the tracking of the movement of a person or thing." 18 U.S.C. § 3117(b).

Because a cellular telephone arguably has the capability of being a "device which permits ... tracking"--in addition to its normal voice and data transmission uses--we must determine if the tracking device exception to the definition of "electronic communication" means that a cellular telephone service subscriber is not in fact a "customer of an electronic communication service" under section 2703(c).

To understand the import of this exception, it is necessary to examine what "service" is being provided to the customer of a cellular telephone. This is because the term "electronic communication" is used in section 2703 to describe the sort of "service" that an individual subscribes to or is a customer of, and the Government may only obtain "records or other information" pertaining to such a person. Section 2510(15) says that the relevant service is a service that provides to users thereof the ability to "send or receive ... electronic communications." The exception in section 2510(12)(C) tells us only that "tracking" information is not considered to be an electronic communication. But this exception does not alter the fact that the cellular telephone *service* that the customer uses and to which the subscriber subscribes is nonetheless an "electronic communication service" under section 2510(15).

We next turn back to section 2703, which governs "information" pertaining to "customers and users" of electronic communications service. It is certainly the case that cell site or tracking information constitutes "information" pertaining to customers or users of electronic communications services. Thus, such cell site or tracking information comes within section 2703(c) and consequently is the sort of "information" that the Government may seek pursuant to an order under section 2703(d).

The objection to this reading, *see Amicus* Letter at 8-9, appears to be as follows: section 2703(c) governs information pertaining to electronic communication services. The definition of "electronic communication" in section 2510(12)(C) excludes tracking information. Therefore, the Government cannot get under section 2703 the tracking information a cell phone provides.

The problem with this syllogism is that it assumes that the term "information" in section 2703(c) is limited by the definition contained in section 2510. In fact, section 2510 does not speak to the scope of the term "information" in section 2703. Rather, section 2510 speaks only to the meaning of the term "electronic communication service," which it defines broadly as a service that "provides to users thereof the ability to send or receive ... electronic communications." Thus, the term "electronic communications service" in section 2703(c) refers broadly to the "service" of providing users with the "ability to send or receive ... electronic communications." It does not refer to any one particular piece of information, such as cell site

information, that might be obtainable from the device carried by the user of the service. While tracking information is not to be considered part of "electronic communications" pursuant to the exception contained in 2510(12)(C), this does not alter the fact that the cellular telephone service to which a cellphone customer subscribes necessarily comes within the definition of section 2510(15). After all, the service a cellular telephone company "provides to users" is the ability to make cellular telephone calls, not exclusively tracking information. Inasmuch as a service that provides cellular telephone capabilities is within section 2510(15), information pertaining to a subscriber to or customer of that "service" is obtainable under section 2703(c).

*10 In other words, information on the location of cell towers is not the "service" to which a cellular customer subscribes. Instead, the user subscribes to the voice--and perhaps data--transmission capabilities provided by the cellular carrier. Although tower location information may be a necessary ingredient for the operation of that service, the "service" to which the user subscribes is still the "electronic communication" capabilities of the cellular telephone. Section 2703(c) tells us broadly that the Government may obtain "information" pertaining to users of this sort of service. Cell site information is just one of many possible categories of "information" that pertains to users of this service. The exception in section 2510(12)(C) does not purport to limit the meaning of the term "information." [FN6]

> FN6. There is potentially an independent reason why the exception clause in section 2510(12)(C) does not limit the Government's ability to obtain cell site information under section 2703. The exception clause points to section 3117 for the definition of a tracking device. Section 3117, however, is a statute that refers to a tracking device that has been "install[ed]" at the behest of the Government. 18 U.S.C. § 3117(a). Here, however, no tracking device has been "installed."

It may seem anomalous that the Government may obtain under section 2703 a particular category of information pertaining to a user of electronic communications that is excepted from the term electronic communications itself. But this is not surprising given the multiple purposes that the section 2510(12)(C) exception serves. The definitions in section 2510 apply across the board to (1) wiretaps; (2) section 2703 applications; and (3) Pen Register Statute applications. *See* 18 U.S.C. §§ 2510 (introductory clause); 2711(1); and 3127(1). There is no suggestion in the structure of the statues that the section 2510(12)(C) exception was meant to limit in any way the "information" that the Government was entitled to get under section 2703(c).

In light of the analysis so far, section 2703(c)'s use of the term "information" would cover the prospective cell site data being sought here. At least some of the cell site cases recognize that the term "information" includes historical cell site information. *See* Texas Decision, 396 F.Supp.2d at 759 n. 16; EDNY Decision, 396 F.Supp.2d at 313; Maryland Decision, 2005 WL 3160860, at *4; *see also Amicus* Letter at 12. They question, however, whether cell site information not yet in existence at the time of the order--that is, prospective or what is colloquially referred to as "real time" data--may be included in the term "information."

The text of the statute itself contains no limitation of this kind. Some courts have pointed to the title of the chapter in which the statute appears-- the "Stored Wire and Electronic Communications and Transactional Records Access"--as harboring some importance in this regard. *See* Texas Decision, 396 F.Supp.2d at 760. But this title is of limited significance for two reasons. First, it refers to types of data--"communications" and "records"-- that are narrower than one of the actual terms in section 2703(c): "information." Second, and more significantly, even the data being obtained regarding the location of the cell phone is in fact "stored" by the carrier--at least in this District. Cell site information is not obtained directly by the Government. Instead, it is transmitted to the Government only after it has come into the possession of the cellular telephone provider in the form of a record.

*11 The question of "historical" versus "real time" data is still of some significance, however. While the data the Government seeks can appropriately be characterized as "stored" or "historical" records by the time the Government gets possession of them, the Government wants that information on an ongoing basis. That is, it wants a continuing order for the cell phone company to provide the stored records in the future.

Amicus and the cell site cases have properly pointed to aspects of 2703 that make it unsuited to requiring the carrier to provide cell site data on an ongoing basis. *Amicus* Letter at 12. The two related statutes that plainly permit transmission of information to the Government on an ongoing basis--the Pen Register Statute and Title III--both contain limitations, 60 days and 30 days respectively, that cap the duration of any prospective orders. *See* 18 U.S.C. § 3123(c)(1); 18 U.S.C. § 2518(5). Section 2703, by contrast, contains no such time limitation. In a similar vein, the Pen Register Statute and Title III contain automatic sealing provisions, *see* 18 U.S.C. § 2518(8)(b) and 3123(d)(1)--provisions that are obviously important to the Government when obtaining ongoing information--whereas section 2703 does not.

These omissions, however, are understandable when considered in the context of the discussion presented thus far. *Amicus* and the cell site cases have conducted their analysis of section 2703 as an effort to determine whether Congress "intended" section 2703 to cover prospective cell site data. *See, e.g.,* Texas Decision, 396 F.Supp.2d at 760;

Amicus Letter at 11-12. But there is no reason to believe that section 2703 was specifically enacted as the mechanism to cover such cell site data inasmuch as the Pen Register Statute professes to be the only statute that authorizes the installation of the device used to capture this sort of data, *i.e.* "signaling information." *See* 18 U.S.C. § 3121(a).

Section 2703, however, remains an appropriate candidate as a legal mechanism that could properly be "combined," as contemplated by 47 U.S.C. § 1002(a)(2), with the Pen Register Statute to obtain cell site locations. This is because the text of section 2703(c) covers the data the Government seeks here. The heart of the statute--granting authority to obtain "information" about cell phone customers--does not on its face contain any limitation regarding when such information may come into being. It is thus susceptible to an interpretation that the "information" sought might come into being in the future. Moreover, because cell site data in this District exists as a record before it is transmitted to the Government, the text of the statute does not prevent the Government from presenting daily or hourly (or even more frequent) applications to the Court to obtain historical cell site data. Thus, as a theoretical matter, the statute permits the Government to obtain cell site data on a continuing or ongoing basis even under a narrow reading of section 2703.

*12 The principal reason why the statute does not serve easily as a fully independent source of authority for providing such data is a structural one: the statute does not contain certain procedural features, such as a time limitation, that Congress has typically included in statutes that permit the gathering of ongoing information. But this is an understandable omission given that Congress envisioned a pen register as the mechanism that would be used to capture cell site data, and the Pen Register Statute contains the procedural features missing from section 2703. In other words, the Pen Register Statute contains the time limitation (and sealing) provisions that are tied to the very "device"--that is, the pen register--that Congress deemed necessary to obtain prospective cell site information. It is thus logical to conclude that these two statutes in combination contain the necessary authority contemplated by Congress in 47 U.S.C. § 1002.

Section 2703 is an appropriate mechanism to "combine" with the Pen Register Statute for yet another reason. As the District of Columbia Circuit recognized, and as is implicit from the statement presented by Director Freeh, the objection to using the Pen Register Statute alone for the purpose of obtaining cell site data was that it contained a "minimal[ ]" authorization requirement. *United States Telecom Ass'n,* 227 F.3d at 463 (citing *In the Matter of Communications Assistance for Law Enforcement Act,* 14 F.C.C.R. 16794, 16815, ¶ 44 (1999)). Thus, the District of Columbia Circuit concluded that the section 1002 exception "simply imposes upon law enforcement an authorization requirement different from that minimally necessary for use of pen registers and trap and trace devices." *Id.* Section 2703, by contrast, contains a higher authorization requirement than that required for a pen register. While the Pen Register Statute permits disclosure of information upon the mere showing that the information likely to be obtained is "relevant to an ongoing criminal investigation" being conducted by the agency, 18 U.S.C. § 3122(b)(2), section 2703 requires the Government to offer "specific and articulable facts showing ... reasonable grounds to believe that ... the records or other information sought, are relevant and material to an ongoing criminal investigation." *See* 18 U.S.C. § 2703(d). Using section 2703 thus fulfills the apparent purpose of the section 1002 exception: to require something different from than the "minimal[ ]" authorization requirement imposed by the Pen Register Statute.

Of course, *amicus* and the cell site cases suggest that Fed.R.Crim.P. 41 or Title III are better mechanisms than section 2703 to obtain the cell site information. They rely on them, however, based in part on their belief that the non-pen-register mechanism for obtaining cell-site data must operate independently of the Pen Register Statute. [FN7] But once this proposition is rejected, section 2703 is a far more obvious source of authority since it covers the very sort of information that is being sought under the warrant. Its only failing is that it does not explicitly allow for the continuous release of such information. Certainly, Title III does not represent an appropriate fit for cell site information inasmuch as its purpose is to govern the interception of the "contents" of communications. *See, e.g.,* 18 U.S.C. §§ 2510(4), 2511(1); *United States v. New York Tel. Co.,* 434 U.S. 159, 167 (1977) (pen registers not within Title III because they do not acquire the "contents" of communications).

> FN7. Their reliance is also based on the belief that a cell phone is transformed into a "tracking device" when prospective cell site data is sought. For reasons discussed further in the next section, the requirements that attach to tracking devices are not relevant here.

*13 In sum, section 2703 is the most obvious candidate to be used in combination with the Pen Register Statute to authorize the ongoing collection of cell site information because it covers cell site information generally. Section 2703's absence of procedural provisions that typically attach to the transmission of ongoing information is explained by the fact that the pen register is the proper "device" to obtain cell-site information. Thus the Pen Register Statute's procedural provisions that are tied to such a device are appropriately combined with an application under section 2703 to obtain such information.

D. *Effect of the Fourth Amendment*

The only remaining question is whether the issuance of a court order for cell site information under section 2703 and the Pen Register Statute is unconstitutional because it violates the Fourth Amendment's prohibition against

unreasonable searches and seizures. *Amicus* (and some of the cell site cases) discusses the issue in terms of whether the cell phone is a "tracking device" and whether a warrant grounded in probable cause is necessary for the installation of such a device. But the data being sought by the Government in this District is not what *amicus* believes it to be. The information does not provide a "virtual map" of the user's location. *Amicus* Letter at 24. The information does not pinpoint a user's location within a building. Instead, it only identifies a nearby cell tower and, for some carriers, a 120-degree face of that tower. These towers can be up to 10 or more miles apart in rural areas and may be up to a half-mile or more apart even in urban areas. Moreover, the data is provided only in the event the user happens to make or receive a telephone call. Thus, *amicus's* reference to tracking devices and the cases considering this technology is not on point. [FN8]

> FN8. The tracking device statute, 18 U.S.C. § 3117, is of no relevance at all because it provides no guidance on what showing must be made to install a tracking device. It states only that *"If* a court is empowered to issue a warrant or other order for the installation of a mobile tracking device, such order may authorize the use of that device within the jurisdiction of the court, and outside that jurisdiction if the device is installed in that jurisdiction." 18 U.S.C. § 3117(a) (emphasis added); *see also United States v. Gbemisola,* 225 F.3d 753, 758 (D.C.Cir.2000) ("section 3117 does not prohibit the use of a tracking device in the absence of conformity with the section"). Not only is the statute prefaced by a conditional clause, the statute itself contemplates that a tracking device may be installed merely pursuant to an "order"--that is, without a warrant and thus without a probable cause showing. And, of course, it contemplates the "installation" of a tracking device, which has not been sought here.

In any event, the case most strongly relied on by *amicus, United States v. Karo,* 468 U.S. 705 (1984), held only that the installation of a true tracking device without the knowledge of the person it was tracking must be the subject of a warrant if the device discloses its location inside someone's home and that information could not have been obtained by observation. 468 U.S. at 714; *cf. United States v. Knotts,* 460 U.S. 276, 282 (1983) (no warrant required where the installed tracking device reveals information observable from a public highway). Here, however, the Government does not seek to install the "tracking device": the individual has chosen to carry a device and to permit transmission of its information to a third party, the carrier. As the Supreme Court has held in the context of telephone numbers captured by a pen register, the provision of information to a third party does not implicate the Fourth Amendment. *See Smith v. Maryland,* 442 U.S. 735, 744 (1979); *see also United States Telecom. Ass'n v. FCC,* 227 F.3d at 459 (*"Smith's* reason for finding no legitimate expectation of privacy in dialed telephone numbers-- that callers voluntarily convey this information to the phone company in order to complete calls--applies as well to much of the information provided by the challenged capabilities.") (referring to information that included "antenna tower location"). *Amicus* argues that the information is not voluntarily conveyed because, unlike telephone numbers, location information is being transmitted even in the absence of a telephone call. *Amicus* Letter at 23 (citing Texas Decision, 396 F.Supp.2d at 756-57). The Court need not reach this question because the only information being sought by the Government here is information tied to an actual telephone call. [FN9]

> FN9. *United States v. Forest,* 355 F.3d 942, 951 (6th Cir.2004), suggests in dictum that there might be a Fourth Amendment concern where a law enforcement agent purposely dialed the target cellphone in order to obtain location data. The court viewed such an act as demonstrating that the user was not voluntarily providing the cell site data. Here, we have no request to authorize such an act.

Conclusion

*14 The above analysis applies with respect to the instant Order, and is based upon the technology that is available to the Government in this District. Because the Court cannot know how that technology may change, it intends to identify specifically, in any future orders authorizing the provision of cell site information, the character of the information that may be provided by a carrier. Specifically, any such Order will make clear that it contemplates the production only of: (1) information regarding cell site location that consists of the tower receiving transmissions from the target phone (and any information on what portion of that tower is receiving a transmission, if available); (2) tower information that is tied to a particular telephone call made or received by the user; and (3) information that is transmitted from the provider to the Government. If the Government seeks to obtain other information, it should provide additional briefing on why such information is permissible under the relevant authorities.

Slip Copy, 2005 WL 3471754 (S.D.N.Y.)

END OF DOCUMENT

CELL/OTD 001227

CELLSITE-349

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-13-2012 BY 65179 DMH/STW

[redacted]

From: [redacted]
Sent: Monday, October 24, 2005 8:54 AM
To: [redacted]
Cc:
Subject: RE: Standard Operating Procedure (SOP) for Case Agents Requesting [redacted]

UNCLASSIFIED
NON-RECORD

Interesting. In light of recent Magistrate views, we might well see more [redacted]

At any rate, isn't it typically the case that you discuss- [redacted]

[redacted] What's you preference? [redacted]

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

[redacted]
Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135
[redacted]

b3
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b6
b7C
b7E

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From: [redacted]
Sent: Saturday, October 22, 2005 3:27 PM
To: [redacted]
Cc:
Subject: RE: Standard Operating Procedure (SOP) for Case Agents Requesting [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

Thank you for your reply. As for your question, [redacted]

CELL/OTD 001236 CELLSITE-350

I am currently digesting the rest of the information you sent me. It is extremely helpful. I am going to draft a separate SOP for [redacted] and send it to you for your review. **Just to make sure I understand the legal matters!**

Thanks again [redacted]

-----Original Message-----
From: [redacted]
Sent: Wednesday, October 12, 2005 1:00 PM
To: [redacted]
Cc: [redacted]
Subject: RE: Standard Operating Procedure (SOP) for Case Agents Requesting [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

I'll defer to [redacted] the policy issues, as I understand WITT is trying to address some similar issues directly with [redacted]

By way of background, last year [redacted]

[redacted]

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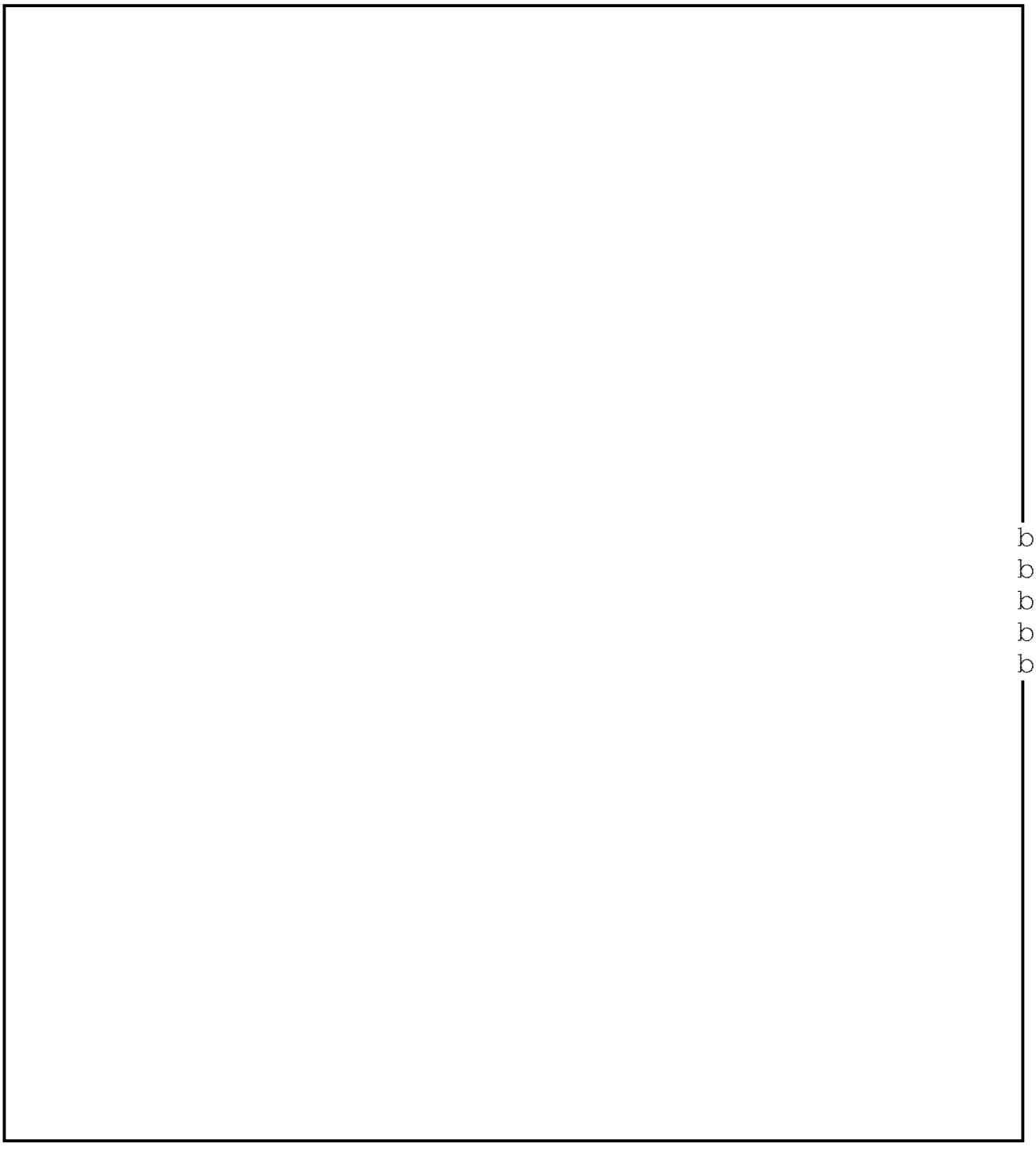
CELL/OTD 001237
CELLSITE-351



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Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135

CELL/OTD 001CEBSITE-352

-----Original Message-----
From:
Sent: Tuesday, October 11, 2005 2:07 PM
To:

Subject: Standard Operating Procedure (SOP) for Case Agents Requesting

UNCLASSIFIED
NON-RECORD

The attached file is the first draft of a proposed SOP to assist case agents who request

Boss (SSA , as we spoke yesterday this is the first draft.

Squad members, please review and provide imput. Thanks.

as this largely pertains to your squad, would you please review and provide any suggestions or input? Thanks.

when you have a moment, would you see if I missed anything? Thanks

when you too have a moment, would you be so kind as to review the attachment for legal considerations? If you could provide more details regarding a useable procedure for that would be great. We really need to determine the quickest procedure for

Thank you all,

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CELL/OTD 001239
CELLSITE-353

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DATE 10-13-2012 BY 65179 DMH/STW

[redacted]

From: [redacted]
Sent: Friday, October 28, 2005 8:36 AM
To: [redacted]
Cc:
Subject: RE: [redacted] Cheat Sheets for the StingRay

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[redacted]

Thanks for the guides. I will have the guys review the cheat sheets and look forward to reviewing the SOP. Please let ERF review the SOP so we can run them by the Criminal Division for approval. Before any policy can be distributed, it needs to be run by the substantive desks at FBIHQ and OGC. This SOP will actually help our (ERF) efforts in establishing an SOP with FBIHQ for [redacted] Keep up the good work.

[redacted]

SSA [redacted]
Unit Chief
[redacted]

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b7E

-----Original Message-----
From: [redacted]
Sent: Wednesday, October 26, 2005 11:34 AM
To: [redacted]
Cc: [redacted]
Subject: [redacted] Cheat Sheets for the StingRay

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Enclosed is a "cheat sheet" for dummies guide on the Stingray [redacted]

[redacted]

SSA [redacted]
[redacted]

CELL/OTD 001240

CELLSITE-354

[redacted]

From: [redacted]
Sent: Monday, November 14, 2005 11:57 AM
To: [redacted]
Cc:
Subject: RE: [redacted]
Attachments: SOP for [redacted] 1142005 @ 1130.wpd

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The attached includes some edits (use document/reviewer to see changes).

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

[redacted]
Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135
[redacted]

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

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-----Original Message-----
From: [redacted]
Sent: Monday, November 07, 2005 8:49 PM
To: [redacted]
Cc:
Subject: FW: [redacted]

UNCLASSIFIED
NON-RECORD

We would like to make this document [redacted]. This is our latest draft after [redacted] provided some input earlier. Please provide legal guidance to ensure we have drafted an appropriate SOP for [redacted]
mpk

SSA [redacted]
[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, October 25, 2005 4:05 PM
To: [redacted]

CELL/OTD 001250
CELLSITE-356

[redacted]

Cc: [redacted]
Subject:

UNCLASSIFIED
NON-RECORD

Please review and provide feedback. We truly need to improve [redacted] I think an SOP would be a big help.

b3
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b7C
b7E

Thank you,

[redacted]

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UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 001251
CELLSITE-357

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DATE 10-13-2012 BY 65179 DMH/STW

[redacted]

From: [redacted]
Sent: Monday, November 14, 2005 1:15 PM
To: [redacted]
Cc:
Subject: RE: [redacted]
Attachments: [redacted]Oct052005.doc

UNCLASSIFIED
NON-RECORD

Attached is a copy of a DRAFT [redacted] Also is a DRAFT [redacted]

-----Original Message-----
From: [redacted]
Sent: Monday, November 14, 2005 11:57 AM
To: [redacted]
Cc:
Subject: RE: [redacted]

UNCLASSIFIED
NON-RECORD

The attached includes some edits (use document/reviewer to see changes). b3 b6 b7C b7E

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

[redacted]
Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135
[redacted]

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From: [redacted]
Sent: Monday, November 07, 2005 8:49 PM
To: [redacted]
Cc:
Subject: FW: [redacted]

UNCLASSIFIED
NON-RECORD

We would like to make this document [redacted] policy ASAP. This is our latest draft after [redacted] provided some input earlier. Please provide legal guidance to ensure we have drafted an appropriate SOP for [redacted]

CELL/OTD 001256

SSA [redacted]

[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, October 25, 2005 4:05 PM
To: [redacted] b3
[redacted] b6
Cc: [redacted] b7C
Subject: b7E

UNCLASSIFIED
NON-RECORD

Please review and provide feedback. We truly need to improve [redacted] I think an SOP would be a big help.

Thank you,

[redacted]

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 001257

CELLSITE-363

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-13-2012 BY 65179 DMH/STW

From:
Sent: Wednesday, October 12, 2005 1:00 PM
To:
Cc:
Subject: RE: Standard Operating Procedure (SOP) for Case Agents Requesting
Attachments: Oct052005.doc

UNCLASSIFIED
NON-RECORD

I'll defer to the policy issues, as I understand WITT is trying to address some similar issues directly with

By way of background, last year

b3
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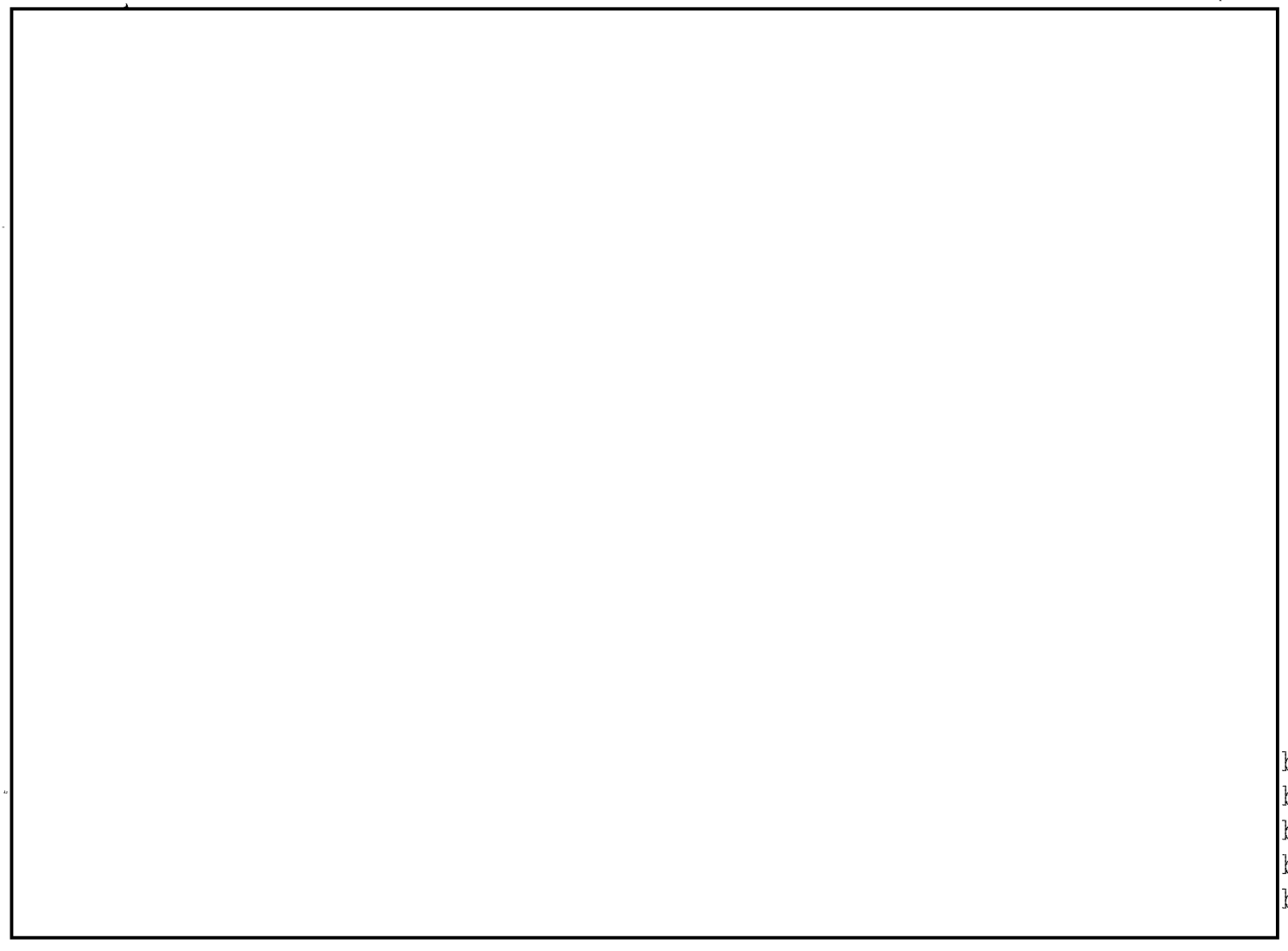
001293

CELLSITE-399



b3
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PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From:
Sent: Tuesday, October 11, 2005 2:07 PM
To:

Subject: Standard Operating Procedure (SOP) for Case Agents Requesting

UNCLASSIFIED
NON-RECORD

CELL/OTD 001294
CELL/OTD
CELL/OTD

CELLSITE-400

The attached file is the first draft of a proposed SOP to assist [redacted] case agents who request [redacted]

Boss (SSA [redacted], as we spoke yesterday this is the first draft.

Squad members, please review and provide imput. Thanks.

[redacted] as this largely pertains to your squad, would you please review and provide any suggestions or input? Thanks.

[redacted] when you have a moment, would you see if I missed anything? Thanks

[redacted] when you too have a moment, would you be so kind as to review the attachment for legal considerations? If you could provide more details regarding a useable procedure for [redacted] that would be great. We really need to determine the quickest procedure for [redacted]

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Thank you all,

[redacted]

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 001295

CELLSITE-401

DATE: 10-16-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 10-16-2037

~~SECRET~~

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(U) Security Addendum to requisition [redacted]

(U) The above-referenced procurement request was reviewed in order to make a determination as to whether it should be relieved of the "full and open competition" requirements of the FAR, for security reasons.

X

(S) [redacted]

X

(S) [redacted]

b1
b3
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(U) Inasmuch as advertisement of this procurement [redacted], it is recommended that no advertisement be made.

May 6, 2004

[redacted]
Security Officer
Investigative Technology Division

Derived ~~From~~: G-3

~~SECRET~~

001359

CELL/OTD

CELLSITE-465

DATE: 10-16-2012
CLASSIFIED BY 65179 DMH/SIW
REASON: 1.4 (C, G)
DECLASSIFY ON: 10-16-2037

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

(S)

(S)

b1
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b7E

(U) Full and open competition of referenced procurement requirement could [redacted] it is recommended that no advertisement be made.

April 29, 2003

[redacted]
Security Officer
Investigative Technology Division

~~Derived From: G-3~~
~~Declassify On: X1~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-16-2012 BY 65179 DMH/SIW

REQ. #

5/10/2004
DATE

ORDERING OFFICE/COST CODE APPROVED BY

JULIAN DATE

Supply Technician:
Program Manger:
Funding Approved:
COTR:
Room# & Ext:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order#

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
1									
2									
3									
4									
			Shipping / Insurance						
			Recommend by: Unit Chief						
			Requested by/Deliver to: Federal Bureau of Investigation						
			ERF Building 27958A, Quantico, VA22135					Total	
			Attn:						

b3
b4
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b7C
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SPECIAL INSTRUCTION:
Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:

See attached EC

CELL/OTD

001362

CELLSITE-467

(Rev. 01-31-2003)

~~SECRET~~

DATE: 10-17-2012
CLASSIFIED BY 65179 DMH/SIW
REASON: 1.4 (C, G)
DECLASSIFY ON: 10-17-2037

FEDERAL BUREAU OF INVESTIGATION

Precedence: IMMEDIATE **Date:** 05/04/2004

To: Finance **Attn:**

Attn:
Attn:

Criminal Investigative **Attn:**

From: Investigative Technology

Contact: EE

Approved By:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

Drafted By:

b1
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b7C
b7E

Case ID #: (U) 268-HQ-1068430

(S) (S) (S) (S)

Title: (U) WIRELESS INTERCEPT AND TRACKING TEAM (WITT)

(S) (S) (S) (S)

Synopsis: (S)

(S)

(U) ~~Derived From : G-3~~
~~Declassify On: X1~~

~~SECRET~~

CELL-OTD

001565

CELLSITE-468

(S)

(S)

Sole Source Justification

(S)

(S)

The following reasons assist in explaining why:

(S)

(S)

(S)

b1
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b7E

(U) Other companies would probably require a substantial monetary investment and possibly years of development time to make systems that could provide the same capabilities and compete on the same level as the requested system.

(U) All of these reasons support the claim that it is in the FBI's best interest to acquire the requested systems. Funding for this procurement is available from Budget Item [redacted] Subobject Classification [redacted]

NON-ADVERTISEMENT STATEMENT

(S)

(S)

~~SECRET~~

DATE: 10-17-2012
CLASSIFIED BY 65179 DMH/SIW
REASON: 1.4 (C, G)
DECLASSIFY ON: 10-17-2037

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

Sole Source Justification for [redacted] 07/07/04

1. Identification of the agency and the contracting activity, and specific identification of the document as a "Justification for other than full and open competition". ? - not sure what you want here??

2. Nature and/ or description of the action being approved.

(S) [redacted]

3. A description of the supplies or services required to meet the agency's needs
MINIMUM SALIENT REQUIREMENTS

(S) [redacted]

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b7E

~~SECRET~~

001369

CELL/OTD

CELLSITE-474

4. Identification of the statutory authority (Contracting Officer will complete this questions) (OMIT)

5. A demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited.

(S) X

6. A description of efforts made to ensure that offers are solicited from as many potential sources as is practicable, including whether a notice was or will be publicized as required by Subpart 5.2 and, if not, which exception under 5.202 applies.

b1
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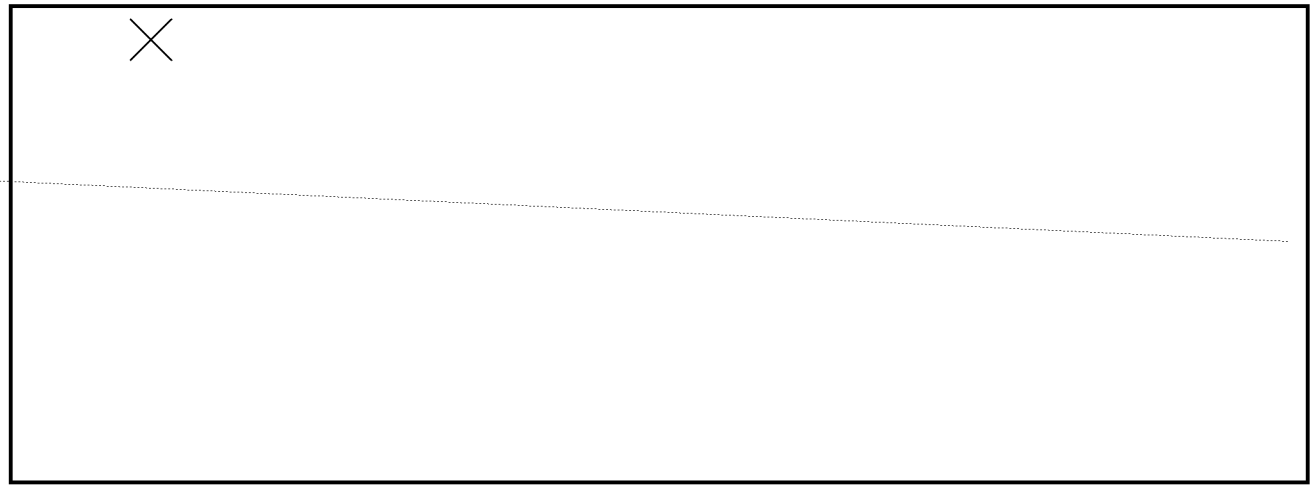
7. A determination by the Contracting Officer that amount is fair and reasonable (OMIT)

8. A description of the market research conducted and the results or a statement of the reason market was not conducted.

(S) X

9. Any other facts supporting the use if other than full and open competition such as: example follow on work ; etc.

(S)



b1
b3

10. A listing of the sources, if any, that expressed, in writing, an interest in the acquisition.
None.

11. A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required.

The FBI could initiate a developmental effort with another vendor to design, develop and manufacture equipment capable of meeting the minimum salient requirements. However, due to the urgent and compelling need and exorbitant costs associated with 'reinventing-the-wheel' it is in the FBI's best interest to use the most expedient, cost-effective solution. This solution would be to procure existing, commercially available equipment.

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179 DMH/STW

ACQUISITION PLAN

[redacted]

FEDERAL BUREAU OF INVESTIGATION

1. Unit/Section/Division: [redacted] /ITD

2. Description of Requirement: [redacted]

[redacted] b3 b7E

[redacted]

3. Estimated Cost: [redacted] 4. Term of Contract: [redacted]

5. Distribution of Dollars: FY- 04 [redacted]
FY- [redacted] FY- [redacted]
FY- [redacted] FY- [redacted]

6. Subobject Class/Budget Item: [redacted]
Product or Service Code: n/a

7. Market Research (state how performed & attach): Market survey conducted via internet research and contact/communication with multiple vendors

Commercial Item: ☒ Yes ☐ No Competitive: ☐ Yes ☒ No
If no to one or more above, explain: Reference Attached EC for Sole Source Justifications

8. Sources Considered:
☐ FBI Personnel ☐ Other Government Personnel ☐ Required Sources (FAR Part 8)
☐ 100% Small Bus. ☐ 8a Set aside ☐ Disadvantaged (FAR Part 8)
☐ Hubzone ☐ Women-owned ☒ Other Federal Contracts
☐ A-76

9. If Information Technology: ☐ IRM Review ☐ AIS Approval

10. Type of Procurement:
☒ Brand Name Only ☐ Commercial Item ☐ Functional Specifications
☐ Brand Name or Equal ☐ Compatibility ☐ Performance-Based Service Contract

11. Contract Type:
☐ BOA ☐ IDIQ Contract ☐ Reimbursable Agreement
☐ Cost-Reimbursement ☐ (IFB) ☐ RFP
☒ Firm-Fixed Price ☐ Incentive ☐ RFQ
☐ Firm-Fixed Price w/Economic Adj. ☐ Letter Contract (DOJ Approval) ☐ Time and Material

12. Lease vs Purchase (if lease, analysis attached): No

13. Environmentally Preferable Item: ☐ Yes ☒ No

14. Inherently Government Function (justified): ☐ Yes ☒ No

15. Lead Time Required: _____ To be filled in by Contracting Officer.

Approval: _____ _____
Technical Staff Member/(date) Budget Staff Member/(date)

_____ _____
Legal Review (If applicable)/(date) Contracting Officer or CCO/(date)

CELL/OTD 001372

CELLSITE-477

May 04, 2004

EE [redacted] finished requisition packet [redacted]
- requisition [redacted]
- classified EC (Secret)
- Acquisition Plan
- non-Advertisement (Security) Addendum
- non-IT Waiver EC (dated 04/2004)

May 12, 2004

[redacted] secretary finalized EC

May 24, 2004

packet (EC & Requisition) received approval from AD

May 26, 2004

EC uploaded

June 02, 2004

packet shipped via courier to [redacted]

June 23, 2004

SSA [redacted] and EE [redacted] visited [redacted] in [redacted] - met with [redacted] and [redacted] (packet could not be located)

June 24, 2004

met with [redacted] and he confirmed packet left building on 06/02/2004

June 25, 2004

notified [redacted] and [redacted] that unless packet is located by COB that I will need to notify ITD's Security Officer

approximately 10 minutes after speaking with [redacted] received first email (from OSSCU Chief [redacted]

Numerous email communications follow.

b3
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b7E

DATE: 10-17-2012
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REASON: 1.4 (C, G)
DECLASSIFY ON: 10-17-2037

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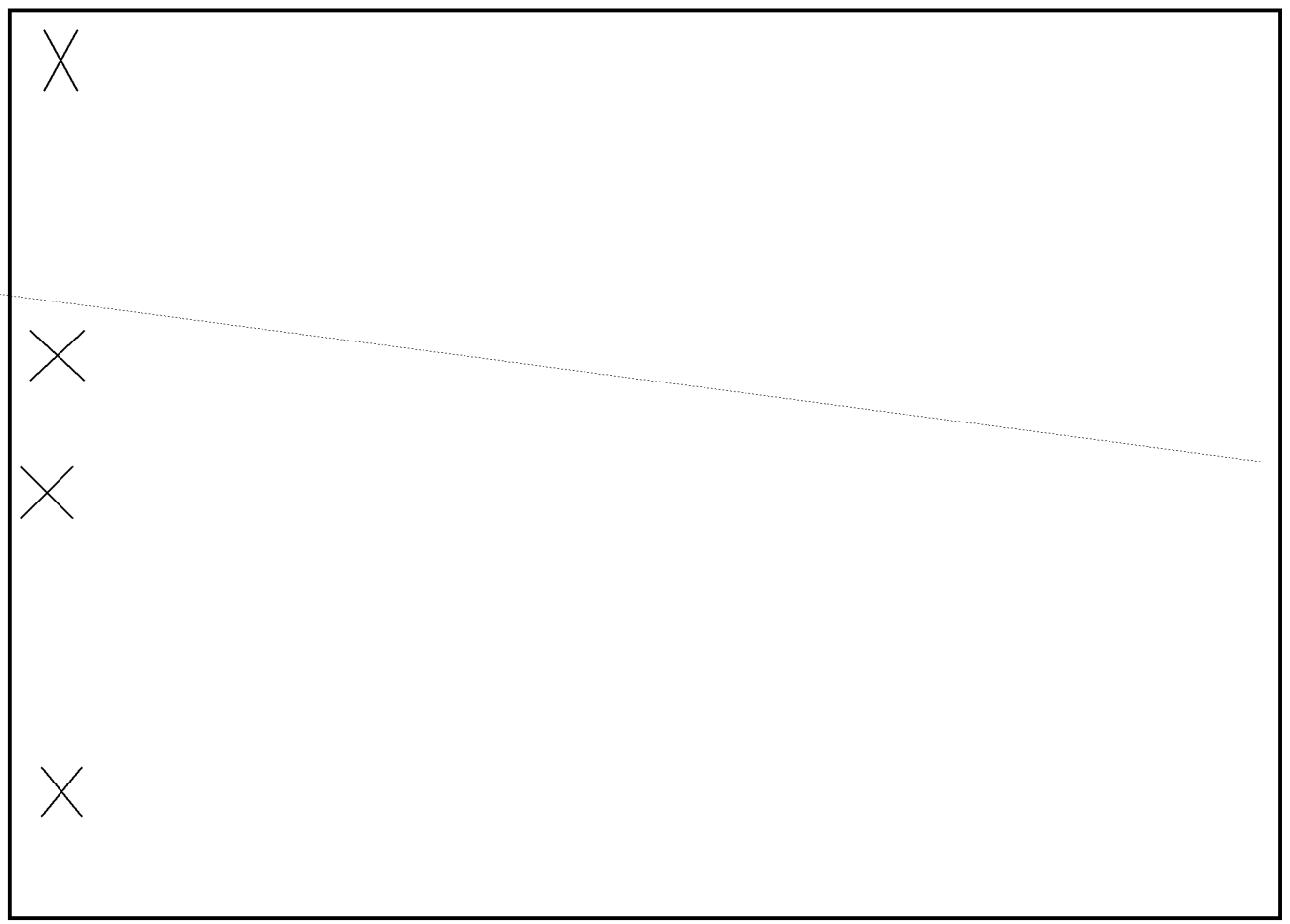
~~SECRET~~

ADDENDUM TO SOLE SOURCE JUSTIFICATION FOR REQUISITION



(S)

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CELL/OTD 001374

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-13-2012 BY 65179 DMH/STW

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 06/19/2003

To: Finance **Attn:**

Criminal Investigative

From: Investigative Technology

Contact: EE

Approved By:

Drafted By:

b3
b6
b7C
b7E

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM (WITT)

Synopsis: To request procurement of Stingray Loggerhead Harris Corporation

Enclosure(s): FD-369, in the amount of Non-IT Waiver and Acquisition Plan.

Details: The WITT has To support their efforts, WITT has successfully leveraged the engineering capabilities of Harris Corporation on numerous occasions

Harris_Procurement_06132003.wpd

CELL/OTD

001375

STINGRAY [redacted]

b3
b7E

[redacted] Harris Stingray [redacted]

[redacted] The Stingray [redacted]

[redacted]

[redacted]

[redacted]

1. The WITT [redacted]

[redacted]

CELL/OTD 001376

CELLSITE-481

[redacted] b3 b7E

2. The Stingray [redacted]

3. [redacted]

4. [redacted]

5. [redacted]

6. [redacted]

7. [redacted]

[redacted]

LOGGERHEAD [redacted]

The FBI-funded, Harris Loggerhead [redacted]

[redacted] WITT has procured more than [redacted] from the Harris Corporation to support the FBI's criminal and counterterrorism missions.

CELL/OTD 001377 CELLSITE-482

b3
b7E

The WITT has identified

LOGGERHEAD

The WITT has an immediate requirement for

Loggerhead some of the FBI's
Loggerhead

the WITT

Harris Corporation, the original vendor of the systems.

CELL/OTD 001378 CELLSITE-483

b3
b7E

[redacted] Harris Corporation is the best solution as it would allow the WITT [redacted] Loggerhead [redacted] by Harris.

[redacted]

CELL/OTD 001379 CELLSITE-484

To: Finance From: Investigative Technology
Re: 268-HQ-1068430, 06/19/2003

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

The Engineering Contracts Unit is requested to procure

Funding is available on FD-369

Set Lead 2: (Action)

AT WASHINGTON, DC

is requested to approve funding for Stingray Loggerhead Harris Corporation Funding is available on FD-369

Set Lead 3: (Info)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

For information only.

b3
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b7E

CC:

♦♦

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-13-2012 BY 65179 DMH/STW

TO: [redacted]
Information Resources Manager (IRM)

Date: 06/19/2003

SUBJECT: INFORMATION TECHNOLOGY (IT) MATTER
NON-IT WAIVER REQUEST

The attached requisition, number [redacted] is from the Investigative Technology Division, [redacted] Supervisory Special Agent (SSA) [redacted] is in charge of the Wireless Intercept and Tracking Team [redacted] Electronics Engineer [redacted]

The purpose of the requested equipment is to fill requirements to [redacted]

The requested equipment is not an FBI [redacted]

[redacted] Therefore, a non-IT waiver is being requested to expedite this purchase.

b3
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[redacted]

CELL/OTD

001381

CELLSITE-486

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179 DMH/SIW

ACQUISITION PLAN

[redacted]

FEDERAL BUREAU OF INVESTIGATION

1. Unit/Section/Division: [redacted]/ITD

2. Description of Requirement: To request procurement of [redacted]

[redacted] b3 b7E

3. Estimated Cost: _____ 4. Term of Contract: _____

5. Distribution of Dollars: FY- 03 [redacted]
FY- _____ FY- _____
FY- _____ FY- _____

6. Subobject Class/Budget Item: [redacted]
Product or Service Code: n/a

7. Market Research (state how performed & attach): Market survey conducted via internet research and contact/communication with multiple vendors

Commercial Item: ☒ Yes ☐ No Competitive: ☐ Yes ☒ No
If no to one or more above, explain: Reference Attached EC for Sole Source Justification

8. Sources Considered:
☐ FBI Personnel ☐ Other Government Personnel ☐ Required Sources (FAR Part 8)
☐ 100% Small Bus. ☐ 8a Set aside ☐ Disadvantaged (FAR Part 8)
☐ Hubzone ☐ Women-owned ☒ Other Federal Contracts
☐ A-76

9. If Information Technology: ☐ IRM Review ☐ AIS Approval

10. Type of Procurement:
☒ Brand Name Only ☐ Commercial Item ☐ Functional Specifications
☐ Brand Name or Equal ☐ Compatibility ☐ Performance-Based Service Contract

11. Contract Type:
☐ BOA ☐ IDIQ Contract ☐ Reimbursable Agreement
☐ Cost-Reimbursement ☐ (IFB) ☐ RFP
☒ Firm-Fixed Price ☐ Incentive ☐ RFQ
☐ Firm-Fixed Price w/Economic Adj. ☐ Letter Contract (DOJ Approval) ☐ Time and Material

12. Lease vs Purchase (if lease, analysis attached): No

13. Environmentally Preferable Item: ☐ Yes ☒ No

14. Inherently Government Function (justified): ☐ Yes ☒ No

15. Lead Time Required: _____ To be filled in by Contracting Officer.

Approval: _____
Technical Staff Member/(date)

_____
Budget Staff Member/(date)

_____
Legal Review (If applicable)/(date)

_____
Contracting Officer or CCO/(date)

CELL/OTD

001382 CELLSITE-487

DATE: 10-17-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 10-17-2037

ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

(U) Security Addendum to EC dated 04/24/2003, captioned, "Wireless Intercept and Tracking Team (WITT)", and requisition [redacted] dated 04/22/03.

X

(S)

X

(S)

b1
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b7E

(U) Full and open competition of referenced procurement requirement could [redacted] it is recommended that no advertisement be made.

April 24, 2003

[redacted]
Security Officer
Investigative Technology Division

~~Derived From: G-3~~
~~Declassify On: X1~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179 DMH/STW

Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 06/19/2003

To: Finance **Attn:**

Criminal Investigative

From: Investigative Technology

Contact:

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM (WITT)

Synopsis: To request procurement of

b3
b6
b7C
b7E

Enclosures: FD-369, in the amount of Non-IT Waiver, and Acquisition Plan.

Details: One of the WITT's responsibilities

CELL/OTD

001385

b3
b7E

with the Harris Corporation

The WITT has been

To: Finance From: Investigative Technology
Re: 268-HQ-1068430, 06/13/2003

[redacted] b3 b7E

[redacted] Therefore, WITT recommends procurement action [redacted]

CELL/OTD

001387

CELLSITE-491

To: Finance From: Investigative Technology
Re: 268-HQ-1068430, 06/13/2003

LEAD:

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

The Engineering Contracts Unit is requested to issue a procurement for [redacted] from Harris Corporation to [redacted] Funding for this procurement is available from Budget Items [redacted] and [redacted] Subobject Classification [redacted]

Set Lead 2: (Action)

[redacted]

AT WASHINGTON, DC

[redacted] is requested to approve funding for the procurement for [redacted] from Harris Corporation [redacted] Funding for this procurement is available from Budget Items [redacted] Subobject Classification [redacted] in the amount of [redacted]

b3
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b7C
b7E

Set Lead 3: (Info)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

For information only.

CC: [redacted]

♦♦

CELL/OTD

001388
CELLSITE-492

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-13-2012 BY 65179 DMH/STW

TO: [redacted]
Information Resources Manager (IRM)

Date: 06/19/2003

SUBJECT: INFORMATION TECHNOLOGY (IT) MATTER
NON-IT WAIVER REQUEST

The attached requisition, number [redacted] is from Investigative Technology Division, [redacted] Supervisory Special Agent [redacted] is in charge of the Wireless Intercept and Tracking Team [redacted] Electronics Engineer [redacted] is the individual requesting purchase of this equipment.

The purpose of the requested equipment [redacted]

The requested equipment is not an FBI [redacted]

[redacted] Therefore, a non-IT waiver is being requested to expedite this purchase.

b3
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b7E

[redacted]

CELL/OTD

001389

CELLSITE-493

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-13-2012 BY 65179 DMH/STW

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 07/21/2004

To: Finance **Attn:**

From: Investigative Technology
Contact: EE

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM (WITT)

Synopsis: To request the Engineering Contracts Unit (ECU) to approve funding for

b3
b6
b7C
b7E

Enclosure(s): Statement of Work, FD-369 in the amount of copy of Non-IT Waiver EC, Acquisition Plan.

Details: The WITT has driven

The WITT would like to utilize their existing ESC with the Harris corporation

Harris_TaskQ003.wpd

CELL/OTD

001397

CELLSITE-501

To: Finance From: Investigative Technology
Re: 268-HQ-1068430, 07/21/2004

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

The Engineering Contracts Unit is requested to approve funding in the amount of [redacted] for the purchase of [redacted] Harris Corporation [redacted] Funding for this procurement is available from Budget Item [redacted] Subobject Classification [redacted]

CC: [redacted]

♦♦

b3
b6
b7C
b7E

CELL/OTD 001398 CELLSITE-502

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179 DMH/STW

ACQUISITION PLAN

[redacted]

FEDERAL BUREAU OF INVESTIGATION

1. Unit/Section/Division: [redacted] /ITD

2. Description of Requirement: To request [redacted]

[redacted] b3 b7E

3. Estimated Cost: [redacted] 4. Term of Contract: 1 Base(FY03) W/4 Options

5. Distribution of Dollars: FY- 04 [redacted]
FY- _____ FY- _____
FY- _____ FY- _____

6. Subobject Class/Budget Item: [redacted]
Product or Service Code: n/a

7. Market Research (state how performed & attach): N/A

Commercial Item: ☒ Yes ☐ No Competitive: ☐ Yes ☒ No
If no to one or more above, explain: Reference Attached EC

8. Sources Considered:
☐ FBI Personnel ☐ Other Government Personnel ☐ Required Sources (FAR Part 8)
☐ 100% Small Bus. ☐ 8a Set aside ☐ Disadvantaged (FAR Part 8)
☐ Hubzone ☐ Women-owned ☒ Other Federal Contracts
☐ A-76

9. If Information Technology: ☐ IRM Review ☐ AIS Approval

10. Type of Procurement:
☐ Brand Name Only ☐ Commercial Item ☒ Functional Specifications
☐ Brand Name or Equal ☐ Compatibility ☐ Performance-Based Service Contract

11. Contract Type:
☐ BOA ☐ IDIQ Contract ☐ Reimbursable Agreement
☒ Cost-Reimbursement ☐ (IFB) ☐ RFP
☐ Firm-Fixed Price ☐ Incentive ☐ RFQ
☐ Firm-Fixed Price w/Economic Adj. ☐ Letter Contract (DOJ Approval) ☐ Time and Material

12. Lease vs Purchase (if lease, analysis attached): No

13. Environmentally Preferable Item: ☐ Yes ☒ No

14. Inherently Government Function (justified): ☐ Yes ☒ No

15. Lead Time Required: _____ To be filled in by Contracting Officer.

Approval: _____ _____
Technical Staff Member/(date) Budget Staff Member/(date)

_____ _____
Legal Review (If applicable)/(date) Contracting Officer or CCO/(date)

CELL/OTD

001399

CELLSITE-503

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179 DMH/SIW

REQ. #

7/21/2004
DATE

ORDERING OFFICE/COST CODE APPROVED BY

JULIAN DATE

Supply Technician:
Program Manger:
Funding Approved:
COTR:
Room# & Ext:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order#

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
			HARRIS Corporation						
			Recommend by: Unit Chief						
			Requested by/Deliver to: Federal Bureau of Investigation						
			ERF Building 27958A, Quantico, VA22135					Total	
			Attn:						

b3
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b7C
b7E

SPECIAL INSTRUCTION:
Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:

See attached EC

CELL/OTD

001409

CELLSITE-513

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-13-2012 BY 65179 DMH/STW

STATEMENT OF WORK

Task [redacted]

Description

In Task [redacted] the contractor shall research and evaluate methods that shall [redacted]

[redacted]

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b7E

[redacted]

001411 CELLSITE-515

CELL/OTD

Impact on Commercially Available Services

[redacted]

Impact on Current Capabilities

[redacted]

b3
b7E

[redacted] Demonstration and Product Release

- The contractor shall provide [redacted] which shall reflect the results of these methodologies, which shall be incorporated into a final release to the customer.

- The contractor shall not provide these features to any other customer unless there exists written approval from both the Contracting Officer (CO) and the Contracting Officer Technical Representative (COTR), or their designees.

Deliverables and Reports

The contractor shall provide the following deliverables and reports:

- DRAFT RESEARCH REPORT: The Contractor shall deliver to the customer a draft research report describing its research and evaluation performed in accordance with sub section titled, Description. If the research indicates that methods described above are not reflective of a realizable solution, the report shall contain the contractor's recommendations and/or proposed modifications for improvement. The report shall cite reference or describe all data, data sources, methodologies, findings, and determinations used or discovered during the research and evaluation.
- FINAL RESEARCH REPORT: The Contractor shall deliver a final research report that embodies the draft research report and also addresses or incorporates, as appropriate, all comments or questions from the customer that were submitted to the Contractor in response to the draft research report.

001412

CELL/OTD

CELLSITE-516

- [redacted] The Contractor shall deliver a [redacted] which shall encompass the methods and solutions detailed in the Final Research Report.

The draft and final research reports shall be submitted in both hard copy and electronic copy, with electronic versions in MS Word format (or MS Excel if applicable). The [redacted] shall be delivered [redacted] b3 b7E

Reporting Requirements
At minimum, the contractor shall provide a status briefing and report to the Contracting Officer (CO) and Contracting Officer Technical Representative (COTR) every 2 months from the start date of the activity. This briefing should contain at a minimum the following:

Reporting Period Information
1. A narrative review of work accomplished during the reporting period and significant events/major milestones.
2. Problem areas
3. Anticipated activity for the next reporting period
4. Other relative information as necessary or requested

In addition the contractor shall provide the following:
- The contractor shall inform the CO in writing of the actual task starting date on or before the starting date.
- The contractor shall bring technical issues or potential problems affecting performance to the attention of the COTR as soon as possible. Verbal reports must be followed up with written reports when directed by the COTR.
- The contractor shall notify the CO when 75 % of the amount of the task has been expended.
- Additional written reports may be required as deemed necessary by the CO or COTR.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179 DMH/STW

??????
REQ. #

5/28/2004
DATE

ORDERING OFFICE/COST CODE APPROVED BY

JULIAN DATE

Supply Technician:
Program Manger:
Funding Approved:
COTR:
Room# & Ext:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order#

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
			HARRIS Corporation						
			Recommend by: Unit Chief						
			Requested by/Deliver to: Federal Bureau of Investigation						
			ERF Building 27958A, Quantico, VA22135						
			Attn:					Total	

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SPECIAL INSTRUCTION:
Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:
See attached EC

CELL/OTD

001414

CELLSITE-518

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-13-2012 BY 65179 DMH/STW

FBI

Portable Electronic Device Security Management Plan (SMP) for Legacy [redacted]

From

Investigative Technology Division

[redacted]

Wireless Intercept and Tracking Team (WITT)

11/12/2004

b3
b6
b7C
b7E

Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Room 9364
Washington, DC 20530

Prepared By:
[redacted] *WITT Program Manager*
[redacted] *WITT Chief Technician*
[redacted]
Engineering Research Facility, Building [redacted]
Quantico, Virginia 22135
[redacted]

CELL/OTD 001415 CELLSITE-519

1 INTRODUCTION

This document serves as the instrument for the Mobile Computing Security Program to identify requirements and assess risk, with the objective of providing an approval-to-operate (ATO). The information required for this assessment includes, but is not limited to, a complete scope of need, justification, concept of operations, technical specifications, configuration management and residual risk relative to the device being placed into service. Once completed, and if residual risk is deemed acceptable, an official EC will be generated granting an ATO for those device(s) described within, in the manner set forth in the concept of operations. Attachments 1 and 2 are "living" documents. That is they are updated each time there is a change in the configuration, or when new devices are fielded under this SMP. Attachment 1 is the Configuration Management control document that lists the specific applications in use under this SMP. Attachment 2 is a complete listing of all devices fielded under this SMP.

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2 MISSION BACKGROUND

The WITT provides

The first area of focus for WITT WITT

WITT

The second area of focus for WITT WITT

CELLSITE-520

CELL/OTD 001416

Again, WITT

3 JUSTIFICATION FOR REQUEST

An important component of WITT's

WITT to manage

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WITT

This may be the WITT team members

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WITT's

WITT's

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4 CONCEPT OF OPERATIONS

The WITT provides

WITT

WITT as necessary.

If necessary, a WITT

CELLSITE-521

CELL/OTD 001417

5 TECHNICAL DATA

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5.1

The WITT updates

The WITT can provide this information at any time between updates.

5.2 Field Control/Storage

CELLSITE-522

CELL/OTD 001418

5.3

5.4 ***Technical Specifications***

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7 POINTS OF CONTACT

The ISSM has approval authority for the [redacted] and is responsible for the life cycle system security. Significant changes in configuration or usage will be submitted to the ISSM by the ISSO for approval.

The ISSO is responsible for day-to-day oversight of the [redacted] He is responsible for engineering, development, configuration management and ensuring that the program security requirements are met. The ISSO also maintains an up-to-date inventory of all [redacted] contained within this OP plan and to report any:

- Loss
- Changes in configuration or usage
- Incremental/decremental changes to the baseline to the ISSO and ISSM.

Note: In the event that an ISSM is not assigned, ISSM duties are the responsibility of the assigned security officer.

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8 CONFIGURATION MANAGEMENT

Configuration management is a process that controls and manages changes (i.e., new applications, peripherals, changes in configuration, etc.) to a device or system. By controlling changes made to a system's hardware, software, firmware, and/or documentation, throughout the system/device life cycle, configuration management is a mandatory, integral part of this overall risk management solution. The ISSM and ISSO are responsible for managing this process.

8.1 Incremental Changes

Incremental changes to the baseline may be vetted and approved by the ISSM. Minor changes such as the revision number of an application do not require ISSM approval but are to be tracked by the ISSO in the configuration information periodically provided to the ISSM in the configuration management document illustrated in Attachment 1.

8.2 Security Architecture and Usage Changes

Any changes affecting the security architecture including the manner in which the [redacted] are used or the type of data stored on them may require a renegotiated ATO.

9 RULES OF BEHAVIOR

The PEDs known as [redacted] covered under this SMP are granted deviations from the standard security settings based on operational need. These deviations have corresponding expected rules of behavior with respect to how they are used, stored, and maintained. These include:

9.1 [redacted] Protection

[redacted]

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9.2 Data Protection

[redacted]

CELL-OTD

001625

9.3

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9.5

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-13-2012 BY 65179 DMH/STW

FBI
Portable Electronic Device Security and Management Plan (SMP)

From

Investigative Technology Division

[redacted]

Wireless Intercept and Tracking Team (WITT)

[redacted]

09/14/2004

Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Room 9364
Washington, DC 20530

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b7E

Prepared By:
[redacted] *WITT Program Manager*
[redacted]
Engineering Research Facility, Building [redacted]
Quantico, Virginia 22135
[redacted]

001432

CELL/OTD

1 INTRODUCTION

This document serves as the instrument for the Mobile Computing Security Program to identify requirements and assess risk, with the objective of providing an approval-to-operate. The information required for this assessment includes, but is not limited to, a complete scope of need, justification, concept of operations, technical specifications, configuration management and residual risk relative to the device being placed into service. Once completed, and if residual risk is deemed acceptable, an official EC will be generated granting an approval to operate (ATO) for those device(s) described within, in the manner set forth in the concept of operations. Attachments 1 and 2 are "living" documents. That is they are updated each time there is a change in the configuration, or when new devices are fielded under this ATO. Attachment 1 is the Configuration Management control document that lists the specific applications in use under this ATO. Attachment 2 is a complete listing of all devices fielded under this ATO.

2 MISSION BACKGROUND

The WITT provides

The first area of focus for WITT WITT

WITT provides

The second area of focus for WITT WITT

Again, WITT

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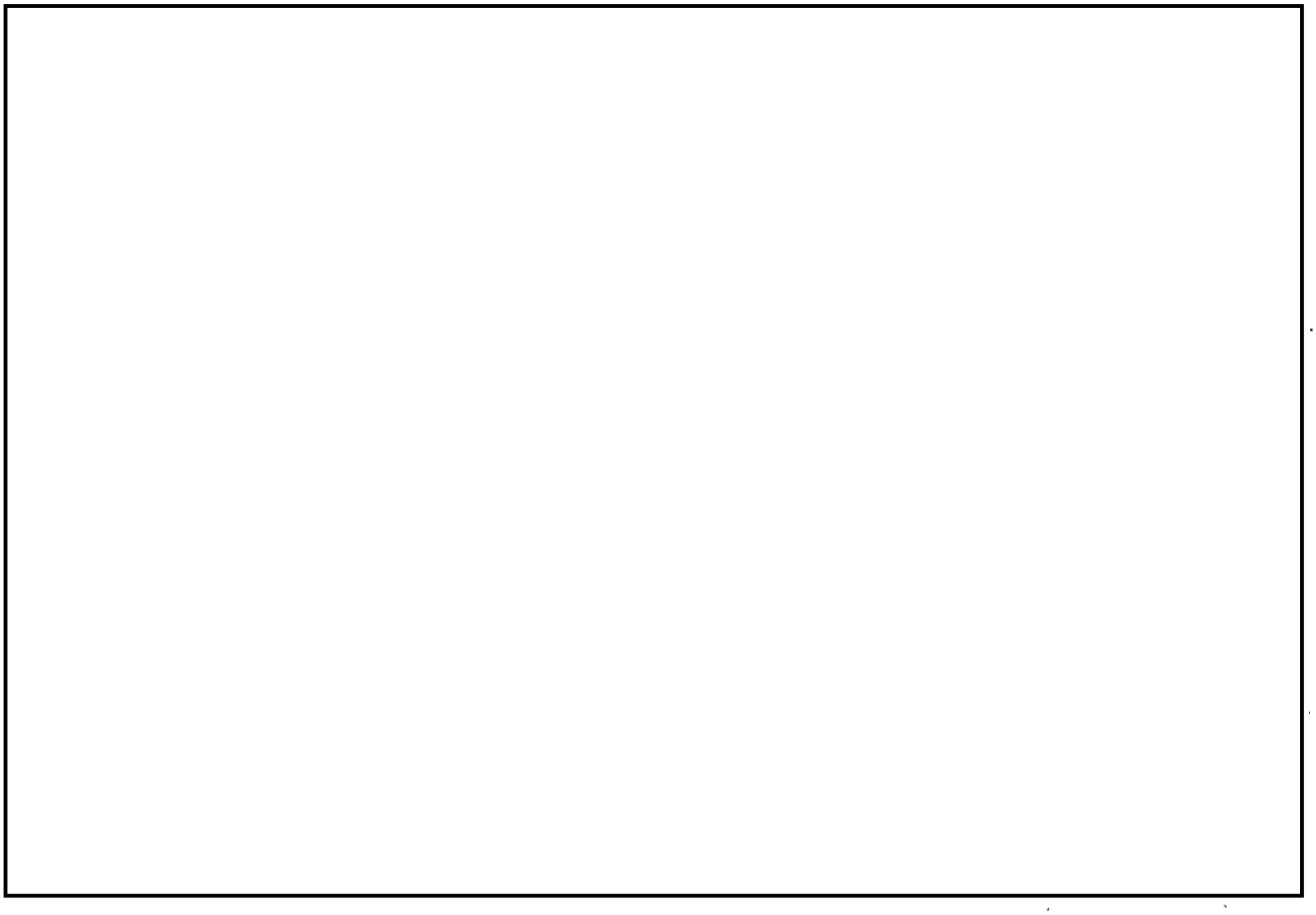
3 JUSTIFICATION FOR REQUEST

CELL/OTD

001433

CELLSITE-537

4 CONCEPT OF OPERATIONS



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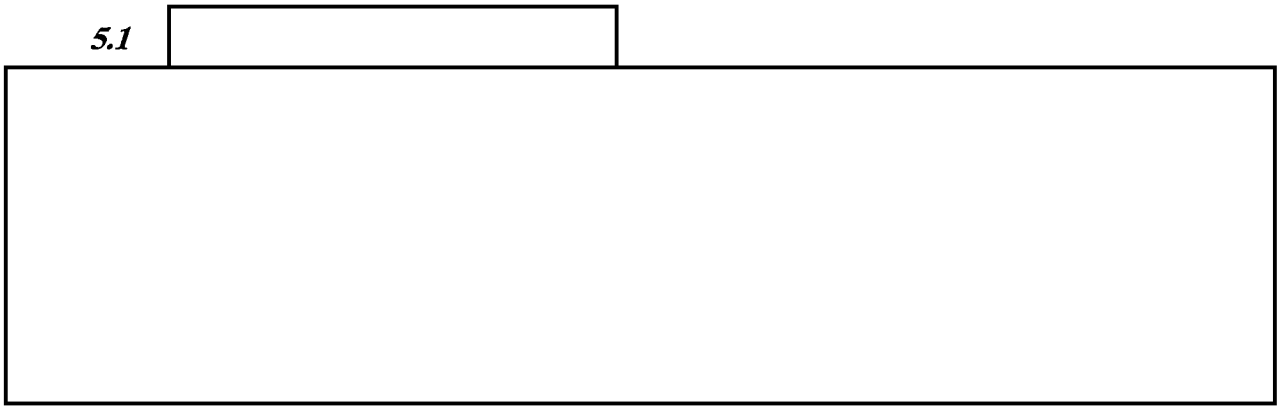
CELL/OTD 001434

5 TECHNICAL DATA

5.1



5.2 Field Control/Storage

b3
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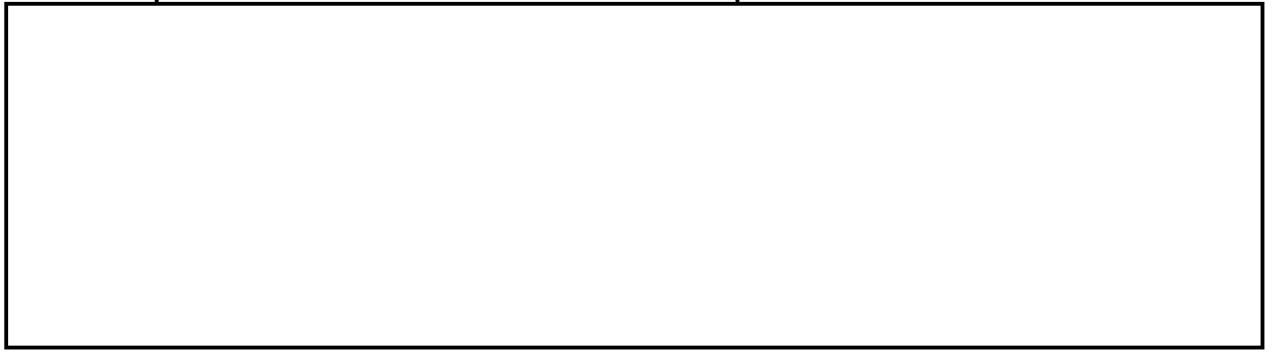
5.3



CELL/OTD

001455

10 RULES OF BEHAVIOR

The PEDs known as [redacted] covered under this ATO are granted deviations from the standard security settings based on operational need. These deviations have corresponding expected rules of behavior with respect to how they are used, stored, and maintained. These include:

10.1 [redacted] ***Protection***

[redacted]

10.2 ***Data Protection***

[redacted]

10.3 [redacted]

[redacted]

b3
b7E

10.4 [redacted]

[redacted]

10.5 [redacted]

[redacted]

10.6 ***PRE/POST Testing and Deployment Procedure***

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-13-2012 BY 65179 DMH/SIW

FBI
Portable Electronic Device Security and Management Plan (SMP)

From
Investigative Technology Division

[redacted]

Wireless Intercept and Tracking Team (WITT)

[redacted]

09/14/2004

b3
b6
b7C
b7E

Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Room 9364
Washington, DC 20530

Prepared By:
[redacted] *WITT Program Manager*
[redacted]

Engineering Research Facility, Building [redacted]
Quantico, Virginia 22135
[redacted]

b3
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b7E

CELL/OTD 001446

CELLSITE-550

10 RULES OF BEHAVIOR

The PEDs known as [redacted] covered under this ATO are granted deviations from the standard security settings based on operational need. These deviations have corresponding expected rules of behavior with respect to how they are used, stored, and maintained. These include:

10.1 [redacted] ***Protection***

[redacted]

10.2 ***Data Protection***

[redacted]

b3
b7E

10.3 [redacted]

[redacted]

10.4 [redacted]

[redacted]

10.5 [redacted]

[redacted]

CELL/OTD

001455

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-13-2012 BY 65179 DMH/STW

Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 05/13/2004

To: Finance **Attn:**

From: Investigative Technology

Contact:

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM (WITT)

Synopsis: To request procurement of

b3
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Enclosures: FD-369, #xxxxxx in the amount of copy of Non-IT Waiver EC, and Acquisition Plan.

Details: One of the WITT's responsibilities

CELL/OTD

001467

CELLSITE-556

To: Finance From: Investigative Technology
Re: 268-HQ-1068430, 06/13/2003

[redacted]

The WITT [redacted]

[redacted] Harris Corporation, [redacted] Therefore, WITT recommends [redacted]

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LEAD:

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

The Engineering Contracts Unit is requested to issue a procurement [redacted] Funding for this procurement is available from Budget Items [redacted] Subobject Classification [redacted]

CC: [redacted]

♦♦

CELL/OTD 001469 CELLSITE-558

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-13-2012 BY 65179 DMH/STW

ACQUISITION PLAN

[redacted]

FEDERAL BUREAU OF INVESTIGATION

1. Unit/Section/Division: [redacted]/ITD

2. Description of Requirement: To request procurement [redacted]

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b7E

3. Estimated Cost: [redacted]

4. Term of Contract: _____

5. Distribution of Dollars: FY- 04 [redacted]
FY- _____ FY- _____
FY- _____ FY- _____

6. Subobject Class/Budget Item: [redacted]
Product or Service Code: n/a

7. Market Research (state how performed & attach): Market survey conducted via internet research and contact/communication with multiple vendors

Commercial Item: ☒ Yes ☐ No Competitive: ☐ Yes ☒ No
If no to one or more above, explain: Reference Attached EC for Sole Source Justifications

8. Sources Considered:
☐ FBI Personnel ☐ Other Government Personnel ☐ Required Sources (FAR Part 8)
☐ 100% Small Bus. ☐ 8a Set aside ☐ Disadvantaged (FAR Part 8)
☐ Hubzone ☐ Women-owned ☒ Other Federal Contracts
☐ A-76

9. If Information Technology: ☐ IRM Review ☐ AIS Approval

10. Type of Procurement:
☒ Brand Name Only ☐ Commercial Item ☐ Functional Specifications
☐ Brand Name or Equal ☐ Compatibility ☐ Performance-Based Service Contract

11. Contract Type:
☐ BOA ☐ IDIQ Contract ☐ Reimbursable Agreement
☐ Cost-Reimbursement ☐ (IFB) ☐ RFP
☒ Firm-Fixed Price ☐ Incentive ☐ RFQ
☐ Firm-Fixed Price w/Economic Adj. ☐ Letter Contract (DOJ Approval) ☐ Time and Material

12. Lease vs Purchase (if lease, analysis attached): No

13. Environmentally Preferable Item: ☐ Yes ☒ No

14. Inherently Government Function (justified): ☐ Yes ☒ No

15. Lead Time Required: _____ To be filled in by Contracting Officer.

Approval: _____
Technical Staff Member/(date)

_____
Budget Staff Member/(date)

_____
Legal Review (If applicable)/(date)

_____
Contracting Officer or CCO/(date)

CELL/OTD

001470

CELLSITE-559

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-13-2012 BY 65179 DMH/STW

REQ. #

5/13/2004
DATE

ORDERING OFFICE/COST CODE APPROVED BY

Page 1 OF 1

JULIAN DATE

Supply Technician:
Program Manger:
Funding Approved:
COTR:
Room# & Ext:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order#

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
			Recommend by: Unit Chief						
			Requested by/Deliver to: Federal Bureau of Investigation						
			ERF Building 27958A, Quantico, VA22135						
			Attn:					Total	

b3
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SPECIAL INSTRUCTION:
Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:
See attached EC

CELL/OTD 001471

CELLSITE-560

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179 DMH/SIW

REQ. #

9/14/2004
DATE

ORDERING OFFICE/COST CODE APPROVED BY

Page 1 OF 1

JULIAN DATE

Supply Technician:
Program Manger:
Funding Approved:
COTR:
Room# & Ext:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order#

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
			Recommend by: Unit Chief						
			Requested by/Deliver to: Federal Bureau of Investigation						
			ERF Building 27958A, Quantico, VA22135					Total	
			Attn:						

b3
b4
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b7C
b7E

SPECIAL INSTRUCTION:
Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE IT...
See attached EC

CELL/OTD 001475

CELLSITE-564

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-13-2012 BY 65179 DMH/STW

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 06/03/2004

To: Finance **Attn:**

Criminal Investigative

From: Investigative Technology

Contact:

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM (WITT)

Synopsis: To request the Engineering Contracts Unit (ECU) to establish an

b3
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Enclosures: FD-369, in the amount of , Statement of Work and Acquisition Plan.

Details: The WITT plays a critical role

essential that the WITT To facilitate this, the WITT requests

001476

CELL/OTD

CELLSITE-565

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

The ECU is requested to establish an [redacted] Funding in the amount of [redacted] for the first year is available from Subobject Classification [redacted] Budget Item [redacted]

Set Lead 2: (Info)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

For information only.

b3
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CC: [redacted]

♦♦

001478

CELL/OTD

CELLSITE-567

DATE: 10-13-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 10-13-2037

U.S. Department of Justice

Federal Bureau of Investigation

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION IN ACCORDANCE WITH 41 U.S.C. 253(c)(6)

All information contained herein is classified "~~SECRET~~" unless so otherwise noted (U).

(1) AGENCY AND CONTRACTING ACTIVITY AND IDENTIFICATION OF DOCUMENT.

(S)

(2) NATURE AND/OR DESCRIPTION OF THE ACTION BEING APPROVED.

(S)

(S)

b1
b3

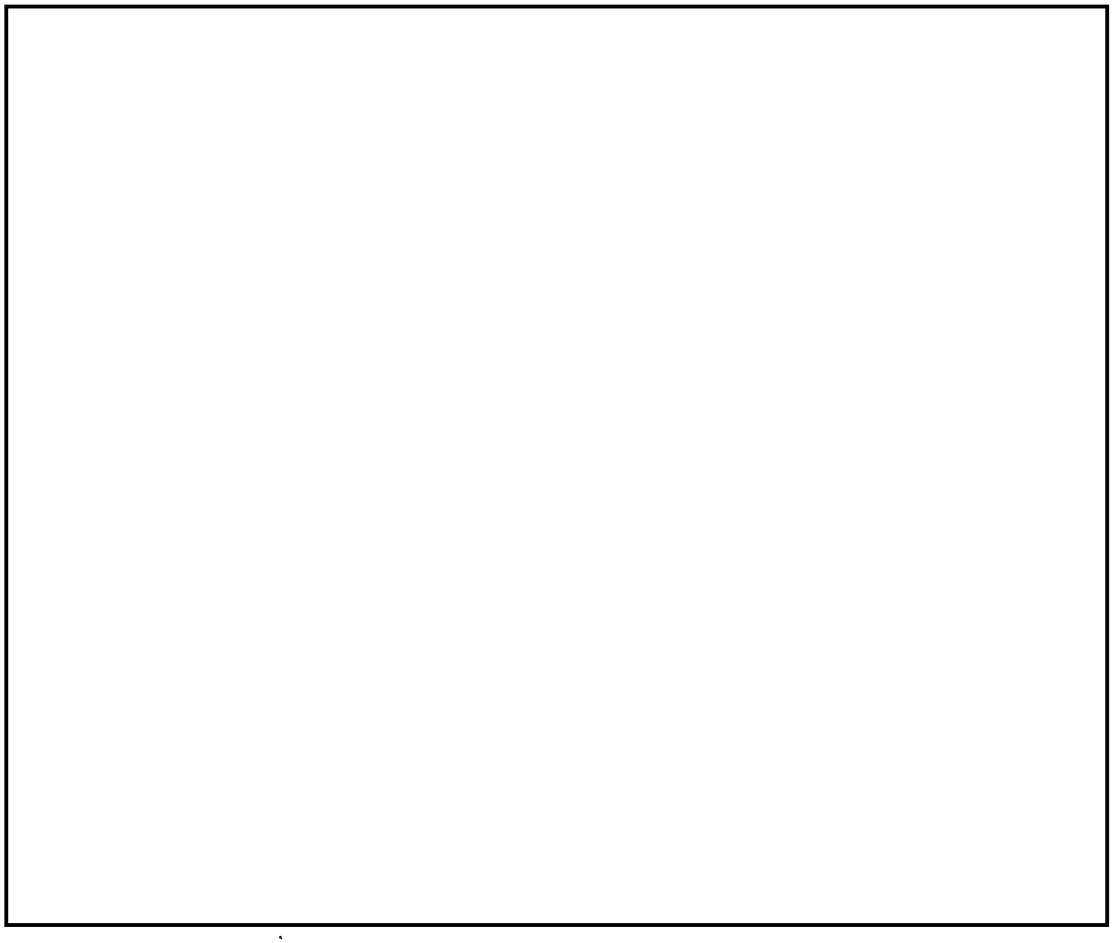
(3) DESCRIPTION OF THE SUPPLIES OR SERVICES.

(S)

CELL/OTD

~~Derived From: G3~~
~~Declassify On: X-1~~

001487

(S) 

b1
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(4) STATUTORY AUTHORITY.

(U) This contract action is authorized by 41 U.S.C. 253(c)(6), as implemented in FAR 6.302-6, National Security.

(5) A DEMONSTRATION THAT THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED.

(U) As described in FAR 6.302-6(a)(2), use of other than full and open competition is deemed applicable to satisfy the FBI's minimum needs when the disclosure of agency needs would compromise national security.

(S)

[redacted]

(6) EFFORTS MADE TO ENSURE OFFERS ARE SOLICITED FROM AS MANY POTENTIAL SOURCES AS PRACTICABLE.

(S) [redacted]

(S)

(S)

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0014-89

(7) DEMONSTRATION THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE.

(U) The contractor's proposal will be subjected to cost/price analysis, audit, and technical evaluation. The Contracting Officer will make a determination, in accordance with FAR 15.404-1, that costs are fair and reasonable.

(8) A DESCRIPTION OF THE MARKET RESEARCH.

(S) [redacted]

CELL/OTD

(U) A market survey will be conducted to determine that the anticipated cost to the government will be fair and reasonable.

(9) ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION.

(S)

(10) LISTING OF SOURCES, IF ANY, THAT EXPRESSED A WRITTEN INTEREST IN THE ACQUISITION.

(U) Since the requirement is classified, and therefore not publicized, no other source was given the opportunity to express an interest in writing or orally. b1 b3

(11) A STATEMENT OF ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION.

(S)

001490

CELL/OTD

(12) CERTIFICATIONS.

TECHNICAL SPECIALIST CERTIFICATION:

(U) As Technical Representative of this requirement, I hereby certify that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] _____ _____
Contracting Officer's Technical Representative (COTR) Date

CONTRACTING OFFICER CERTIFICATION:

(U) As the Contract Specialist handling this acquisition, I hereby certify that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] _____ _____
Contracting Officer Date

(U) Reviewed by:

b6
b7C

[redacted] _____ _____
Unit Chief Date
Telecommunications Contracts and Audit Unit

Reviewed by:

001491

[redacted] _____ _____
Chief Contracting Officer Date

Reviewed by:

[redacted] _____ _____
Office of General Counsel Date

Approved by:

_____ _____
Joseph L. Ford Date
Deputy Assistant Director

CELL/OTD

~~Derived From: G3~~
~~Declassify On: X-1~~

DATE: 10-13-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 10-13-2037

U.S. Department of Justice

Federal Bureau of Investigation

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION IN ACCORDANCE WITH 41 U.S.C. 253(c)(6)

All information contained herein is classified "~~SECRET~~" unless so otherwise noted (U).

(1) AGENCY AND CONTRACTING ACTIVITY AND IDENTIFICATION OF DOCUMENT.

(S)

(2) NATURE AND/OR DESCRIPTION OF THE ACTION BEING APPROVED.

(S)

(S)

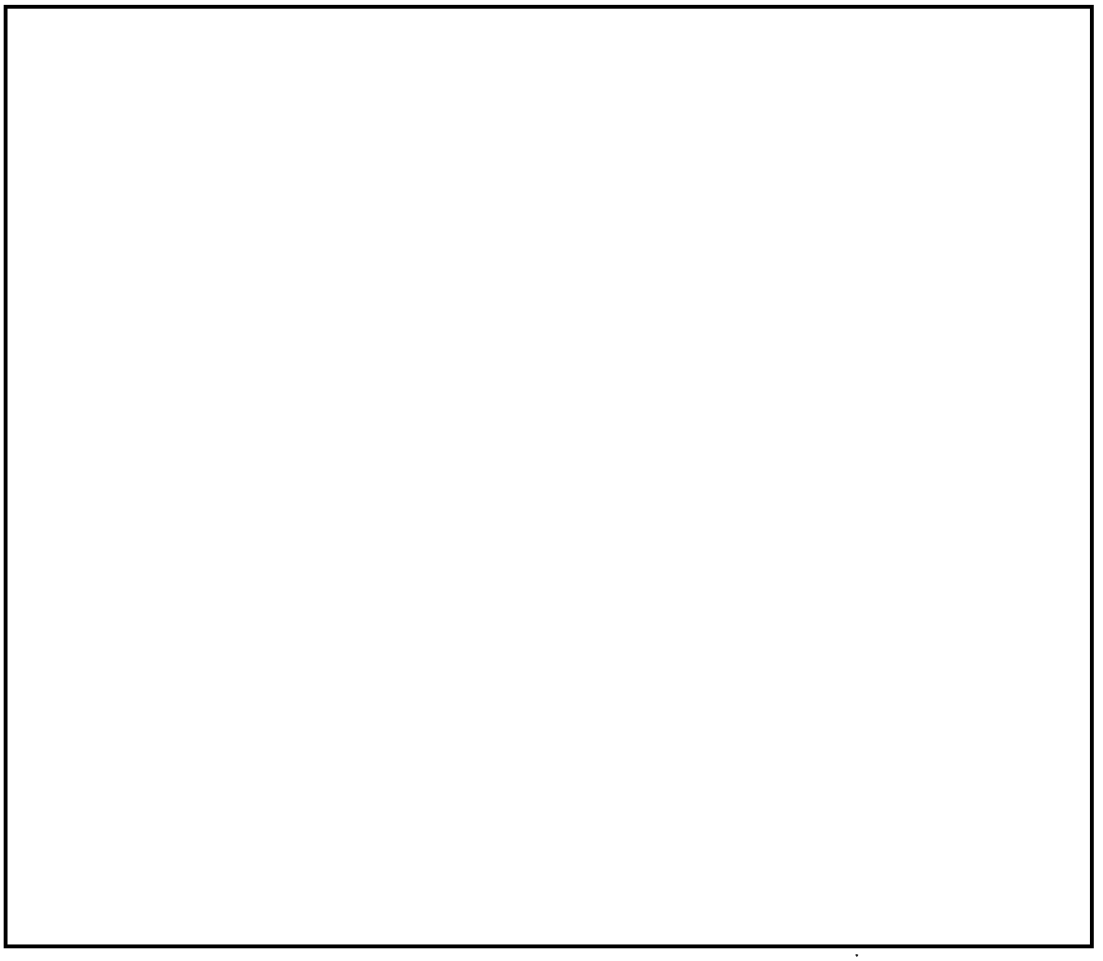
b1
b3

(3) DESCRIPTION OF THE SUPPLIES OR SERVICES.

(S)

~~**Derived From: G3**~~
~~**Declassify On: X-1**~~

CELLSITE-576

(S) 

b1
b3

(4) STATUTORY AUTHORITY.

(U) This contract action is authorized by 41 U.S.C. 253(c)(6), as implemented in FAR 6.302-6, National Security.

(5) A DEMONSTRATION THAT THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED.

(U) As described in FAR 6.302-6(a)(2), use of other than full and open competition is deemed applicable to satisfy the FBI's minimum needs when the disclosure of agency needs would compromise national security.

(S)

[redacted]

(6) EFFORTS MADE TO ENSURE OFFERS ARE SOLICITED FROM AS MANY POTENTIAL SOURCES AS PRACTICABLE.

(S) [redacted]

(S)

(S)

b1
b3

0001494

(7) DEMONSTRATION THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE.

(U) The contractor's proposal will be subjected to cost/price analysis, audit, and technical evaluation. The Contracting Officer will make a determination, in accordance with FAR 15.404-1, that costs are fair and reasonable.

(8) A DESCRIPTION OF THE MARKET RESEARCH.

(S) [redacted]

CELL/OTD

(U) A market survey will be conducted to determine that the anticipated cost to the government will be fair and reasonable.

(9) ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION.

(S)

(10) LISTING OF SOURCES, IF ANY, THAT EXPRESSED A WRITTEN INTEREST IN THE ACQUISITION.

(U) Since the requirement is classified, and therefore not publicized, no other source was given the opportunity to express an interest in writing or orally. b1 b3

(11) A STATEMENT OF ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION.

(S)

CELL/OTD

001495

(12) CERTIFICATIONS.

TECHNICAL SPECIALIST CERTIFICATION:

(U) As Technical Representative of this requirement, I hereby certify that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Date

Contracting Officer's Technical Representative (COTR)

CONTRACTING OFFICER CERTIFICATION:

(U) As the Contract Specialist handling this acquisition, I hereby certify that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Date

Contracting Officer

(U) Reviewed by:

[redacted] Date

Unit Chief

[redacted]

Reviewed by:

[redacted] Date

Chief Contracting Officer

Reviewed by:

[redacted] Date

Office of General Counsel

Approved by:

Joseph L. Ford Date

Deputy Assistant Director

b6
b7C

0014496

CELL/OTD

~~Derived From: G3~~
~~Declassify On: X-1~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179 DMH/STW

(Rev. 08-28-2000)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 07/05/2001

To: Criminal Investigative
Finance
Information Resources

Attn:

From: Laboratory

Contact:

Approved By:

Drafted By:

Case ID #: 269-HQ-1194267

Title:

Synopsis: The Finance Division, Engineering Contracts Unit, is requested to modify the Basic Ordering Agreement,

Enclosure(s): FD-369, Number in the amount of and

Details:

b3
b6
b7C
b7E

To: Finance From: Laboratory
Re: 269-HQ-1194267, 07/05/2001

LEAD(s):

Set Lead 1: (Adm)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

For information only.

Set Lead 2: (Adm)

FINANCE

AT WASHINGTON, DC

The Finance Division is requested to procure the [redacted] Funding totaling to [redacted] is available for this procurement from Budget Item [redacted] Spend Code [redacted]

Set Lead 3: (Adm)

INFORMATION RESOURCES

AT WASHINGTON, DC

For information only.

CC: [redacted]

b3
b6
b7C
b7E

♦♦

[redacted]

001522

CELL/OTD

CELLSITE-593

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

Total Deleted Page(s) = 158
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X No Duplication Fee X
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From:
Sent: Friday, March 30, 2007 10:52 AM
To:
Subject: RE Authority for Phone

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

b6
b7C
b7E
b3

UNCLASSIFIED
NON-RECORD

Always appreciate of you suggestions Thanks for your help. I have decided to talk with and AUSA about a Title III. I don't like all the work but it seems the only way to get him.

-----Original Message-----
From:
Sent: Friday, March 30, 2007 9:15 AM
To:
Cc:
Subject: Authority for Phone

b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

Hey

I'd get the authority. Just another tool.

b6
b7C
b7E
b3
b4

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 000984

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

From:
Sent: Tuesday, March 27, 2007 1:45 PM
To:
Subject: Glory Report

UNCLASSIFIED
NON-RECORD

b6
b7C
b7E

Here is the write up.

WITT

Use corel Wordperfect to open. Later. I will look for another letter.

UNCLASSIFIED

CELL/OTD 000985

-----Original Message-----
From:
Sent: Friday, March 30, 2007 8:54 AM
To:
Cc:
Subject:

b6
b7C
b7E
b3

UNCLASSIFIED
NON-RECORD

Hey

I hope all is well. SA of presently has a Pen Register up and running for a bank robbery suspect. We are both familiar with using the However, I am less familiar with This would be extremely useful in her case to see If this is possible how do you do this?

If this can be done, also be loaded into the and done the same way?

Thanks,

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 000987

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

From:
Sent: Monday, April 09, 2007 9:52 AM
To:

b6
b7C

Cc:

Subject: b7E System Access

UNCLASSIFIED
NON-RECORD

WITT has thus far received the following request from the field offices for individual access to the
Please verify the information.

b7E

b6
b7C

b6
b7C

(WITT):

b6
b7C
b7E

b6
b7C

b6
b7C

CELL/OTD 000988

[redacted]

b6
b7C

[redacted]

[redacted]

[redacted]

[redacted]

li

b6
b7C

Thank You,

[redacted]

-----Original Message-----
From: [redacted] (FBI)
Sent: Wednesday, April 04, 2007 11:55 AM
To: [redacted]

b6
b7C
b7E

Subject: [redacted] System Access [redacted] WITT [redacted]

CELL/OTD 00[redacted]SITE-14123

b6
b7C
b7E

CELL/OTD 000990

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

From:
Sent: Thursday, April 12, 2007 3:56 PM
To:
Subject: Info

b6
b7C

b6
b7C
b7E
b3

UNCLASSIFIED
NON-RECORD

of WITT will make arrangement for the replacement of your At the moment is occuppied with inventory inspection. He will take care of the request after inspection is completed. When you received the unit, I would be interested to see if there is improvement to your reception.

There is litigation matter that needs to be resolve with regard to product before it can be deployed with the full-blown version that is currently offered. A slim down version is in the work. For the moment, WITT recommends that shall be take the lead in providing technical support should you have an immediate need for this type of surveillance activities.

UNCLASSIFIED

CELL/OTD 000991

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

From: b6
Sent: Monday, April 16, 2007 10:48 AM
To: b7C
Cc: b7E
Subject: b3

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Thanks for taking the initiative to help the office out with this service. mpk

SSA

b6
b7C

-----Original Message-----
From:
Sent: Thursday, April 12, 2007 2:21 PM
To:

Subject:

b6
b7C
b7E
b3

For those of you who send out administrative subpoenas for telephone subscriber information

As most of you are aware, a consumer is entitled to take their phone number to any phone company they so choose.

b7E

CELL/OTD 000992

CELLSITE-14126

<< File: [redacted] EC.wpd >>

[redacted]
Office: [redacted]
Cell: [redacted]
Direct Connect: [redacted]

b6
b7C
b7E
b3

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 000993

CELLSITE-14127

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

From:
Sent: Friday, April 27, 2007 10:14 AM
To:

b6
b7C
b7E
b3

Cc:

Subject: New for StingRay

UNCLASSIFIED
NON-RECORD

Please note that the installation guide to upgrade your Harris equipment is included. If you are experiencing difficulty whereby the please contact and email us the serial number of your equipment. Stingray Harris Stingray We will provide a workaround solution to those limited few that experience this problem.

b6
b7C
b7E

UNCLASSIFIED

CELL/OTD 000994

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

From:
Sent: Monday, April 30, 2007 10:08 AM
To:

b6
b7C
b7E
b3

Subject: Additional Info on for StingRay

UNCLASSIFIED
NON-RECORD

Please attempt to perform the install of the StingRay unit first before updating the If the step as described below, then and report to us the problem and provide us the serial number of your equipment. Do not attempt to is not successful.

Please report to WITT when the is completed so that we can document the procedure. Offices that do not report in will be assume to have not completed

b6
b7C
b7E

Thanks,

-----Original Message-----
From:
Sent: Friday, April 27, 2007 10:14 AM
To:

b6
b7C

CELL/OTD 000995 CELLSITE-14129

Cc:
Subject: New [redacted] for StingRay [redacted]

UNCLASSIFIED
NON-RECORD

Please note that the installation guide to upgrade your Harris equipment is included [redacted] If you are experiencing difficulty whereby the [redacted] please contact and email us the serial number of your equipment [redacted] We will provide a workaround solution to those limited few that experience this problem.

[redacted]

b6
b7C
b7E
b3

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 000996

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

From:
Sent: Wednesday, May 09, 2007 1:22 PM
To:
b6
Subject: b7C and other guidance)
b7E

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

FYI

Just passing on some information about using a b7E If you all have time to verify some of the below information, please do so. Feedback is the best way to figure out where the loop-holes are.
b7E

b7E

- This means that you should not incurr the

b7E I verified the above information on the If you have a chance to buy some and are able to do the same kind of testing, please do and send feedback

b7E ----------

-
-

Thanks to everyone involved so far.

b6
b7C
b7E

CELL/OTD 000997

CELLSITE-14131

b6
b7C
b7E

CELL/OTD 000998

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

[redacted] (FBI)

From: [redacted] (OTD) (FBI)
Sent: Wednesday, May 16, 2007 9:23 AM
To: [redacted]
Subject: [redacted]

b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

I have contacted Harris, and they are looking into the situation. This was looked into as part of [redacted]

I'll forward their (Harris) answer to all.

b6
b7C
b4
b7E

[redacted]

-----Original Message-----
From: [redacted] (LA) (FBI)
Sent: Monday, May 14, 2007 1:09 PM
To: [redacted]
Cc:
Subject:

UNCLASSIFIED
NON-RECORD

[redacted]

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 000999

CELL/OTD 001001
CELLSITE-14135

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

[redacted] (FBI)

From: [redacted] OTD) (FBI)
Sent: Thursday, July 05, 2007 10:30 AM
To: [redacted]

b6
b7C
b7E

Cc:
Subject: 2007 WITT Conference (Cell Phone Tracking)

b6
b7C
b4
b7E

UNCLASSIFIED
NON-RECORD

Comrades,

Last week I attended the **2007 WITT Conference**. Many cell tracking matters were discussed. Since we all hate e-mail. I am going to pick the top 15 bullets and try to keep it short. Please feel free to forward this info to [redacted] And if you don't want to read it, you don't hurt my feelings.

[redacted]

CELL/OTD 001002 CELLSITE-14136

Let me know if you need additional information.

[redacted]

SSA [redacted]

[redacted]

b6
b7C

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 001006 CELLSITE-14140

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

From:
Sent: Friday, July 20, 2007 12:52 PM
To:
Cc:
Subject: b7E

b6
b7C

UNCLASSIFIED
NON-RECORD

All,

b6
b7C
b7E
b3

b7E
b3

- One possible delay:

UNCLASSIFIED

CELL/OTD 001007

CELLSITE-14141

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

[redacted]

From: [redacted]
Sent: Thursday, August 31, 2006 3:24 PM
To: [redacted]
Cc:
Subject: 5 Quick Steps to Operating the [redacted] for [redacted] Technology

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

5 Steps Process for [redacted]

b6
b7C
b7E
b3

Attached is a quick step guide to operating the [redacted] gear.

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 001008

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

From:
Sent: Tuesday, October 03, 2006 10:06 AM
To: ALL USERS
Subject: FW: Training Opportunity

b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

-----Original Message-----
From:
Sent: Tuesday, October 03, 2006 9:38 AM
To:
Cc:
Subject: Training Opportunity

UNCLASSIFIED
NON-RECORD

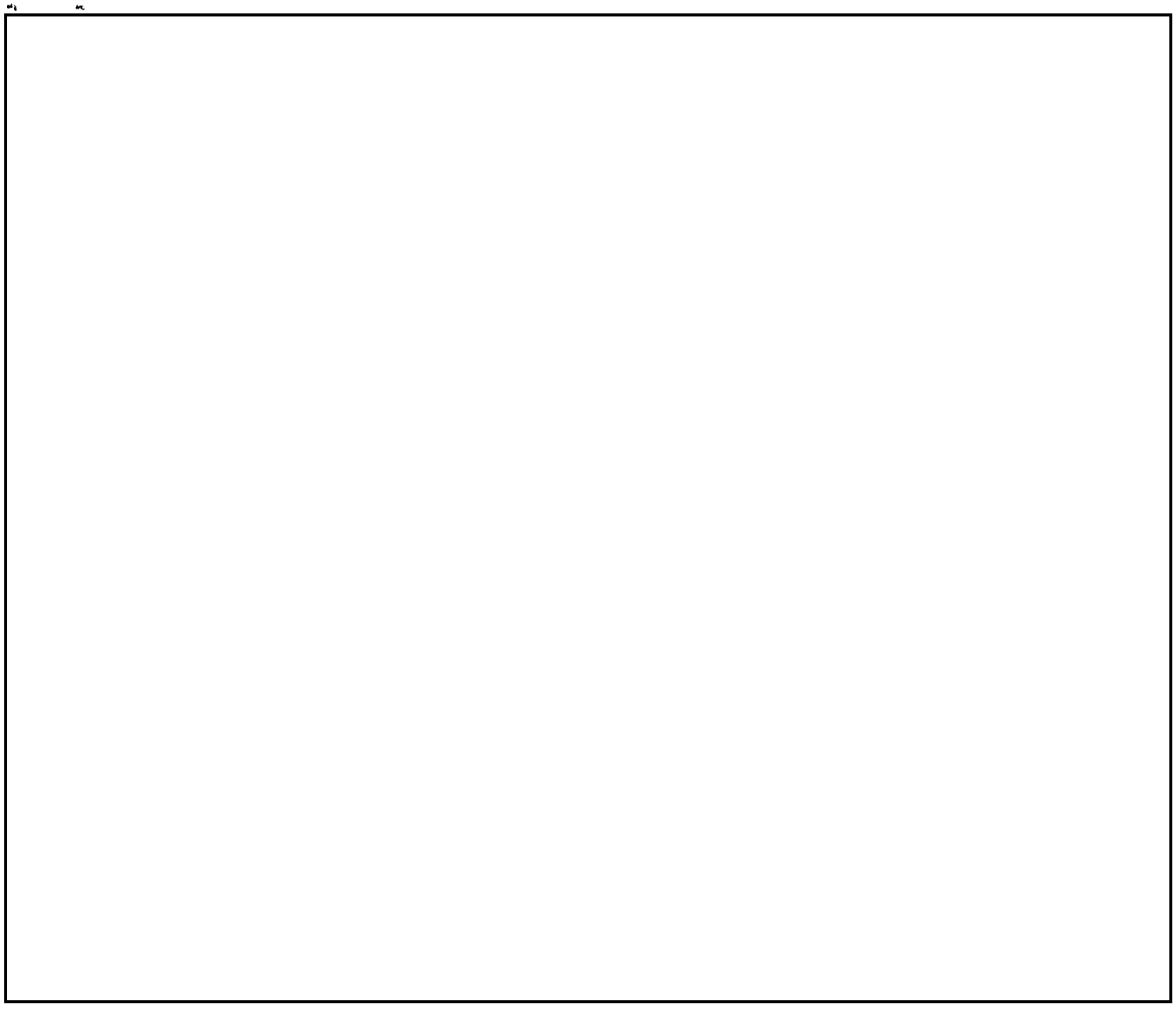
b6
b7C
b7E

Hi ..please disseminate. Thank you.

b7E

TRAINING OPPORTUNITY

CELL/OTD 001011



b7E

CELL/OTD 001012

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

From:
Sent: Tuesday, October 03, 2006 10:18 AM
To:
Cc:

Subject: FW: Subject killed

b6
b7C

UNCLASSIFIED
NON-RECORD

UNCLASSIFIED
NON-RECORD

b6
b7C
b7E

We were looking at data faxed from on a Once again,

b7E

Attached is a Wordperfect document dated March 2004, that is another documented example of the same problem.

It is impossible for us to provide quality WITT support to the field without the basic tools. for us.

Thanks,

b6
b7C
b7E

b7E

-----Original Message-----
From:
Sent: Tuesday, October 03, 2006 9:33 AM
To:
Subject: Subject killed

b6
b7C

CELL/OTD 001013

CELLSITE-14147

UNCLASSIFIED
NON-RECORD

The subject who's [redacted] was shot and killed by St. Johns Florida deputies last night following a pursuit.

Thanks for you help!

b7E

[redacted]

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 001014

CELLSITE-14148

FD-448 (Rev. 6-2-97)

FBI FACSIMILE

COVER SHEET

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

PRECEDENCE

- [X] Immediate
- [ ] Priority
- [ ] Routine

CLASSIFICATION

- [ ] Top Secret
- [ ] Secret
- [ ] Confidential
- [ ] Sensitive
- [X] Unclassified

Time Transmitted: _____
Sender's Initials: _____ b6 b7C
Number of Pages: 1
(including cover sheet)

To: _____ b4
Name of Office

Date: 03/15/2004

Facsimile Number: _____

Attn: _____ b6 b7C _____
Name Room Telephone

From: _____

Subject: _____ b6 b7C

Special Handling Instructions: _____

Originator's Name: _____ Telephone: _____

Originator's Facsimile Number: _____

Approved: _____ b6 b7C

CELL/OTD 001015

Brief Description of Communication Faxed: _____

WARNING

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CELLSITE-14149

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

From:
Sent: Tuesday, October 31, 2006 1:08 PM
To:
Subject: FW: class

UNCLASSIFIED
NON-RECORD

b6
b7C
b7E

This is going to be held next Tuesday - November 7th - if you are interested in sending two people each - please feel free. The focus is going to be on the and agents that work matters - but I know you guys both have had occasions when would have been beneficial to your case.

Read from below up so you know the details. If it goes well - we will do this again and then include more people - but for right now just send two people if you would like. Just remember that it is switched to Tuesday, Nov. 7th.

-----Original Message-----
From:
Sent: Tuesday, October 31, 2006 10:43 AM
To:

b6
b7C
b7E

Cc:

Subject: RE: class

UNCLASSIFIED
NON-RECORD

b6
b7C
b7E

To all:

The class is going to be switched to one day earlier - for many reasons - a conflict with retirement lunch - others couldn't make it - and I will probably have to testify on that day - so it will be held the same time (8:30am) in the LARGE SAC conference room on Tuesday, November 7th.

It is probably more geared toward the agents and TFOs that will be doing the investigative work so that they are better equiped to properly hand things off to - but it would be good for the ISSs who do a lot with to come. We will cover everything from the moment you get a from an informant or other source There will be a lot of good info and handouts given out so that everyone is up to date on the latest things you need to complete your mission.

I just recently did this twice in the last two weeks for other groups - so it will definitely go about So plan on a little bit later of a lunch. I promise you won't be bored. We will have a short legal portion in the middle by and also a Wireless Intercept Tracking Team

Just remember - date switch to Tuesday, November 7th - 8:30am - SAC Large Conference Room.

CELL/OTD 001016

[redacted]

b6
b7C

-----Original Message-----
From: [redacted]
Sent: Monday, October 30, 2006 9:47 AM
To: [redacted]
Cc: [redacted]
Subject: [redacted] class

b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

Crime fighters, On Wednesday 11/8/2006, [redacted] will be teaching a class on how to prepare a case [redacted] The class will be a soup to nuts presentation and afterward you will be fully up to speed on what to do. This is a mandatory class for all [redacted] Make every effort to be there. The class will take about [redacted] beginning at 8:30am in the SAC conference room. Txs [redacted]

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 001017

CELLSITE-14151

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

From:
Sent: Friday, November 03, 2006 2:16 PM
To:

Cc:

b6
b7C

Subject: RE: Updates

b7E

CELL/OTD 001018

CELLSITE-14152

UNCLASSIFIED
NON-RECORD

[redacted] b7E

Forgot the attachment. Ops.

[redacted] b6 b7C

-----Original Message-----
From: [redacted]
Sent: Friday, November 03, 2006 1:11 PM
To: [redacted]

Cc:

b6
b7C

Subject: [redacted] Updates b7E

UNCLASSIFIED
NON-RECORD

CELL/OTD 001019 CELLSITE-14153

A new version of the [redacted] is available for download. Follow the directions below to get the new version. [redacted] b7E

I have also attached the updated manual.

Downloading the current version of [redacted] b7E

The most current version, and several previous versions, of the [redacted] are available for download over the [redacted]

[redacted] "witt [redacted] "w!tt" [redacted] b7E

[redacted]

[redacted] b6 b7C

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 001020 CELLSITE-14154

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

b3
b7E

[redacted] Users Manual

Version 2.5

November 2nd, 2006

Wireless Intercept and Tracking Team
Tracking Technology Unit

CELL/OTD 001021

CELLSITE-14155

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

From:
Sent: Tuesday, November 07, 2006 2:10 PM
To:
Cc:
Subject: RE: Nov 15-17, 2006

b6
b7C
b7E

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

will attend this training session. Thanks for the TR number also.

b6
b7C

-----Original Message-----
From:
Sent: Tuesday, November 07, 2006 11:13 AM
To:
Cc:
Subject: Nov 15-17, 2006

b6
b7C
b7E

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

WITT

WITT

WITT's

b6
b7C
b7E
b3

I have 2 slots open for attending the meeting next week, and would like to extend them to your office, as s on the list for receiving capability when it is finally delivered to FRF after the demonstrations. I recommend support this trip as he has had experience with the although I leave the final attenance to your recommendation.

I will forward the final EC, with all travel informaton to you once I am provided the names of individuals attending. Travel will be paid for out of the WITT TR#.

b6
b7C
b7E

CELL/OTD 001035

CELLSITE-14169

b6
b7C

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 001036

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

From:
Sent: Monday, November 13, 2006 10:45 AM
To: b6 b7C
Subject: RE: Subject killed

UNCLASSIFIED
NON-RECORD

Not sure if you ever heard back on this issue or not.

b6
b7C

Hope that clears it up. b4 b7E

b6
b7C

-----Original Message-----
From:
Sent: Friday, October 06, 2006 1:07 PM
To:
Subject: FW: Subject killed

b6
b7C
b7E
b4

UNCLASSIFIED
NON-RECORD

Can we address this issue with and provide with some feedback if we have not already done so?

SSA
Wireless Intercept Tracking Team (WITT),

-----Original Message-----
From:
Sent: Tuesday, October 03, 2006 10:18 AM
To:
Cc:
Subject: FW: Subject killed

b6
b7C

UNCLASSIFIED
NON-RECORD

UNCLASSIFIED
NON-RECORD

b6
b7C

CELL/OTD 001037

CELLSITE-14171

We were looking at [redacted] from [redacted] on a homicide case last night. [redacted] b4 b7E

[redacted] b7E

Attached is a Wordperfect document dated March 2004, that is another documented example of the same problem.

It is impossible for us to provide quality WITT support to the field without the basic tools. [redacted] for us.

Thanks, b6 b7C b7E

[redacted]

<< File [redacted] b7E

-----Original Message-----
From: [redacted]
Sent: Tuesday, October 03, 2006 9:33 AM
To: [redacted] b6 b7C
Subject: Subject killed

UNCLASSIFIED
NON-RECORD

The subject who's [redacted] we were looking at yesterday, was shot and killed by St. Johns Florida deputies last night following a pursuit.

b7E

Thanks for you help!

[redacted]

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 001038

CELL/OTD 001039

CELLSITE-14173

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

From:
Sent: Tuesday, November 14, 2006 2:49 PM
To:
Cc:
Subject: FYI

UNCLASSIFIED
NON-RECORD

b6
b7C
b7E

I will do a repeat of this class when required.

Have a nice day,

UNCLASSIFIED

CELL/OTD 001040

(Rev. 08-28-2000)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 11/14/2006

To:

From: b7E

Contact: SA

Approved By:

Drafted By: b6 b7C

Case ID #: 66F-WF-C197809-TR (Pending)

Title: IN-HOUSE TRAINING b7E

Synopsis: WITT training conducted at

Details: A technical training class on the and "WITT Equipment" was conducted on 11/13/06. The class ran from and was conducted at the by b6 b7C b7E

b7E

WITT

The following squad members attended this class:

1)
2)
3)
4)
5)
6)
7)
8)
9)

b6
b7C
b7E

♦♦

CELL/OTD 00141

CELLSITE-14175

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

From:
Sent: Tuesday, November 21, 2006 4:49 PM
To:
Cc:
b6
b7C
Subject: PR assistance to another DOJ agency

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

WITT

If Witt is

WITT

- NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

Assistant General Counsel
Science & Technology Law Unit
Quantico, Va. 22135

b6
b7C
b7E
b5
b3

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

b6
b7C

-----Original Message-----
From:
Sent: Tuesday, November 21, 2006 9:44 AM
To:
Cc:

CELL/OTD 001042 CELLSITE-14176

Subject: FW: SAC Authority re "Loan of WITT Equipment"

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Hey [redacted]

Hope all is well. This should be an easy question, compared to what you have been dealing with.

b6
b7C
b5

[redacted]

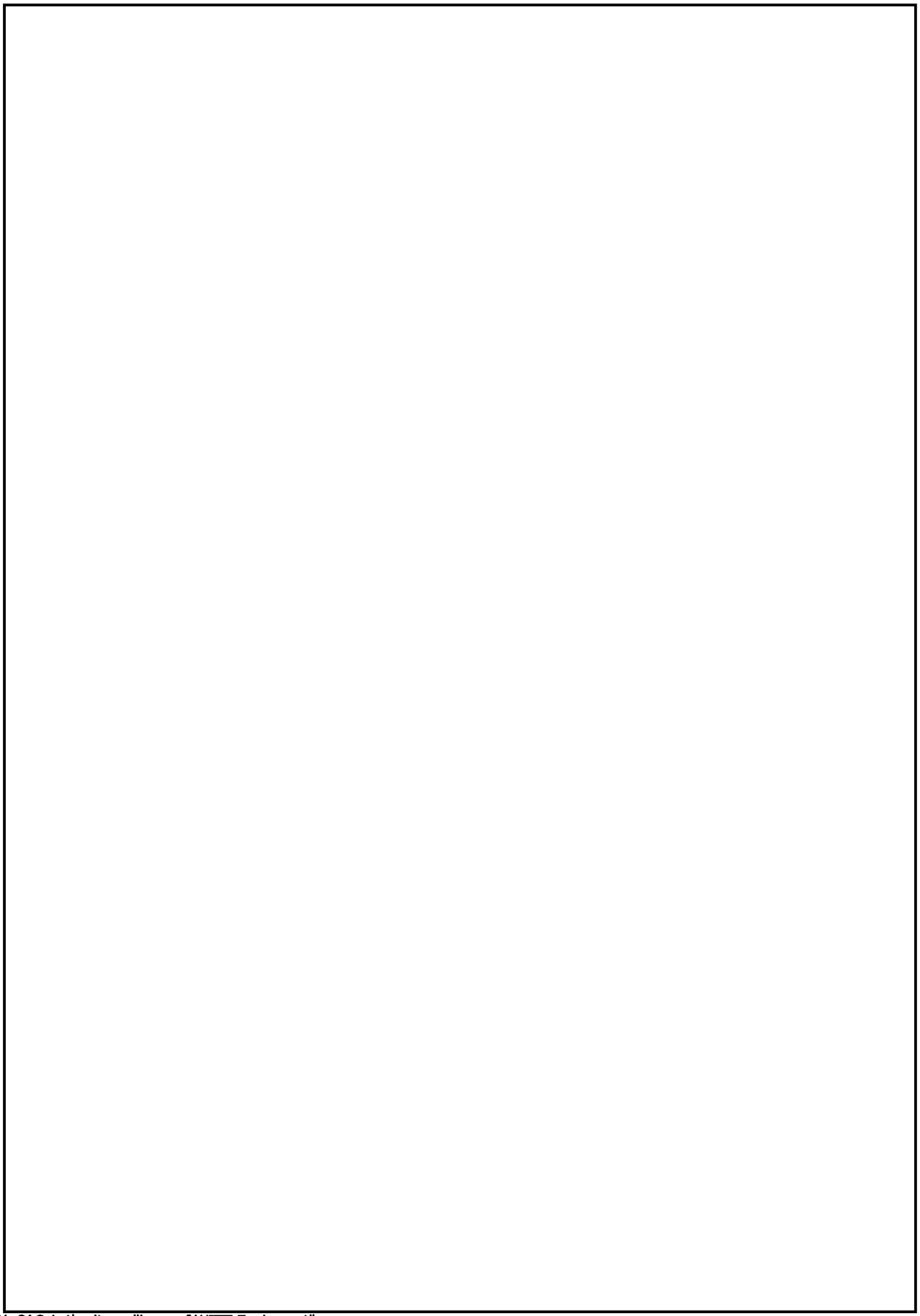
Thanks, [redacted]

-----Original Message-----
From: [redacted]
Sent: Monday, November 13, 2006 11:31 AM
To: [redacted]

b6
b7C

[redacted]

CELL/OTD 001043 CELLSITE-14177



b6
b7C

Subject: FW: SAC Authority re "Loan of WITT Equipment"

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

CELL/OTD 001044
CELLSITE-14178

Please see below.

-----Original Message-----
From:
Sent: Monday, November 13, 2006 10:37 AM
To:
Cc:
Subject: SAC Authority re "Loan of WITT Equipment"

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b6
b7C

per UC please forward to the field. Thanks

-----Original Message-----
From:
Sent: Thursday, November 09, 2006 9:10 AM
To:
Cc:
Subject: RE: Authority questions

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b5
b7E
b3

CELLSITE-14179
CELL/OTD 001045

[redacted]

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

[redacted]
Assistant General Counsel
Science & Technology Law Unit
[redacted]
Quantico, Va 22135
[redacted]

b6
b7C
b7E
b5
b3

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From: [redacted]
Sent: Thursday, November 09, 2006 7:43 AM
To:
Cc: [redacted]
(FBI)
Subject: RE: Authority questions

b6
b7C

UNCLASSIFIED
NON-RECORD

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b7C
b7E
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[redacted]
[redacted] WITT [redacted]

I'll follow the email traffic. Thanks, [redacted]

-----Original Message-----
From: [redacted]
Sent: Wednesday, November 08, 2006 7:10 PM
To: [redacted]
Subject: Authority questions

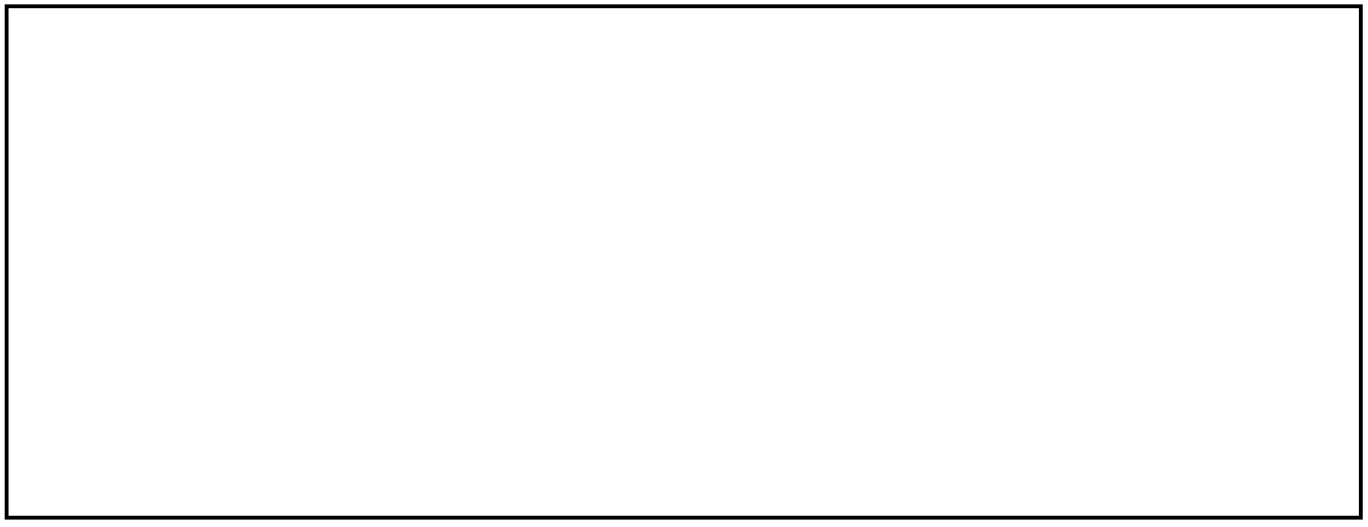
b6
b7C

UNCLASSIFIED
NON-RECORD

[redacted]

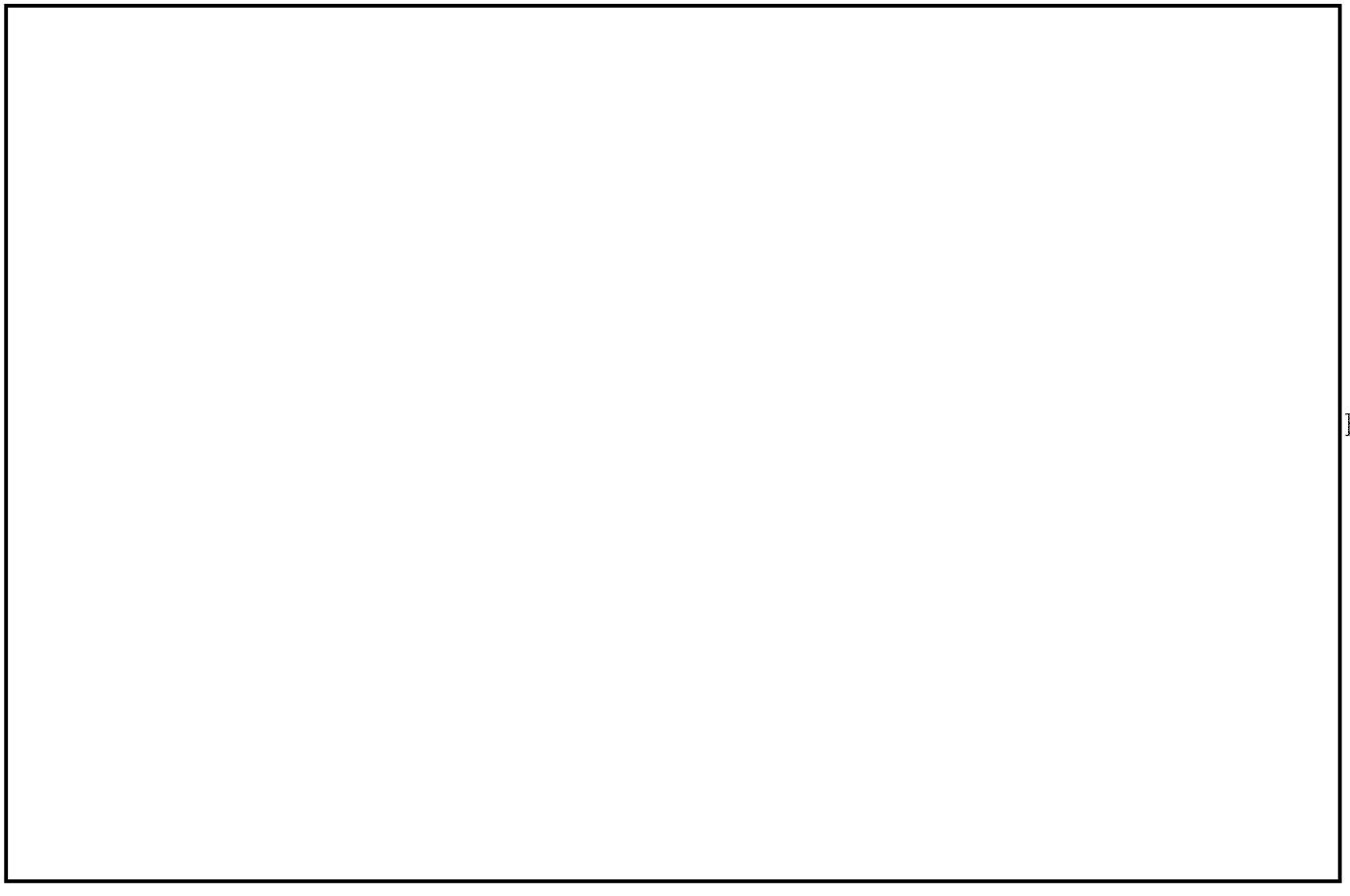
CELL/OTD 001048

CELLSITE-14182



b5

****

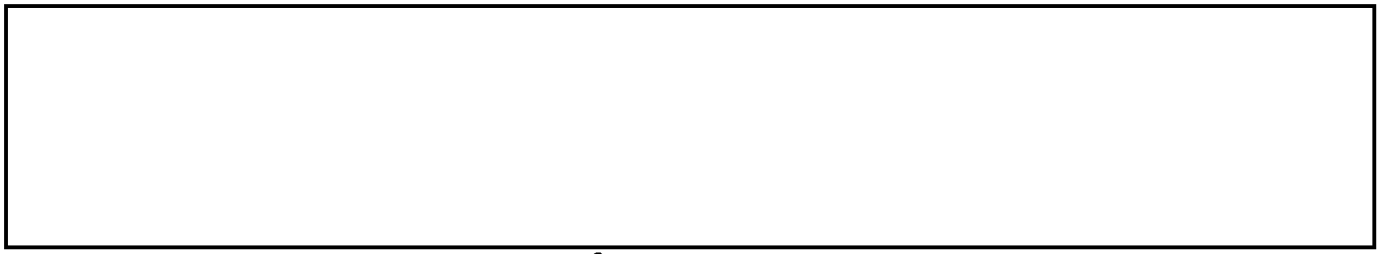


b5

****

b6
b7C

This looks familiar and I assume came from you [redacted] It seems that this stuff is really being decided at the HQ / Quantico level and not so much in the field and so I wanted to clarify this with you all.



b5

CELL/OTD 001049 CELLSITE-14183

b7E
b5

[redacted]

Thank you in advance for your response to this.

[redacted]

b6
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b7E

PS - [redacted]

[redacted] Stingray [redacted]

thanks

UNCLASSIFIED

UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 001050

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

From:
Sent: Monday, December 04, 2006 5:35 PM
To:
Subject: RE:

b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

Awesome job you guys make this job worthwhile Thanks Again. Try WITT 2oo4 and WITT 2oo4 this will change in the near future.

b6
b7C
b7E

SSA
Wireless Intercept Tracking Team (WITT),

-----Original Message-----
From:
Sent: Monday, December 04, 2006 7:15 AM
To:
Subject: FW

UNCLASSIFIED
NON-RECORD

b6
b7C
b7E

Hey

Below is a summary of the WITT case we worked last week. and I will be the ones submitting claims.

Thanks,

P.S. Is there a new User Name and Password for the WITT site? If so, what is it?

-----Original Message-----
From:
Sent: Thursday, November 30, 2006 1:38 PM
To:
Cc:
Subject: FW:

b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

Gentlemen - Many thanks from for your dedication and efforts...we truly appreciate it. I hope you had a safe trip back, and please let us know if there is ever an opportunity for us to return the favor!

-----Original Message-----

CELL/OTD 001051

From:
Sent: Thursday, November 30, 2006 8:06 AM
To:
Cc:
Subject:

b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

Thanks to all for an awesome job in

b6
b7C
b7E

As a side note,

Again, thanks to everyone for a job well done!

SA

b6
b7C

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 001052

CELLSITE-14186

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

[redacted]

From: [redacted]
Sent: Tuesday, December 05, 2006 4:34 PM
To: [redacted]

b6
b7C

Cc: [redacted]

CELL/OTD 001053 CELLSITE-14187

Cc:

Subject: WITT Personnel

b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

Good Evening to all,

advised you earlier about her departure from WITT This communication is to advise you that WITT However, this should not effect our ability to provide you with 24 hour support. I can be reached at 24/7 to answer any questions. To all, Happy Holiday and thanks from all of us at WITT for another outstanding year. Be Safe!!

b6
b7C
b7E

SSA
Wireless Intercept Tracking Team (WITT),

UNCLASSIFIED

CELL/OTD 001054

CELLSITE-14188

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

From:
Sent: Wednesday, January 03, 2007 4:59 PM
To:
Cc:
Subject: FW:

b6
b7C
b7E

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

This is what I sent for his report. Let me know if you see anything that needs to be added.

-----Original Message-----
From:
Sent: Friday, December 22, 2006 10:45 AM
To:
Subject: RE:

b6
b7C
b7E

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Thanks

SSA
Wireless Intercept Tracking Team (WITT),

b6
b7C
b7E

-----Original Message-----
From:
Sent: Friday, December 22, 2006 4:36 AM
To:
Cc:
Subject:

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b6
b7C
b7E

b6
b7C
b7E
b3

Here is a quick down and dirty of our operation on Thursday Dec 21,2006.

CELL/OTD 001056 CELLSITE-14190

[redacted]

b7E
b3

On a side note, [redacted] was a great help. He went out of his way to help us [redacted]

b6
b7C
b7E

As per our conversation on the phone, please don't send this out to the field without changing the writer to your name. I don't need the e-mails from other [redacted] that usually follow success stories to ERF. Thanks.

Hope this is what you wanted,

[redacted]

b6
b7C

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 001057

CELLSITE-14191

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

From:
Sent: Tuesday, January 09, 2007 12:38 PM
To:
Cc:
Subject: RE:

b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

can you check with to see if he has changed the requested earlier to the site. Thanks

SSA
Wireless Intercept Tracking Team (WITT),

b6
b7C
b7E

-----Original Message-----
From:
Sent: Tuesday, January 09, 2007 10:28 AM
To:
Cc:
Subject: RE:

UNCLASSIFIED
NON-RECORD

b6
b7C
b7E

Hey

This worked last time, but no longer seems to work, Any suggestions?

Thanks,

-----Original Message-----
From:
Sent: Monday, December 04, 2006 5:35 PM
To:
Subject: RE

UNCLASSIFIED
NON-RECORD

b6
b7C
b7E

Awesome job you guys make this job worthwhile Thanks Again. Try WITT 2oo4 and WITT 2oo4 this will change in the near future.

SSA
Wireless Intercept Tracking Team (WITT),

b6
b7C

-----Original Message-----
From:
Sent: Monday, December 04, 2006 7:15 AM
To:

b6
b7C

CELL/OTD 001058
CELLSITE-14192

Subject: FW: [redacted] b7E

UNCLASSIFIED
NON-RECORD

Hey [redacted]

Below is a summary of the WITT case we worked last week. [redacted] and I will be the ones submitting claims.

Thanks, [redacted] b6 b7C b7E

P.S. Is there a new User Name and Password for the WITT site? If so, what is it?

-----Original Message-----
From: [redacted]
Sent: Thursday, November 30, 2006 1:38 PM
To: [redacted]
Cc:
Subject: FW [redacted]

UNCLASSIFIED
NON-RECORD

b6 b7C b7E

Gentlemen - Many thanks from [redacted] for your dedication and efforts...we truly appreciate it. I hope you had a safe trip back, and please let us know if there is ever an opportunity for us to return the favor!

[redacted]

-----Original Message-----
From: [redacted]
Sent: Thursday, November 30, 2006 8:06 AM
To: [redacted]
Cc:
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

b6 b7C b7E

Thanks to all for an awesome job [redacted]

As a side note, [redacted]

CELL/OTD 001059 CELLSITE-14193

[redacted]

Again, thanks to everyone for a job well done!

[redacted]

b6
b7C
b7E

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 001060 CELLSITE-14194

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

From:
Sent: Tuesday, January 09, 2007 4:06 PM
To:
Subject: RE:

UNCLASSIFIED
NON-RECORD

b6
b7C
b7E

Username: witt2004
Passwd: witt2oo4

-----Original Message-----
From:
Sent: Tuesday, January 09, 2007 10:28 AM
To:
Cc:
Subject: RE:

UNCLASSIFIED
NON-RECORD

b6
b7C
b7E

Hey

This worked last time, but no longer seems to work. Any suggestions?

Thanks,

-----Original Message-----
From:
Sent: Monday, December 04, 2006 5:35 PM
To:
Subject: RE:

UNCLASSIFIED
NON-RECORD

b6
b7C
b7E

Awesome job you guys make this job worthwhile Thanks Again. Try WITT 2oo4 and WITT 2oo4 this will change in the near future.

SSA
Wireless Intercept Tracking Team (WITT),

-----Original Message-----
From:
Sent: Monday, December 04, 2006 7:15 AM
To:
Subject: FW:

b6
b7C
b7E

CELL/OTD 001061
CELLSITE-14195

UNCLASSIFIED
NON-RECORD

Hey [redacted]

Below is a summary of the WITT case we worked last week. [redacted] will be the ones submitting claims.

Thanks, [redacted]

b6
b7C
b7E

P.S. Is there a new User Name and Password for the WITT site? If so, what is it?

-----Original Message-----
From: [redacted]
Sent: Thursday, November 30, 2006 1:38 PM
To: [redacted]
Cc:
Subject: FW: [redacted]

UNCLASSIFIED
NON-RECORD

b6
b7C
b7E

Gentlemen - Many thanks from [redacted] for your dedication and efforts...we truly appreciate it. I hope you had a safe trip back, and please let us know if there is ever an opportunity for us to return the favor!

[redacted]

-----Original Message-----
From: [redacted]
Sent: Thursday, November 30, 2006 8:06 AM
To: [redacted]
Cc:
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

b6
b7C
b7E

Thanks to all for an awesome job in [redacted]

As a side note [redacted]

CELL/OTD 001062 CELLSITE-14196

Again, thanks to everyone for a job well done!

SA [redacted]

b6
b7C

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 001063

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

From:
Sent: Tuesday, February 13, 2007 12:03 PM
To:
Cc:
Subject: RE: call activity reports from

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b6
b7C
b7E
b3

-----Original Message-----
From:
Sent: Tuesday, February 13, 2007 11:28 AM
To:
Cc:
Subject: call activity reports from

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b6
b7C
b7E
b3

CELL/OTD 08-1065 CELLSITE-14199

Thanks,

[redacted] b6 b7C

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 0016 CELLSITE-14200

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

From:
Sent: Tuesday, February 20, 2007 1:00 PM
To:
Subject: RE call activity reports from

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b6
b7C
b7E

Try our for detailed answers to your questions.

-----Original Message-----
From:
Sent: Tuesday, February 20, 2007 10:11 AM
To:
Cc:
Subject: RE call activity reports from

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b6
b7C
b7E

Thanks for the info.

Two Questions:

b7E

Thanks again,

-----Original Message-----
From:
Sent: Tuesday, February 13, 2007 12:03 PM
To:
Cc:
Subject: RE: call activity reports from

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b6
b7C
b7E
b3

CELL/OTD 001067
CELLSITE-14201

[redacted]

[redacted]

b6
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-----Original Message-----
From: [redacted]
Sent: Tuesday, February 13, 2007 11:28 AM
To: [redacted]
Cc:
Subject: [redacted] call activity reports from [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

[redacted]

[redacted]

Thanks,

[redacted]

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SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 001068

CELLSITE-14202

WITT

- WITT = Wireless Intercept & Tracking Team
- WITT doesn't intercept; and
- WITT doesn't track
- [redacted] b3 b7E
  - Triggerfish
  - StingRay
  - [redacted]
  - LoggerHead
  - [redacted]
  - WITT Equipment

Science & Technology Law Unit

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UNCLASSIFIED 14252

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ALL INFORMATION CONTAINED
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DATE 09-19-2012 BY 65179 DMH/stp

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

United States of America,

Plaintiff,

v.

Daniel David Rigmaiden, et al.,

Defendant.

No. CR-08-0814-PHX-DGC

GOVERNMENT'S MEMORANDUM RE MOTION FOR DISCOVERY

The United States, through undersigned counsel, submits this Memorandum in an attempt to clarify and narrow some issues for the upcoming October 28, 2011, hearing regarding Defendant's Motion for Discovery.

First, the United States proposes that the Court assume, arguendo, for Defendant's Motion for Discovery and any forthcoming motion to suppress, that the aircard tracking operation was a Fourth Amendment search and seizure. [1/]

[1/] The United States' position continues to be that, as a factual matter, the operation did not involve a search or seizure under the Fourth Amendment. The United States explained in its March 11, 2011, Memorandum Regarding Law Enforcement Privilege that Defendant does not have a reasonable expectation of privacy in his general location or in the cell site records he transmitted wirelessly to Verizon. (CR 465 at 13-17.) Therefore, the use of the cell site simulator is not a search under the Fourth Amendment. See, e.g., Smith v. Maryland, 442 U.S. 735, 740 (1979) ("application of the Fourth Amendment depends on whether the person invoking its protection can claim a 'justifiable,' a 'reasonable,' or a 'legitimate expectation of privacy' that has been invaded by government action"). Nevertheless, in an attempt to simplify the analysis and to avoid unnecessary disclosure of privileged information, the United States will

(continued...)

Second, the United States agrees to rely solely on the Rule 41 tracking warrant, application, and affidavit, No. CR08-90330-MISC, to authorize the use of equipment to communicate directly with Defendant's aircard and determine its location. [2/]

Third, the United States will agree to allow the Court to factually assume, that, at the conclusion of the July 16, 2008, aircard tracking operation, the FBI located the aircard within Unit 1122 of the Domocilio Apartments. [3/]

Fourth, with respect to whether the equipment used to locate the aircard was operated in a "man in the middle" manner or caused a brief "disruption of service," the United States will agree that the Court can assume, arguendo, that it did. [4/]

Fifth, for the purpose of defendant's pending motion(s) to compel discovery and his prospective motion to suppress, the United States does not expect to present facts in any in camera proceeding that it would then request the Court to consider for the purpose of rebutting any of defendant's claims without disclosing those facts to the defendant.

[1/] (...continued)
no longer argue in this case only that the aircard tracking operation was not a search or seizure under the Fourth Amendment, and will instead rely on its authority under the hybrid order and tracking warrant, Defendant's lack of standing, and, if necessary, the agents' good faith reliance on these court orders.

[2/] Again, the United States' position is that the hybrid order confers sufficient authority to use a cell site simulator and that a tracking warrant is unnecessary. Nevertheless, the United States will rely solely on the Rule 41 warrant application, affidavit and order in this case to authorize its use of a cell site simulator. The hybrid order, No. CR08-90331-MISC, will be used to justify obtaining cell site and other non-content information from Verizon Wireless.

[3/] This is not, in fact, accurate. As explained previously, the FBI was only able to narrow the aircard down to three or four apartments. But to avoid disclosure of privileged information and simplify the Fourth Amendment analysis, the United States will concede, for purposes of any forthcoming motion to suppress, that the FBI located the aircard within Unit 1122 of the Domocilio Apartments.

[4/] The United States indicated at the September 22, 2011, hearing that it believed "the simulator in this case was taking the message it received from the aircard and sending it on to a Verizon tower." (RT 9/22/2011 (CR 637) at 61:5-8.) As FBI Agent Bradley Morrison clarifies in the attached affidavit, however, the equipment did not capture any content and it did not act as a "man in the middle," collecting data and passing it along to Verizon Wireless. (Morrison Aff. 2-3 ¶ 4.)

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Finally, the United States is submitting a sworn affidavit from Bradley Morrison, the Unit Chief of the FBI Tracking Technology Unit, to describe facts regarding the aircard tracking operation and clarify some remaining factual issues. The United States will make Agent Morrison available ex parte and in camera to answer questions the Court may have about the tracking operation and the equipment used. In addition, the United States will make this individual available for testimony at any future suppression hearing, so long as the United States has an opportunity to file a motion in limine in order to seek to limit cross-examination regarding privileged law enforcement sensitive material. In order to proceed in this fashion, the United States requests an opportunity to explain, in camera, the basis for its claims of privilege.

Respectfully submitted this 27th day of October, 2011.

ANN BIRMINGHAM SCHEEL
Acting United States Attorney
District of Arizona

S/Frederick A. Battista

FREDERICK A. BATTISTA
PETER S. SEXTON
JAMES R. KNAPP
Assistant U.S. Attorneys

CELL/OTD 00486

CELLSITE-14270

CERTIFICATE OF SERVICE

I hereby certify that on October 27, 2011, I caused the attached document to be electronically transmitted to the Clerk's Office using the ECF system for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Philip Seplow
Shadow Counsel for Defendant Daniel David Rigmaiden

Taylor Fox
Counsel for Defendant Ransom Carter

A copy of the attached document was also mailed to:

Daniel David Rigmaiden
Agency No. 10966111
CCA-CADC
PO Box 6300
Florence, AZ 85132

S/James Knapp

CELL/OTD 004867

CELLSITE-14271

FW: [redacted] Memo [redacted] Edits

[redacted]

Sent: Friday, October 28, 2011 3:12 PM
To: [redacted]
Cc:
Attachments: Pleading Paper.pdf (13 KB)

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[redacted]

[redacted]

[redacted]

[redacted]
Assistant General Counsel
Science & Technology Law Unit
Federal Bureau of Investigation
[redacted]

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THIS COMMUNICATION MAY CONTAIN PRIVILEGED AND CONFIDENTIAL ATTORNEY-CLIENT AND ATTORNEY WORK PRODUCT MATERIAL. DO NOT DISCLOSE WITHOUT PRIOR PERMISSION FROM FBI OGC.

From: [redacted]
Sent: Friday, October 28, 2011 2:57 PM
To: [redacted]
Subject: RE: [redacted] Memo - [redacted] Edits

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[redacted] thanks again for your help. Here's what the final version of the memo looks like. We'll keep you posted on the progress.

From: [redacted]
Sent: Thursday, October 27, 2011 2:52 PM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted] Memo - [redacted] Edits

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[redacted]

As discussed over th phone, here are the documents with edits in track changes format. I have the agent

CELL/OTD 004880

standing by to sign and send out, so if you could look at them as quickly as possible, that would be great.

[redacted]

[redacted]
Assistant General Counsel
Science & Technology Law Unit
Federal Bureau of Investigation
[redacted]

b6
b7C

THIS COMMUNICATION MAY CONTAIN PRIVILEGED AND CONFIDENTIAL ATTORNEY-CLIENT AND ATTORNEY WORK PRODUCT MATERIAL. DO NOT DISCLOSE WITHOUT PRIOR PERMISSION FROM FBI OGC.

From: [redacted]
Sent: Thursday, October 27, 2011 1:23 PM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted] Memo [redacted] Edits

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[redacted]

[redacted] asked me to pass along the attached, which incorporates some suggestions from [redacted] on the draft affidavit. Please let us know where we are on the affidavit and whether you have any comments on the memo [redacted] sent. We plan to file it in advance of the hearing, which is tomorrow.

Thanks again for your help.

[redacted]

From: [redacted]
Sent: Wednesday, October 26, 2011 6:49 PM
To: [redacted]
Cc: [redacted]
Subject: [redacted] Memo [redacted] Edits

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<< File: Memo re Motion for Discovery JRK20111020 - FAB Edits 10-26-11.wpd >>

CELL-OTD 004881

Re: WITT mission in [redacted]

[redacted]

Sent: Thursday, August 25, 2011 12:55 AM
To: [redacted]
Cc: [redacted]

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[redacted]

I'd like to just add my [redacted] and appreciation to [redacted] for taking the time to help with the mission. Not only was his expertise invaluable, but his instruction on operational techniques was excellent.

Thanks again for your support in allowing [redacted] to come out to help. I look forward to employing the WITT mission here in [redacted] I know the case agents are all excited in us having this capability.

[redacted]

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From: [redacted]
To: [redacted]
Cc: [redacted]
Sent: Thu Aug 25 00:35:34 2011
Subject: WITT mission in [redacted]

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b7C
b7E

[redacted]

Thank you for your support in putting this mission together. We had a number of difficulties, and without your quick responses and approvals, I don't think we would have pulled it off. Thank you.

I also wanted to let you know that [redacted] was a BIG help. I know he was in Denver during the mission, but he was still responsive and provided information, even until after mid-night his time.

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Below is a summary of the mission, and a list of issues we should work on before the next mission:

Summary:

- [redacted]

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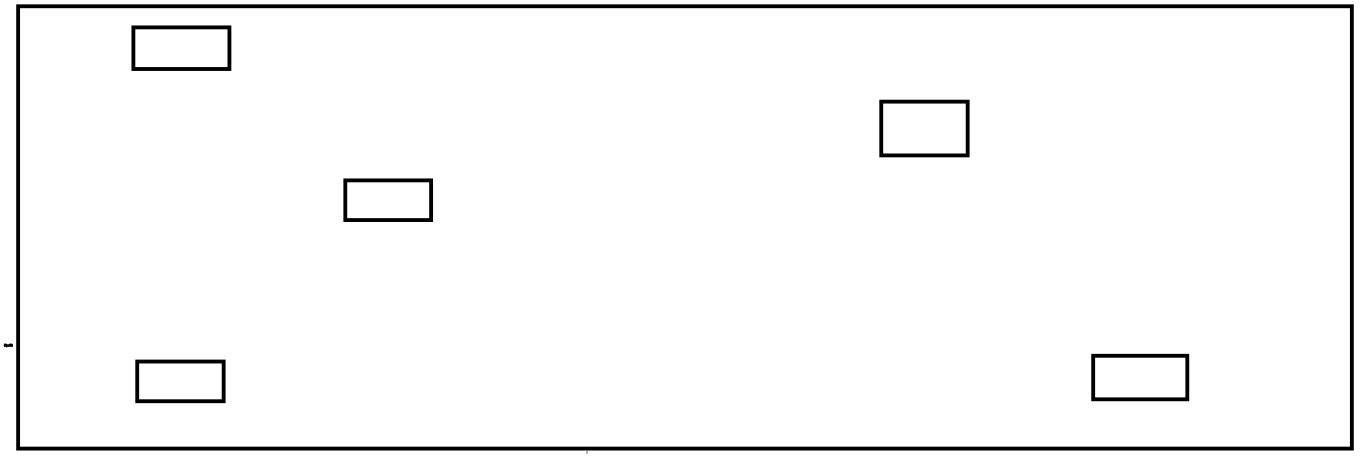

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Issues:

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[redacted] and I discussed the possibility of him coming to [redacted] to assist with a week's worth of WITT missions, possibly after January. We also discussed the possibility of me coming out to assist [redacted] with training for [redacted] Obviously, this will be your call. In the mean time, I will be available to assist via phone. b6 b7C b7E

[redacted] b7E

Please let me know your thoughts and what you would like me to do to proceed.

Thank you again for the opportunity. I believe this was a very productive trip,

Special Agent [redacted]

[redacted] b6 b7C

Date: Fri, 27 Jul 2007 15:15:25 -0700
From: [redacted]
Subject: Fwd: Fw: [redacted] info
To: [redacted]

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Note: forwarded message attached.

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Looking for a deal? Find great prices on flights and hotels with Yahoo! FareChase.
http://farechase.yahoo.com/

--Forwarded Message Attachment--
Date: Thu, 26 Jul 2007 14:30:44 -0300
From: [redacted]
To: [redacted]
Subject: Fw: [redacted] info

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here you go

-----Forwarded Message-----
From: [redacted]
Sent: Jul 25, 2007 12:21 PM
To: [redacted]
Subject: [redacted] info

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Good Morning,

Attached is the [redacted] b7E
b3

Let me know if you have any further questions.

Thanks,

[redacted]
Manager, Customer Support
[redacted]

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[redacted]

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DATE 09-19-2012 BY 65179 DMH/stp

Subject: [redacted] (word format)
Date: Wed, 1 Aug 2007 17:14:03 -0400
From: [redacted]
To: [redacted]
CC: [redacted]

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[redacted]

[redacted] If you need help or have questions feel free to contact us. I have cc'd [redacted] who is with our Customer Service Department and walked [redacted] thru the same process. Thanks [redacted]

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[redacted]
Federal Law Enforcement Marketing Manager
[redacted]

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CELL/OTD 004942

[redacted] 5/17/2012

CELLSITE-14346

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FOI/PA# 1212582-1

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16 August 2010

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

Federal Bureau of Investigations
935 Pennsylvania Ave. N.W.
Room 6869 JEH FBI Building
Washington DC 20535

Attention: [redacted] Contracting Officer

Subject: [redacted] Proposal Dated 16 August 2010

Reference: a) [redacted] Request for Proposal (RFP) dated 25 January 2010
b) [redacted]

Enclosure: 1) Proposal (Volume 1- Technical and Volume 2 – Cost)

Dear [redacted]

[redacted] is happy to provide its response to the Sponsors referenced (a) RFP for effort to be added under the referenced (b) [redacted] contract. Our specific assumptions used in preparing this proposal are included in both the Technical and Cost volumes.

The Consolidated Materials List (CML) for this effort currently is not finalized (non-auditable). Our staff is working to generate an fully auditable CML which we will provide during negotiations.

As requested this proposal shall remain valid for a period of sixty (60) days. [redacted] reserves the right to revise, update, or extend the validity of this proposal should the proposed rates change prior to negotiations.

Should you require further information please do not hesitate to contact the undersigned at [redacted]

Very truly yours,

[redacted]

[redacted]
Manager, Contracts

Cc: [redacted]

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b7C
b7E

b3
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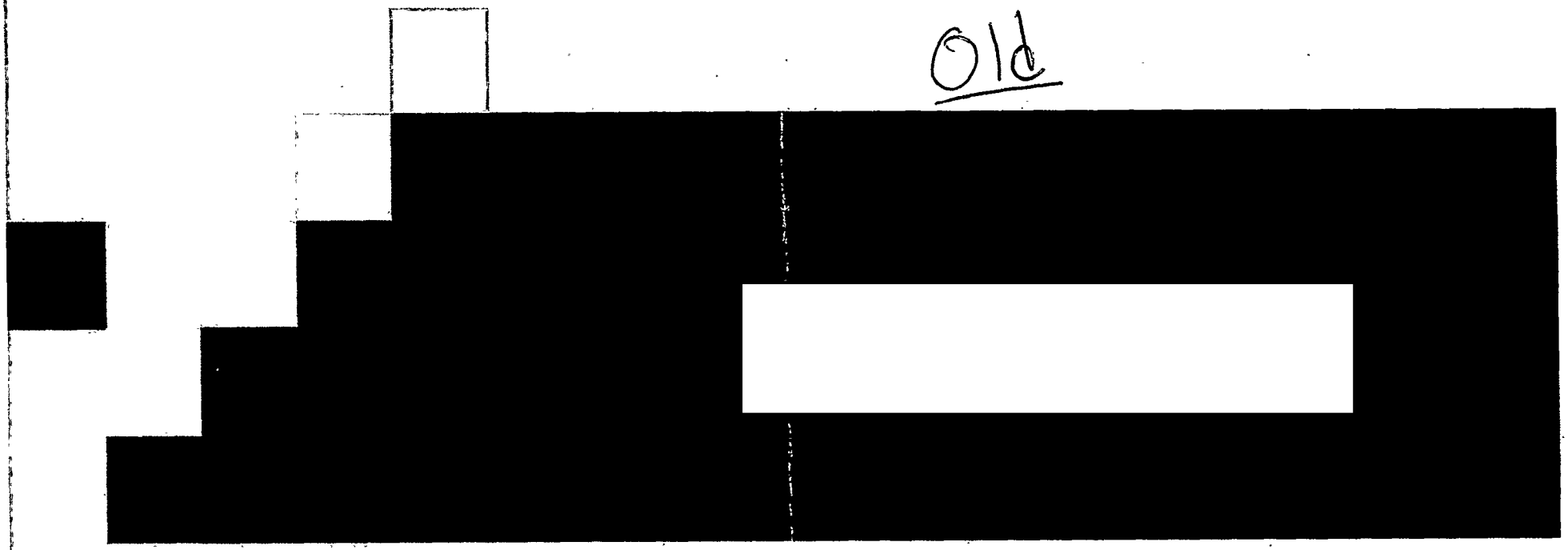
b7C
b7E

CELL/OTD 005613

CELLSITE-9724



Decision Based on Technical, Cost & Time Criteria

b7E

ALL INFORMATION CONTAINED
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DATE 10-03-2012 BY 65179 DMH/STP

WITT
Wireless Intercept and Tracking Team

CELLSITE-9763

Decision Criteria: Technical, Cost, Time

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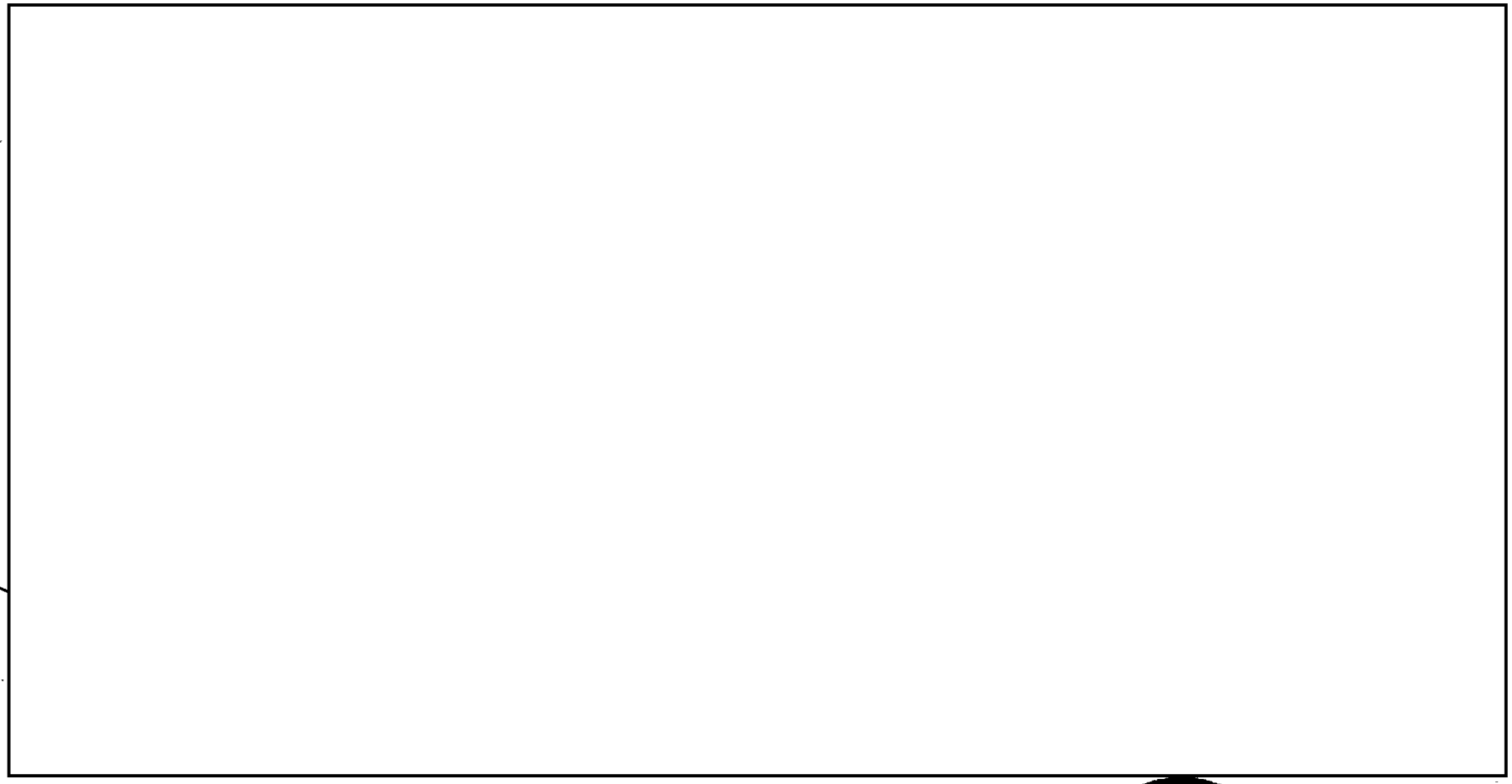
b5
b7E

Wireless Intercept and Tracking Team

CELLSITE-9764

Decision Criteria: Technical, Cost, Time

Technical



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Wireless Intercept and Tracking Team

CELLSITE-9765

Decision Criteria: Technical, Cost, Time

Cost

-

Time

-

-

b3
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b7E

WITT
Wireless Intercept and Tracking Team

NEW

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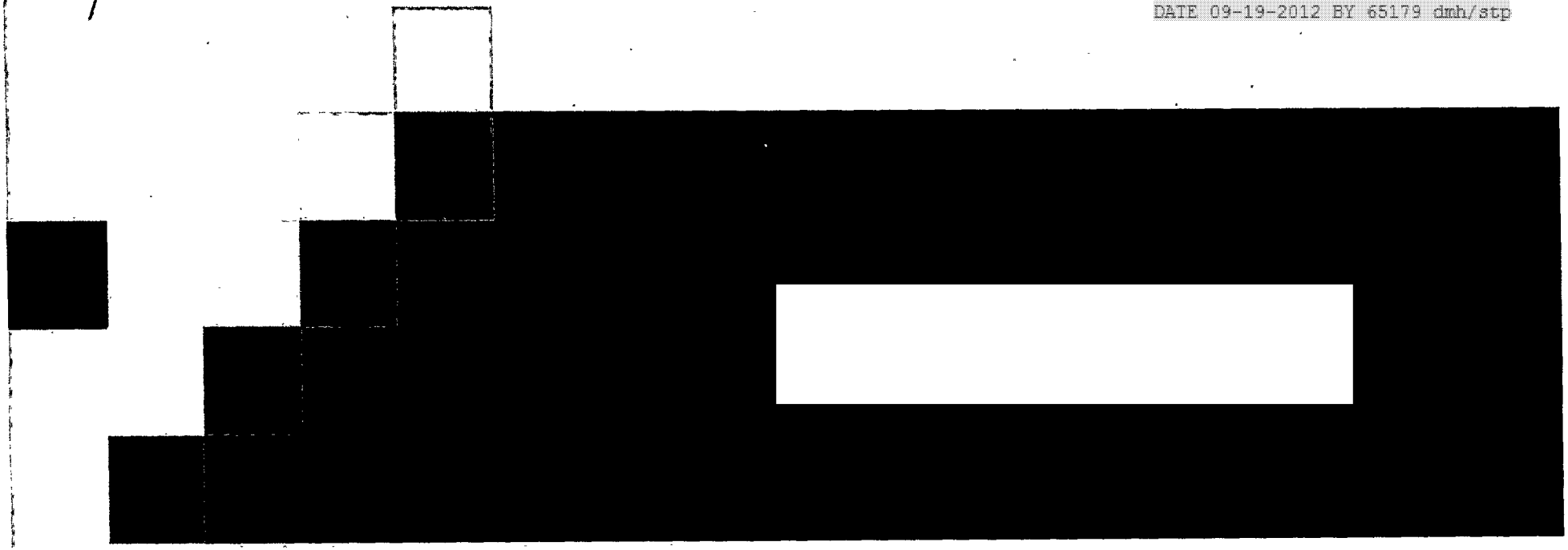
DATE 09-19-2012 BY 65179 dmh/stp



b7E

Decision Based on Technical, Cost & Time Criteria

WITT
Wireless Intercept and Tracking Team

CELLSITE-9767

IMPROVEMENTS/INNOVATIONS TO PROCESS:

- [redacted]

- [redacted]

b3
b5
b7E

Decision Criteria: Technical, Cost, Time

-

b3
b5
b7E

WITT
Wireless Intercept and Tracking Team

CELLSITE-9769

16 August 2010

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

Federal Bureau of Investigations
935 Pennsylvania Ave. N.W.
Room 6869 JEH FBI Building
Washington DC 20535

Attention: [redacted] Contracting Officer

Subject: [redacted] Proposal Dated 16 August 2010

Reference: [redacted] Request for Proposal (RFP) dated 25 January 2010

Enclosure: 1) Proposal (Volume 1- Technical and Volume 2 – Cost)

Dear [redacted]

[redacted] s happy to provide its response to the Sponsors referenced (a) RFP for effort to be added under the referenced [redacted] ontract. Our specific assumptions used in preparing this proposal are included in both the Technical and Cost volumes.

The Consolidated Materials List (CML) for this effort currently is not finalized (non-auditable). Our staff is working to generate an fully auditable CML which we will provide during negotiations.

As requested this proposal shall remain valid for a period of sixty (60) days. Harris reserves the right to revise, update, or extend the validity of this proposal should the proposed rates change prior to negotiations.

Should you require further information please do not hesitate to contact the undersigned at [redacted]

Very truly yours,

[redacted]

[redacted]
Manager, Contracts

Cc [redacted]

b3
b6
b7C
b7E

b3
b6
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[redacted]

[redacted]

b3
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09 September 2010

In Reply Please Refer to: [redacted]

935 Pennsylvania Ave. N.W.
JEH Bldg Room 6853
Washington, D.C. 20535

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

Attention: [redacted] Contracting Officer

Subject: Proposal Information:
(a) Updated Proposal - [redacted]
(b) Fact-finding Responses - [redacted]

b3
b6
b7C
b7E

Reference: (a) [redacted]
(b)
(c) Government Questions and Requests for Clarification, dated 24 August 2010
(d) Proposal discussions and fact-finding meeting held 31 August 2010 – 2 September 2010.

Dea[redacted]

[redacted] through its [redacted] is submitting the attached responses to the Government's referenced c, fact-finding questions which includes information on software dependencies. Attached also is an updated proposal for [redacted] which incorporates the changes and re-phasing of tasks requested by the Customer per references (c) and (d).

Should you require further information or wish to negotiate please contact the undersigned at [redacted]

b3
b6
b7C
b7E

Very truly yours,

[redacted]

[redacted]
Manager, Contracts

Cc: [redacted]

Enclosures:

b7E

CELL/OTD 005791

[redacted] LSITE-9901

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

Subject: FW: questions?
Date: Thu, 16 Aug 2007 09:30:51 -0400
From:
To:
CC:

does this help?

b6
b7C

From:
Sent: Thursday, August 16, 2007 8:59 AM
To:
Subject: RE: questions?

From:
Sent: Thursday, August 16, 2007 8:38 AM
To:
Subject: questions?

b3
b6
b7C
b7E

The agent who was here yesterday had some questions. I think I know some of the answers to below but I want to be sure so I thought I'd get your input to be sure. Thanks,

Few questions.

1.

2.

3.

b3
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b7E

b6
b7C

CELLSITE-10006
CELL/OTD 005896

Subject: RE: FW: questions?
Date: Fri, 17 Aug 2007 10:04:08 -0400
From: [redacted]
To: [redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-19-2012 BY 65179 DMH/stp

I think setting up a training class would be great, there are a couple other guys from [redacted] group that need a training class also. It wouldn't be hard to get a full class to go over [redacted] and new [redacted]

b3
b6
b7C
b7E

[redacted]

From: [redacted]
Sent: Friday, August 17, 2007 9:06 AM
To [redacted]
Cc
Subject: FW: FW: questions?

b3
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b7E

Hi [redacted]

I've been asking [redacted] for his expertise with your questions. I hope this helps. It looks like to me that you guys could use a good training class for a [redacted] I could talk to [redacted] about a quote if that would help. Don't hesitate to call or e-mail with questions. We're here to help. Thanks [redacted]

From: [redacted]
Sent: Thursday, August 16, 2007 3:37 PM
To: [redacted]
Subject: RE: FW: questions?

It does generally, however let's follow-up a bit shall we.

b3
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b7E

Question 1. I'm good

Question 2. [redacted]

[redacted]

[redacted]

Question 3. [redacted]

[redacted]

b3
b6
b7C
b7E

Thanks,

[redacted]

From: [redacted]
Sent: Thursday, August 16, 2007 2:35 PM
To: [redacted]
Subject: FW: FW: questions?

CELLSITE-10008

CELL/OTD 005898

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Here's the applicable policy: the MIOG (OTD section pertaining to GPS) provides the following guidance:

16-4.8.13 Tracking and Location Information - Evidentiary Considerations (TTU) (See MIOG, Part 2, 16-2.12 (3).)

(1) Tracking and location information may in fact constitute evidence in a number of investigative scenarios. See MIOG, Part 2, 10-10.8. Hence, such tracking and location information when evidential in nature should be maintained in an appropriate evidence envelope within the IA or IB section of a case file or within the Bulky Evidence Room. (TTU)

b7E

(2) Since tracking and location information may constitute evidence in a number of investigative scenarios, it is important that careful consideration be given to field office WITT personnel becoming involved in the operation of tracking/locating devices, and in the downloading and chain of custody of tracking/locating information, with respect to the potential for being called to testify as a witness at trial (see FBI policy of . Accordingly, consultation with the field office Chief Division Counsel (CDC) is warranted. Also see MIOG, Part 2, 10-9.8.1(2)(c) and 10-10.16. (TTU)

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10-10.16 [redacted]

[redacted] b7E

(4) Expert witnesses are available from the Operational Technology Division, Engineering Research Facility, Quantico, Virginia, for media analysis and court testimony regarding authenticity [redacted] and other associated matters. These normally become points of question at pretrial hearings. It is a well-established fact that media recordings and other technically collected evidence are admissible in court. On the basis of current case law, the government can introduce recording media solely on the testimony of the Agent(s) who monitors and records the intercept (assuming the Agent can identify the voice(s) and testify to the authenticity of the media) [redacted] Normally, the Agent who signs the application
for a court-ordered intercept will be called as a witness at a suppression hearing. [redacted] b7E
[redacted] See MIOG, Part 2, 16-7.2.2, 16- 3.1.6 (7).)

(5) If, in an unusual circumstance, the government's case mandates a disclosure of FBI technical operations, equipment or technique, the problem should be first brought to the attention of the Chief Division Counsel who will determine the disclosure and the reasons. Alternatives to disclosure will be sought and if no resolution is possible which would protect FBI technical concerns, then notification should be made to FBIHQ, Operational Technology Division, Electronic Surveillance Technology Section, so a final decision can be made in conjunction with the appropriate FBIHQ investigative divisions.

[redacted]

Hope this is helpful,
PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

[redacted]
Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility

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SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

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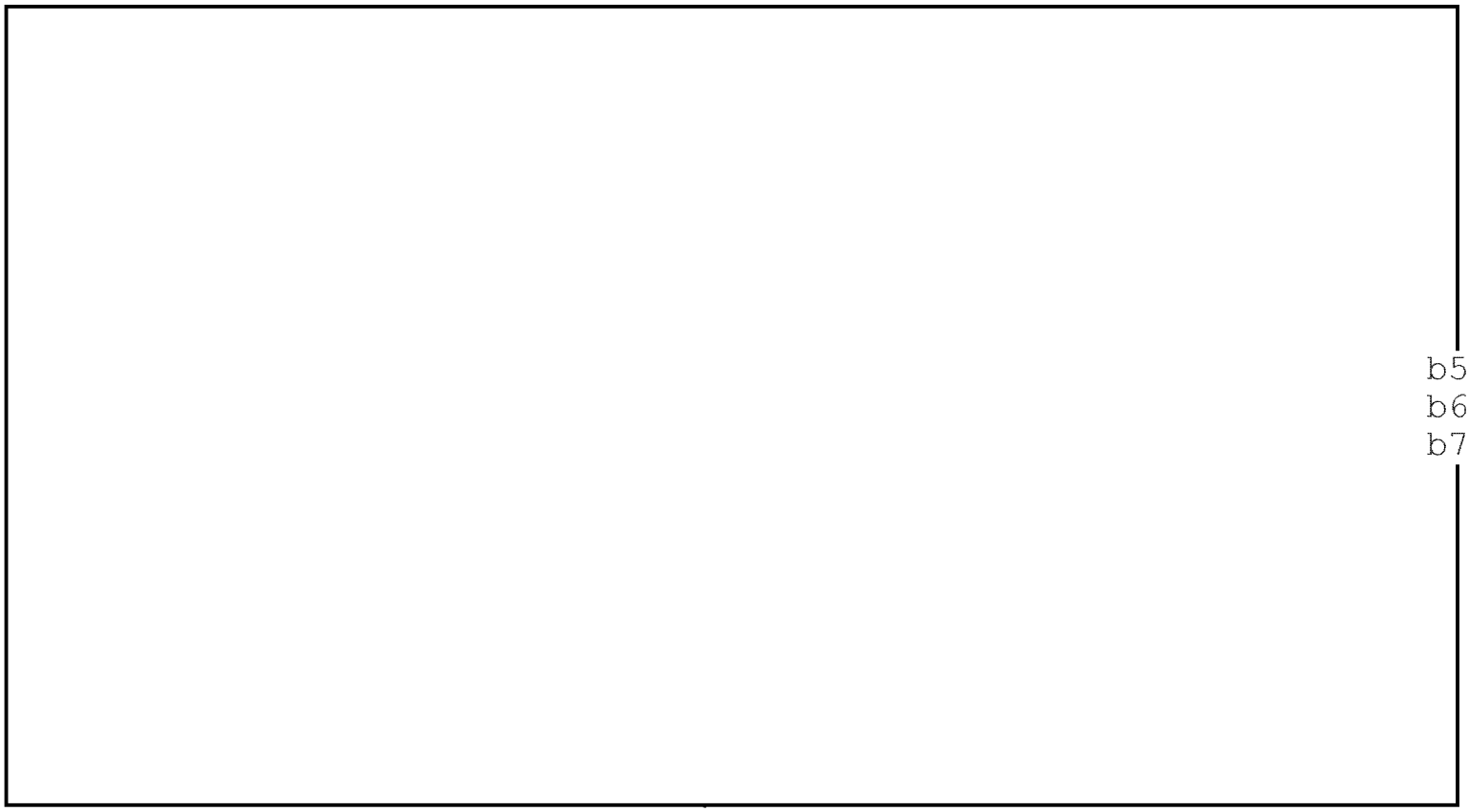

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The United States Court of Appeals for the Eleventh Circuit in United States v. Van Horn, 789 F.2d 1492(11th Cir.), cert. denied, 479 U.S. 854 (1986), recognized a qualified government privilege not to disclose sensitive investigative techniques. The court opined:

> We recognize a qualifed government privilege not to disclose sensitive investigative techniques in Roviaro v. United States, 353 U.S. 53, 77 S.Ct. 623, 1 L.Ed.2d 639 (1957), the Supreme Court acknowledged the existence of an "informer's privilege." The Court stated that the government has a privielge to withhold the identity of persons who furnish information of violations of law to the police, reasoning that the privilege furthered effective law enforcement by encouraging citizens to come forward with relevant information, 353 U.S. at 59, 77 S. Ct. at 627. . .
>
> We hold that the privilege applies equally to the nature and location of electronic surveillance equipment. Disclosing the precise locations where surveillance devices are hidden or their precise specifications will educate criminals regarding how to protect themselves against police surveillance. Electronic surveillance is an important tool of law enforcement, and its effectiveness should not be unnecessarily compromised. Disclosure of such information will also educate persons on how to employ such techniques themselves, in violation of Title III. (789 F.2d at 1507 to 1508).

The privilege will only give way if the Defendant can show a need for the information. 789 F.2d at 1508. To meet this burden, a defendant must establish that the information sought "is relevant and helpful to the defense of the accused, or is essential to a fair determination of a cause." Roviaro v. United States, 353 U.S. 53, 77 S.Ct. 623, 1 L.Ed.2d 639 (1957). The court must then weigh the defendant's need for the information against the government's interest in non-disclosure and the policies underlying the privilege. This case-by-case balancing process is necessarily ad hoc. However, in general, the courts applying the investigative techniques privilege have held that where the defendant has access to evidence from which a jury can determine the accuracy and validity of the surveillance equipment and techniques, the defendant has no need for the information. See, e.g., United States v. Van Horn, 789 F.2d at 1507-08 (concealed microphone in office, location and means of concealment not disclosed because defendant had alternative way to challenge voice identification through the tapes themselves);United States v. Harley, 682 F.2d 1018 (D.C. Cir. 1982); United States v. Garey, 2004 WL 2663023 (M.D.Ga. 2004)(defendant sought nature and technical details of device used to determine geographical location of cellular phone, because phone allegedly used in making threatening calls had been seized from defendant's residence it confirmed the accuracy of the geographic surveillance and defendant had the means to challenge the accuracy of the analysis used to link that phone to the criminal conduct). In contrast, if the defendant has no alternative means to examine the validity and accuracy of the surveillance, the balance will tend to shift in favor of disclosing the information to enable the defense to make his case. See, e.g., United States v. Foster, 986 F.2d 541, 543 (D.C. Cir. 1993) (defendant sought location of observation post: officer's observation of drug transaction was key evidence implicating defendant; surveillance not taped or photographed, so no alternative evidence for jury to examine to determine whether surveillance post provided clear view from which officer could make accurate

identification of defendant).

In this case, the Government has a qualified privilege to maintain the confidentiality of the technology and techniques used in the investigation of this case. [redacted] b5

[redacted] See, e.g., United States v. Harley, 682 F.2d 1018 (D.C. Cir. 1982); United States v. Angiuilo, 847 F.2d 956, 982-84 (1s Cir. 1988); United States v. Fernandez, 797 F.2d 943, 952-53 (11thCir. 1986).

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Subject: FW: US Supreme Court Approved Changes to the Federal Rules of Criminal Procedure 5, 6, 32.1, 40, 41, and 58

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Further follow-up: the attached contains the actual amendment for Rule 41--on warrants for "tracking devices"

-----Original Message-----
From: [redacted]
Sent: Friday, January 05, 2007 2:22 PM
To: [redacted]

[redacted]

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Subject: RE: US Supreme Court Approved Changes to the Federal Rules of Criminal Procedure 5, 6, 32.1, 40, 41, and 58

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Folks,

Attached are the Amendments to Criminal Rules 5, 6, 32.1, 40, 41, and 58 as approved by the US Supreme Court in April 2006, which took effect on December 1, 2006, along with an excerpt of the "Report of the Advisory Committee on Criminal Rules," RE these Rules.

Criminal_Rules_Approved_US_Sup...

Combined_CR_Report_Rules.pdf

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Subject: Changes to the Federal Rules of Criminal Procedure

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Ladies and Gentlemen,

Attached are the amendments to the Federal Rules of Criminal Procedure as approved by the Judicial Conference (see www.uscourts.gov website) along with an excerpt of the "Report of the Advisory Committee on Criminal Rules," and, for your edification, a document and chart that describes the rulemaking process.

As always, please forward to appropriate personnel.

<< File: Changes_to_Federal_Rules_Criminal_Procedure.pdf >> << File: Excerpt_CR.pdf >> << File: Federal Rulemaking.doc >>

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AMENDMENTS TO THE FEDERAL RULES OF CRIMINAL PROCEDURE

Rule 5. Initial Appearance

* * * * *

(c) Place of Initial Appearance; Transfer to Another District.

* * * * *

(3) ***Procedures in a District Other Than Where the Offense Was Allegedly Committed.*** If the initial appearance occurs in a district other than where the offense was allegedly committed, the following procedures apply:

* * * * *

(C) the magistrate judge must conduct a preliminary hearing if required by Rule 5.1;

(D) the magistrate judge must transfer the defendant to the district where the offense was allegedly committed if:

(i) the government produces the warrant, a certified copy of the warrant, or a reliable electronic form of either; and

* * * * *

Rule 6. The Grand Jury

* * * * *

(e) Recording and Disclosing the Proceedings.

* * * * *

(3) ***Exceptions.***

* * * * *

(D) An attorney for the government may disclose any grand-jury matter involving foreign intelligence, counterintelligence (as defined in 50 U.S.C. § 401a), or foreign

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intelligence information (as defined in Rule 6(e)(3)(D)(iii)) to any federal law enforcement, intelligence, protective, immigration, national defense, or national security official to assist the official receiving the information in the performance of that official's duties. An attorney for the government may also disclose any grand-jury matter involving, within the United States or elsewhere, a threat of attack or other grave hostile acts of a foreign power or its agent, a threat of domestic or international sabotage or terrorism, or clandestine intelligence gathering activities by an intelligence service or network of a foreign power or by its agent, to any appropriate federal, state,

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state subdivision, Indian tribal, or foreign government official, for the purpose of preventing or responding to such threat or activities.

(i) Any official who receives information under Rule 6(e)(3)(D) may use the information only as necessary in the conduct of that person's official duties subject to any limitations on the unauthorized disclosure of such information. Any state, state subdivision, Indian tribal, or foreign government official who receives information under Rule 6(e)(3)(D) may use the information only in a manner consistent with any guidelines issued

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by the Attorney General and the Director of National Intelligence.

* * * * *

(7) ***Contempt.*** A knowing violation of Rule 6, or of any guidelines jointly issued by the Attorney General and the Director of National Intelligence under Rule 6, may be punished as a contempt of court.

* * * * *

Rule 32.1. Revoking or Modifying Probation or Supervised Release

(a) Initial Appearance.

* * * * *

(5) ***Appearance in a District Lacking Jurisdiction.*** If the person is arrested or appears in a district that does not have

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jurisdiction to conduct a revocation hearing, the magistrate judge must:

* * * * *

(B) if the alleged violation did not occur in the district of arrest, transfer the person to the district that has jurisdiction if:

(i) the government produces certified copies of the judgment, warrant, and warrant application, or produces copies of those certified documents by reliable electronic means; and

(ii) the judge finds that the person is the same person named in the warrant.

* * * * *

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Rule 40. Arrest for Failing to Appear in Another District or for Violating Conditions of Release Set in Another District

(a) In General. A person must be taken without unnecessary delay before a magistrate judge in the district of arrest if the person has been arrested under a warrant issued in another district for:

(i) failing to appear as required by the terms of that person's release under 18 U.S.C. §§ 3141-3156 or by a subpoena; or

(ii) violating conditions of release set in another district.

* * * * *

Rule 41. Search and Seizure

(a) Scope and Definitions.

* * * * *

(2) ***Definitions.*** The following definitions apply under this rule:

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* * * * *

(D) "Domestic terrorism" and "international terrorism" have the meanings set out in 18 U.S.C. § 2331.

(E) "Tracking device" has the meaning set out in 18 U.S.C. § 3117(b).

(b) Authority to Issue a Warrant. At the request of a federal law enforcement officer or an attorney for the government:

(1) a magistrate judge with authority in the district — or if none is reasonably available, a judge of a state court of record in the district — has authority to issue a warrant to search for and seize a person or property located within the district;

(2) a magistrate judge with authority in the district has authority to issue a warrant for a person or

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property outside the district if the person or property is located within the district when the warrant is issued but might move or be moved outside the district before the warrant is executed;

(3) a magistrate judge — in an investigation of domestic terrorism or international terrorism — with authority in any district in which activities related to the terrorism may have occurred has authority to issue a warrant for a person or property within or outside that district; and

(4) a magistrate judge with authority in the district has authority to issue a warrant to install within the district a tracking device; the warrant may authorize use of the device to track the movement of a person or property located within the district, outside the district, or both.

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* * * * *

(d) Obtaining a Warrant.

(1) ***In General.*** After receiving an affidavit or other information, a magistrate judge — or if authorized by Rule 41(b), a judge of a state court of record — must issue the warrant if there is probable cause to search for and seize a person or property or to install and use a tracking device.

* * * * *

(3) ***Requesting a Warrant by Telephonic or Other Means.***

(A) *In General.* A magistrate judge may issue a warrant based on information communicated by telephone or other reliable electronic means.

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(B) *Recording Testimony.* Upon learning that an applicant is requesting a warrant under Rule 41(d)(3)(A), a magistrate judge must:

(i) place under oath the applicant and any person on whose testimony the application is based; and

(ii) make a verbatim record of the conversation with a suitable recording device, if available, or by a court reporter, or in writing.

* * * * *

(e) Issuing the Warrant.

(1) ***In General.*** The magistrate judge or a judge of a state court of record must issue the warrant to an officer authorized to execute it.

(2) ***Contents of the Warrant.***

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(A) *Warrant to Search for and Seize a Person or Property.* Except for a tracking-device warrant, the warrant must identify the person or property to be searched, identify any person or property to be seized, and designate the magistrate judge to whom it must be returned. The warrant must command the officer to:

(i) execute the warrant within a specified time no longer than 10 days;

(ii) execute the warrant during the daytime, unless the judge for good cause expressly authorizes execution at another time; and

(iii) return the warrant to the magistrate judge designated in the warrant.

(B) *Warrant for a Tracking Device.* A tracking-

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device warrant must identify the person or property to be tracked, designate the magistrate judge to whom it must be returned, and specify a reasonable length of time that the device may be used. The time must not exceed 45 days from the date the warrant was issued. The court may, for good cause, grant one or more extensions for a reasonable period not to exceed 45 days each. The warrant must command the officer to:

(i) complete any installation authorized by the warrant within a specified time no longer than 10 calendar days;

(ii) perform any installation authorized by the warrant during the daytime, unless the judge for good cause expressly

authorizes installation at another time; and

(iii) return the warrant to the judge designated in the warrant.

(3) ***Warrant by Telephonic or Other Means.*** If a magistrate judge decides to proceed under Rule 41(d)(3)(A), the following additional procedures apply:

(A) *Preparing a Proposed Duplicate Original Warrant.* The applicant must prepare a "proposed duplicate original warrant" and must read or otherwise transmit the contents of that document verbatim to the magistrate judge.

(B) *Preparing an Original Warrant.* If the applicant reads the contents of the proposed duplicate original warrant, the magistrate

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judge must enter those contents into an original warrant. If the applicant transmits the contents by reliable electronic means, that transmission may serve as the original warrant.

(C) *Modification.* The magistrate judge may modify the original warrant. The judge must transmit any modified warrant to the applicant by reliable electronic means under Rule 41(e)(3)(D) or direct the applicant to modify the proposed duplicate original warrant accordingly.

(D) *Signing the Warrant.* Upon determining to issue the warrant, the magistrate judge must immediately sign the original warrant, enter on its face the exact date and time it is issued, and transmit it by reliable electronic

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means to the applicant or direct the applicant to sign the judge's name on the duplicate original warrant.

(f) Executing and Returning the Warrant.

(1) ***Warrant to Search for and Seize a Person or Property.***

(A) *Noting the Time.* The officer executing the warrant must enter on it the exact date and time it was executed.

(B) *Inventory.* An officer present during the execution of the warrant must prepare and verify an inventory of any property seized. The officer must do so in the presence of another officer and the person from whom, or from whose premises, the property was taken. If either one is not present, the officer must prepare and verify the

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inventory in the presence of at least one other credible person.

(C) *Receipt.* The officer executing the warrant must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken or leave a copy of the warrant and receipt at the place where the officer took the property.

(D) *Return.* The officer executing the warrant must promptly return it — together with a copy of the inventory — to the magistrate judge designated on the warrant. The judge must, on request, give a copy of the inventory to the person from whom, or from whose premises, the property was taken and to the applicant for the warrant.

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(2) ***Warrant for a Tracking Device.***

(A) *Noting the Time.* The officer executing a tracking-device warrant must enter on it the exact date and time the device was installed and the period during which it was used.

(B) *Return.* Within 10 calendar days after the use of the tracking device has ended, the officer executing the warrant must return it to the judge designated in the warrant.

(C) *Service.* Within 10 calendar days after the use of the tracking device has ended, the officer executing a tracking-device warrant must serve a copy of the warrant on the person who was tracked or whose property was tracked. Service may be accomplished by delivering a copy to the person who, or whose property, was tracked; or by leaving a

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copy at the person's residence or usual place of abode with an individual of suitable age and discretion who resides at that location and by mailing a copy to the person's last known address. Upon request of the government, the judge may delay notice as provided in Rule 41(f)(3).

(3) ***Delayed Notice.*** Upon the government's request, a magistrate judge — or if authorized by Rule 41(b), a judge of a state court of record — may delay any notice required by this rule if the delay is authorized by statute.

* * * * *

Rule 58. Petty Offenses and Other Misdemeanors

* * * * *

(b) Pretrial Procedure.

* * * * *

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(2) ***Initial Appearance.*** At the defendant's initial appearance on a petty offense or other misdemeanor charge, the magistrate judge must inform the defendant of the following:

* * * * *

(G) any right to a preliminary hearing under Rule 5.1, and the general circumstances, if any, under which the defendant may secure pretrial release.

* * * * *

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COMMITTEE ON RULES OF PRACTICE AND PROCEDURE
OF THE
JUDICIAL CONFERENCE OF THE UNITED STATES
WASHINGTON, D.C. 20544

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JERRY E. SMITH
EVIDENCE RULES

To: **Hon. David F. Levi, Chair**
Standing Committee on Rules of Practice and Procedure

From: **Hon. Susan C. Bucklew, Chair**
Advisory Committee on Federal Rules of Criminal Procedure

Subject: **Report of the Advisory Committee on Criminal Rules**

Date: **May 17, 2005**

I. Introduction

The Advisory Committee on Federal Rules of Criminal Procedure met on April 4-5, 2005 in Charleston, South Carolina and took action on a number of proposed amendments to the Rules of Criminal Procedure.

* * * * *

II. Action Items – Overview

First, the Committee considered two public comments to the following rules:

- Rule 5, Initial Appearance, Proposed Amendment Regarding Use of Electronic Means to Transmit Warrant.
- Rule 32.1, Revoking or Modifying Probation or Supervised Release; Proposed Amendment Regarding Use of Electronic Means to Transmit Warrant.
- Rule 40, Arrest for Failing to Appear in Another District; Proposed Amendment to Provide for Authority to Set Conditions for Release.

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- Rule 41, Search and Seizure; Proposed Amendment Concerning Use of Electronic Means to Transmit Warrant.

- Rule 58, Petty Offenses and Misdemeanors; Proposed Amendment to Resolve Conflict with Rule 5 Concerning Right to Preliminary Hearing.

- Rule 41. Search and Seizure; Previously Approved Amendment Concerning Tracking Device Warrants.

As noted in the following discussion, the Advisory Committee proposes that amendments to Rule 6 be approved by the Committee and forwarded to the Judicial Conference without being published for comment.

Second, the Committee considered technical and conforming amendments to the following rule:

- Rule 6, The Grand Jury.

As noted in the following discussion, the Advisory Committee proposes that this amendment be forwarded to the Judicial Conference.

* * * * *

III. Action Items–Recommendations to Forward Amendments to the Judicial Conference

At its June 2004 meeting, the Standing Committee approved the publication of proposed amendments to Rules 5, 32.1, 40, 41, and 58. The comment period for the proposed amendments was closed on February 15, 2005. The Advisory Committee received two comments on the proposed amendments, and several suggestions from the Style Committee. The Committee made only minor changes as proposed by the Style Committee, and it recommends that all of the proposed amendments be forwarded to the Judicial Conference for approval and transmitted to the Supreme Court. The following discussion briefly summarizes the proposed amendments.

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1. ACTION ITEM–Rule 5, Initial Appearance, Proposed Amendment Regarding Use of Electronic Means to Transmit Warrant.

The amendment to Rule 5 is intended to permit the magistrate judge to accept a warrant by reliable electronic means. At present, the rule requires the government to produce the original warrant, a certified copy of the warrant, or a facsimile copy of either of those documents. The amendment reflects the availability of improved technology, which makes the use of electronic media as reliable and efficient as using a facsimile. The term "electronic" is used to provide some flexibility, allowing for further technological advances in transmitting data. If electronic means are used, the rule requires that the means be "reliable," and leaves the definition of that term to a court or magistrate judge at the local level. The Advisory Committee received two comments on the published amendment. Federal Public Defender Frank Dunham wrote that the rule should make clear that "non-certified electronic copies" are not reliable electronic means. The Federal Magistrate Judges Association expressed its support for the rule as drafted.

Following consideration of the comments, the Committee unanimously approved the amendment, as published.

Recommendation–The Advisory Committee recommends that the amendment to Rule 5 be approved and forwarded to the Judicial Conference.

2. ACTION ITEM–Rule 32.1, Revoking or Modifying Probation or Supervised Release; Proposed Amendment Regarding Use of Electronic Means to Transmit Warrant.

This amendment to Rule 32.1 permits the magistrate judge to accept a judgment, warrant, and warrant application by reliable electronic means. It parallels similar changes to Rule 5, reflecting the same enhancements in technology. As in Rule 5, what constitutes "reliable" electronic means is left to a court or magistrate judge to determine as a local matter. The Committee received only one comment on the published amendment, in which the Federal Magistrate Judges Association expressed its support for the change.

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Following consideration of the comment, the Committee unanimously approved the amendment, as published (with a minor change recommended by the Style Committee).

Recommendation–The Advisory Committee recommends that the amendment to Rule 32.1 be approved and forwarded to the Judicial Conference.

3. ACTION ITEM–Rule 40, Arrest for Failing to Appear in Another District; Proposed Amendment to Provide for Authority to Set Conditions for Release.

This amendment to Rule 40 is intended to fill a perceived gap in the rule related to persons who are arrested for violating the conditions of release in another district. It authorizes the magistrate judge in the district where the arrest takes place to set conditions of release. The amendment makes it clear that the judge has this authority not only in cases where the arrest takes place because of failure to appear in another district, but also for violation of any other condition of release. The Committee received only one comment on the published amendment, in which the Federal Magistrate Judges Association expressed its support for the change.

Following consideration of the comment, the Committee unanimously approved the amendment, as published (with a minor change recommended by the Style Committee).

Recommendation–The Advisory Committee recommends that the amendment to Rule 40 be approved and forwarded to the Judicial Conference.

4. ACTION ITEM–Rule 41, Search and Seizure; Proposed Amendment Concerning Use of Electronic Means to Transmit Warrant.

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This amendment to Rule 41 authorizes magistrate judges to use reliable electronic means to issue warrants. This parallels similar changes to Rules 5 and 32.1(a)(5)(B)(i), allowing the use of improved technology, and leaving what constitutes "reliable" electronic means to a court or magistrate judge to determine as a local matter. The Committee received only one comment on the published amendment, in which the Federal Magistrate Judges Association expressed its support for the change.

Following consideration of the comment, the Committee unanimously approved the amendment, as published.

Recommendation–The Advisory Committee recommends that the amendment to Rule 41 be approved and forwarded to the Judicial Conference.

5. ACTION ITEM–Rule 58, Petty Offenses and Misdemeanors; Proposed Amendment to Resolve Conflict with Rule 5 Concerning Right to Preliminary Hearing.

Rule 58(b)(2) governs the advice to be given to defendants at an initial appearance on a misdemeanor charge. The amendment eliminates a conflict with Rule 5.1(a) concerning a defendant's entitlement to a preliminary hearing. Instead of attempting to define in this rule when a misdemeanor defendant may be entitled to a Rule 5.1 preliminary hearing, the rule is amended to direct the reader to Rule 5.1. The Committee received only one comment on the published amendment, in which the Federal Magistrate Judges Association expressed its support for the change.

Following consideration of the comment, the Committee unanimously approved the amendment, as published.

Recommendation–The Advisory Committee recommends that the amendment to Rule 58 be approved and forwarded to the Judicial Conference.

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6. ACTION ITEM–Rule 41. Search and Seizure; Previously Approved Amendment Concerning Tracking Device Warrants.

An amendment to Rule 41 which would provide procedures for tracking device warrants was recommended, published for public comment, reviewed by the Advisory Committee, and approved by the Standing Committee at its June 2003 meeting for submission to the Judicial Conference. However, subsequent to that meeting the Department of Justice requested additional time to review the proposal. At the April 2005 meeting of the Advisory Committee, Ms. Rhodes stated that the Department had completed its review of the amendment and had no further recommendations for changes to it. In light of the clarification of the Department's position, there is no longer any need to defer submission to the Judicial Conference.

The rule and committee note as approved by the Standing Committee at its June 2003 meeting, including changes proposed by the Style Committee, are submitted again for consideration.

Recommendation–The Advisory Committee recommends that the amendment to Rule 41 be approved and forwarded to the Judicial Conference.

7. ACTION ITEM–Rule 6. The Grand Jury; Technical and Conforming Amendments.

This amendment makes technical changes to the language added to Rule 6 by the Intelligence Reform and Terrorism Prevention Act of 2004, Pub.L. 108-458, Title VI, § 6501(a), 118 Stat. 3760, in order to bring the new language into conformity with the conventions introduced in the general restyling of the Criminal Rules. No substantive change is intended.

The Advisory Committee unanimously approved the proposal as a technical and conforming amendment, for which no publication and comment period would be necessary.

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Recommendation–The Advisory Committee recommends that the technical and conforming amendment to Rule 6 be approved and forwarded to the Judicial Conference.

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PROPOSED AMENDMENTS TO THE FEDERAL RULES OF CRIMINAL PROCEDURE*

Rule 5. Initial Appearance

* * * * *

(c) Place of Initial Appearance; Transfer to Another District.

* * * * *

(3) ***Procedures in a District Other Than Where the Offense Was Allegedly Committed.*** If the initial appearance occurs in a district other than where the offense was allegedly committed, the following procedures apply:

* * * * *

(C) the magistrate judge must conduct a preliminary hearing if required by Rule 5.1 ~~or Rule 58(b)(2)(G)~~;

*New material is underlined; matter to be omitted is lined through.

(D) the magistrate judge must transfer the defendant to the district where the offense was allegedly committed if:

(i) the government produces the warrant, a certified copy of the warrant, ~~a facsimile of either,~~ or ~~other appropriate~~ a reliable electronic form of either; and

* * * * *

COMMITTEE NOTE

Subdivisions (c)(3)(C) and (D). The amendment to Rule 5(c)(3)(C) parallels an amendment to Rule 58(b)(2)(G), which in turn has been amended to remove a conflict between that rule and Rule 5.1(a), concerning the right to a preliminary hearing.

Rule 5(c)(3)(D) has been amended to permit the magistrate judge to accept a warrant by reliable electronic means. Currently, the rule requires the government to produce the original warrant, a certified copy of the warrant, or a facsimile copy of either of those documents. This amendment parallels similar changes to Rules 32.1(a)(5)(B)(i) and 41. The reference to a facsimile version of the warrant was removed because the Committee believed that the broader term "electronic form" includes facsimiles.

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The amendment reflects a number of significant improvements in technology. First, more courts are now equipped to receive filings by electronic means, and indeed, some courts encourage or require that certain documents be filed by electronic means. Second, the technology has advanced to the state where such filings could be sent from, and received at, locations outside the courthouse. Third, electronic media can now provide improved quality of transmission and security measures. In short, in a particular case, using electronic media to transmit a document might be just as reliable and efficient as using a facsimile.

The term "electronic" is used to provide some flexibility to the rule and make allowance for further technological advances in transmitting data.

The rule requires that if electronic means are to be used to transmit a warrant to the magistrate judge, that the means used be "reliable." While the rule does not further define that term, the Committee envisions that a court or magistrate judge would make that determination as a local matter. In deciding whether a particular electronic means, or media, would be reliable, the court might consider first, the expected quality and clarity of the transmission. For example, is it possible to read the contents of the warrant in its entirety, as though it were the original or a clean photocopy? Second, the court may consider whether security measures are available to insure that the transmission is not compromised. In this regard, most courts are now equipped to require that certain documents contain a digital signature, or some other similar system for restricting access. Third, the court may consider whether there are reliable means of preserving the document for later use.

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Changes Made After Publication and Comment

The Committee made no changes in the Rule and Committee Note as published. It considered and rejected the suggestion that the rule should refer specifically to non-certified photocopies, believing it preferable to allow the definition of reliability to be resolved at the local level. The Committee Note provides examples of the factors that would bear on reliability.

* * * * *

Rule 6. The Grand Jury

* * * * *

(e) Recording and Disclosing the Proceedings.

* * * * *

(3) ***Exceptions.***

* * * * *

(D) An attorney for the government may disclose any grand-jury matter involving foreign intelligence, counterintelligence (as defined in 50 U.S.C. § 401a), or foreign intelligence information (as defined in Rule

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6(e)(3)(D)(iii)) to any federal law enforcement, intelligence, protective, immigration, national defense, or national security official to assist the official receiving the information in the performance of that official's duties. An attorney for the government may also disclose any grand-jury matter involving, within the United States or elsewhere, a threat of attack or other grave hostile acts of a foreign power or its agent, a threat of domestic or international sabotage or terrorism, or clandestine intelligence gathering activities by an intelligence service or network of a foreign power or by its agent, to any appropriate federal ~~Federal~~, state~~State~~, state~~State~~ subdivision, Indian

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tribal, or foreign government official, for the purpose of preventing or responding to such threat or activities.

(i) Any official who receives information under Rule 6(e)(3)(D) may use the information only as necessary in the conduct of that person's official duties subject to any limitations on the unauthorized disclosure of such information. Any state~~State~~, state~~State~~ subdivision, Indian tribal, or foreign government official who receives information under Rule 6(e)(3)(D) may use the information ~~only consistent with such guidelines as the Attorney General and the Director of National Intelligence shall jointly~~

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~~issue~~ only in a manner consistent with any guidelines issued by the Attorney General and the Director of National Intelligence.

* * * * *

(7) ***Contempt.*** A knowing violation of Rule 6, or of any guidelines jointly issued by the Attorney General and the Director of National Intelligence ~~pursuant to~~ under Rule 6, may be punished as a contempt of court.

* * * * *

COMMITTEE NOTE

Subdivision (e)(3) and (7). This amendment makes technical changes to the language added to Rule 6 by the Intelligence Reform and Terrorism Prevention Act of 2004, Pub.L. 108-458, Title VI, § 6501(a), 118 Stat. 3760, in order to bring the new language into conformity with the conventions introduced in the general restyling of the Criminal Rules. No substantive change is intended.

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Rule 32.1. Revoking or Modifying Probation or Supervised Release

(a) Initial Appearance.

* * * * *

(5) ***Appearance in a District Lacking Jurisdiction.*** If the person is arrested or appears in a district that does not have jurisdiction to conduct a revocation hearing, the magistrate judge must:

* * * * *

(B) if the alleged violation did not occur in the district of arrest, transfer the person to the district that has jurisdiction if:

(i) the government produces certified copies of the judgment, warrant, and warrant application, or produces copies of those certified documents by reliable electronic means; and

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(ii) the judge finds that the person is the same person named in the warrant.

* * * * *

COMMITTEE NOTE

Subdivision (a)(5)(B)(i). Rule 32.1(a)(5)(B)(i) has been amended to permit the magistrate judge to accept a judgment, warrant, and warrant application by reliable electronic means. Currently, the rule requires the government to produce certified copies of those documents. This amendment parallels similar changes to Rules 5 and 41.

The amendment reflects a number of significant improvements in technology. First, receiving documents by facsimile has become very commonplace and many courts are now equipped to receive filings by electronic means, and indeed, some courts encourage or require that certain documents be filed by electronic means. Second, the technology has advanced to the state where such filings could be sent from, and received at, locations outside the courthouse. Third, electronic media can now provide improved quality of transmission and security measures. In short, in a particular case, using electronic media to transmit a document might be just as reliable and efficient as using a facsimile.

The term "electronic" is used to provide some flexibility to the rule and make allowance for further technological advances in transmitting data. The Committee envisions that the term "electronic" would include use of facsimile transmissions.

The rule requires that if electronic means are to be used to transmit a warrant to the magistrate judge, the means used be

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"reliable." While the rule does not further define that term, the Committee envisions that a court or magistrate judge would make that determination as a local matter. In deciding whether a particular electronic means, or media, would be reliable, the court might consider first, the expected quality and clarity of the transmission. For example, is it possible to read the contents of the warrant in its entirety, as though it were the original or a clean photocopy? Second, the court may wish to consider whether security measures are available to insure that the transmission is not compromised. In this regard, most courts are now equipped to require that certain documents contain a digital signature, or some other similar system for restricting access. Third, the court may consider whether there are reliable means of preserving the document for later use.

Changes Made After Publication and Comment

The Committee made minor clarifying changes in the published rule at the suggestion of the Style Committee.

* * * * *

Rule 40. Arrest for Failing to Appear in Another District or for Violating Conditions of Release Set in Another District

~~**(a) In General.** If a person is arrested under a warrant issued in another district for failing to appear — as required by the terms of that person's release under 18~~

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~~U.S.C. §§ 3141–3156 or by a subpoena — the person must be taken without unnecessary delay before a magistrate judge in the district of the arrest.~~

(a) **In General.** A person must be taken without unnecessary delay before a magistrate judge in the district of arrest if the person has been arrested under a warrant issued in another district for:

(i) failing to appear as required by the terms of that person's release under 18 U.S.C. §§ 3141-3156 or by a subpoena; or

(ii) violating conditions of release set in another district.

* * * * *

COMMITTEE NOTE

Subdivision (a). Rule 40 currently refers only to a person arrested for failing to appear in another district. The amendment is intended to fill a perceived gap in the rule that a magistrate judge in the district of arrest lacks authority to set release conditions for a person arrested only for violation of conditions of release. *See,*

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e.g., *United States v. Zhu*, 215 F.R.D. 21, 26 (D. Mass. 2003). The Committee believes that it would be inconsistent for the magistrate judge to be empowered to release an arrestee who had failed to appear altogether, but not to release one who only violated conditions of release in a minor way. Rule 40(a) is amended to expressly cover not only failure to appear, but also violation of any other condition of release.

Changes Made After Publication and Comment

The Committee made minor clarifying changes in the published rule at the suggestion of the Style Committee.

* * * * *

Rule 41. Search and Seizure

(a) Scope and Definitions.

* * * * *

(2) ***Definitions.*** The following definitions apply under this rule:

* * * * *

(D) "Domestic terrorism" and "international terrorism" have the meanings set out in 18 U.S.C. § 2331.

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(E) "Tracking device" has the meaning set out in 18 U.S.C. § 3117(b).

(b) Authority to Issue a Warrant. At the request of a federal law enforcement officer or an attorney for the government:

(1) a magistrate judge with authority in the district — or if none is reasonably available, a judge of a state court of record in the district — has authority to issue a warrant to search for and seize a person or property located within the district;

(2) a magistrate judge with authority in the district has authority to issue a warrant for a person or property outside the district if the person or property is located within the district when the warrant is issued but might move or be moved

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outside the district before the warrant is executed; ~~and~~

(3) a magistrate judge — in an investigation of domestic terrorism or international terrorism ~~(as defined in 18 U.S.C. § 2331) having~~ — with authority in any district in which activities related to the terrorism may have occurred~~, may~~ has authority to issue a warrant for a person or property within or outside that district~~.~~; and

(4) a magistrate judge with authority in the district has authority to issue a warrant to install within the district a tracking device; the warrant may authorize use of the device to track the movement of a person or property located within the district, outside the district, or both.

* * * * *

(d) Obtaining a Warrant.

(1) ~~*Probable Cause*~~ ***In General.*** After receiving an affidavit or other information, a magistrate judge — or if authorized by Rule 41(b), ~~or~~ a judge of a state court of record — must issue the warrant if there is probable cause to search for and seize a person or property or to install and use a tracking device ~~under Rule 41(c)~~.

* * * * *

(3) ***Requesting a Warrant by Telephonic or Other Means.***

(A) *In General.* A magistrate judge may issue a warrant based on information communicated by telephone or other reliable electronic means. ~~appropriate means, including facsimile transmission.~~

(B) *Recording Testimony.* Upon learning that an applicant is requesting a warrant under Rule 41(d)(3)(A), a magistrate judge must:

(i) place under oath the applicant and any person on whose testimony the application is based; and

(ii) make a verbatim record of the conversation with a suitable recording device, if available, or by a court reporter, or in writing.

* * * * *

(e) Issuing the Warrant.

(1) ***In General.*** The magistrate judge or a judge of a state court of record must issue the warrant to an officer authorized to execute it.

(2) ***Contents of the Warrant.***

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(A) *Warrant to Search for and Seize a Person or Property.* Except for a tracking-device warrant, ~~T~~ the warrant must identify the person or property to be searched, identify any person or property to be seized, and designate the magistrate judge to whom it must be returned. The warrant must command the officer to:

~~(A)~~(i) execute the warrant within a specified time no longer than 10 days;

~~(B)~~(ii) execute the warrant during the daytime, unless the judge for good cause expressly authorizes execution at another time; and

~~(C)~~(iii) return the warrant to the magistrate judge designated in the warrant.

(B) *Warrant for a Tracking Device.* A tracking-device warrant must identify the person or

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property to be tracked, designate the magistrate judge to whom it must be returned, and specify a reasonable length of time that the device may be used. The time must not exceed 45 days from the date the warrant was issued. The court may, for good cause, grant one or more extensions for a reasonable period not to exceed 45 days each. The warrant must command the officer to:

(i) complete any installation authorized by the warrant within a specified time no longer than 10 calendar days;

(ii) perform any installation authorized by the warrant during the daytime, unless the judge for good cause expressly

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authorizes installation at another time; and

(iii) return the warrant to the judge designated in the warrant.

(3) ***Warrant by Telephonic or Other Means.*** If a magistrate judge decides to proceed under Rule 41(d)(3)(A), the following additional procedures apply:

(A) *Preparing a Proposed Duplicate Original Warrant.* The applicant must prepare a "proposed duplicate original warrant" and must read or otherwise transmit the contents of that document verbatim to the magistrate judge.

(B) *Preparing an Original Warrant.* If the applicant reads the contents of the proposed duplicate original warrant, the ~~The~~

magistrate judge must enter ~~the~~ those contents ~~of the proposed duplicate original warrant~~ into an original warrant. If the applicant transmits the contents by reliable electronic means, that transmission may serve as the original warrant.

(C) *Modifications~~.~~*. The magistrate judge may modify the original warrant. The judge must transmit any modified warrant to the applicant by reliable electronic means under Rule 41(e)(3)(D) or direct the applicant to modify the proposed duplicate original warrant accordingly. ~~In that case, the judge must also modify the original warrant.~~

(D) *Signing the ~~Original Warrant and the Duplicate Original~~ Warrant.* Upon determining to issue the warrant, the

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magistrate judge must immediately sign the original warrant, enter on its face the exact date and time it is issued, and transmit it by reliable electronic means to the applicant or direct the applicant to sign the judge's name on the duplicate original warrant.

(f) Executing and Returning the Warrant.

(1) Warrant to Search for and Seize a Person or Property.

~~(1)~~(A) *Noting the Time.* The officer executing the warrant must enter on it ~~its face~~ the exact date and time it ~~is~~ was executed.

~~(2)~~(B) *Inventory.* An officer present during the execution of the warrant must prepare and verify an inventory of any property seized. The officer must do so in the presence of another officer and the person from whom, or

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from whose premises, the property was taken. If either one is not present, the officer must prepare and verify the inventory in the presence of at least one other credible person.

~~(3)~~(C) *Receipt.* The officer executing the warrant must: ~~(A)~~ give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken; or ~~(B)~~ leave a copy of the warrant and receipt at the place where the officer took the property.

~~(4)~~(D) *Return.* The officer executing the warrant must promptly return it — together with a copy of the inventory — to the magistrate judge designated on the warrant. The judge must, on request, give a copy of the inventory to the person from whom, or from whose

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premises, the property was taken and to the applicant for the warrant.

(2) ***Warrant for a Tracking Device.***

(A) *Noting the Time.* The officer executing a tracking-device warrant must enter on it the exact date and time the device was installed and the period during which it was used.

(B) *Return.* Within 10 calendar days after the use of the tracking device has ended, the officer executing the warrant must return it to the judge designated in the warrant.

(C) *Service.* Within 10 calendar days after the use of the tracking device has ended, the officer executing a tracking-device warrant must serve a copy of the warrant on the person who was tracked or whose property was tracked. Service may be accomplished

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by delivering a copy to the person who, or whose property, was tracked; or by leaving a copy at the person's residence or usual place of abode with an individual of suitable age and discretion who resides at that location and by mailing a copy to the person's last known address. Upon request of the government, the judge may delay notice as provided in Rule 41(f)(3).

(3) ***Delayed Notice.*** Upon the government's request, a magistrate judge — or if authorized by Rule 41(b), a judge of a state court of record — may delay any notice required by this rule if the delay is authorized by statute.

* * * * *

COMMITTEE NOTE

The amendments to Rule 41 address three issues: first, procedures for issuing tracking device warrants; second, a

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provision for delaying any notice required by the rule; and third, a provision permitting a magistrate judge to use reliable electronic means to issue warrants.

Subdivision (a). Amended Rule 41(a)(2) includes two new definitional provisions. The first, in Rule 41(a)(2)(D), addresses the definitions of "domestic terrorism" and "international terrorism," terms used in Rule 41(b)(2). The second, in Rule 41(a)(2)(E), addresses the definition of "tracking device."

Subdivision (b). Amended Rule 41(b)(4) is a new provision, designed to address the use of tracking devices. Such searches are recognized both by statute, *see* 18 U.S.C. § 3117(a) and by caselaw, *see, e.g., United States v. Karo*, 468 U.S. 705 (1984); *United States v. Knotts*, 460 U.S. 276 (1983). Warrants may be required to monitor tracking devices when they are used to monitor persons or property in areas where there is a reasonable expectation of privacy. *See, e.g., United States v. Karo, supra* (although no probable cause was required to install beeper, officers' monitoring of its location in defendant's home raised Fourth Amendment concerns). Nonetheless, there is no procedural guidance in current Rule 41 for those judicial officers who are asked to issue tracking device warrants. As with traditional search warrants for persons or property, tracking device warrants may implicate law enforcement interests in multiple districts.

The amendment provides that a magistrate judge may issue a warrant, if he or she has the authority to do so in the district, to install and use a tracking device, as that term is defined in 18 U.S.C. § 3117(b). The magistrate judge's authority under this rule includes the authority to permit entry into an area where there is a reasonable expectation of privacy, installation of the tracking device, and maintenance and removal of the device. The Committee did not intend by this amendment to expand or contract

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the definition of what might constitute a tracking device. The amendment is based on the understanding that the device will assist officers only in tracking the movements of a person or property. The warrant may authorize officers to track the person or property within the district of issuance, or outside the district.

Because the authorized tracking may involve more than one district or state, the Committee believes that only federal judicial officers should be authorized to issue this type of warrant. Even where officers have no reason to believe initially that a person or property will move outside the district of issuance, issuing a warrant to authorize tracking both inside and outside the district avoids the necessity of obtaining multiple warrants if the property or person later crosses district or state lines.

The amendment reflects the view that if the officers intend to install or use the device in a constitutionally protected area, they must obtain judicial approval to do so. If, on the other hand, the officers intend to install and use the device without implicating any Fourth Amendment rights, there is no need to obtain the warrant. *See, e.g., United States v. Knotts, supra*, where the officers' actions in installing and following tracking device did not amount to a search under the Fourth Amendment.

Subdivision (d). Amended Rule 41(d) includes new language on tracking devices. The tracking device statute, 18 U.S.C. § 3117, does not specify the standard an applicant must meet to install a tracking device. The Supreme Court has acknowledged that the standard for installation of a tracking device is unresolved, and has reserved ruling on the issue until it is squarely presented by the facts of a case. *See United States v. Karo*, 468 U.S. 705, 718 n. 5 (1984). The amendment to Rule 41 does not resolve this issue or hold that such warrants may issue only on a showing of probable cause. Instead, it simply provides

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that if probable cause is shown, the magistrate judge must issue the warrant. And the warrant is only needed if the device is installed (for example, in the trunk of the defendant's car) or monitored (for example, while the car is in the defendant's garage) in an area in which the person being monitored has a reasonable expectation of privacy.

Subdivision (e). Rule 41(e) has been amended to permit magistrate judges to use reliable electronic means to issue warrants. Currently, the rule makes no provision for using such media. The amendment parallels similar changes to Rules 5 and 32.1(a)(5)(B)(i).

The amendment recognizes the significant improvements in technology. First, more counsel, courts, and magistrate judges now routinely use facsimile transmissions of documents. And many courts and magistrate judges are now equipped to receive filings by electronic means. Indeed, some courts encourage or require that certain documents be filed by electronic means. Second, the technology has advanced to the state where such filings may be sent from, and received at, locations outside the courthouse. Third, electronic media can now provide improved quality of transmission and security measures. In short, in a particular case, using facsimiles and electronic media to transmit a warrant can be both reliable and efficient use of judicial resources.

The term "electronic" is used to provide some flexibility to the rule and make allowance for further technological advances in transmitting data. Although facsimile transmissions are not specifically identified, the Committee envisions that facsimile transmissions would fall within the meaning of "electronic means."

While the rule does not impose any special requirements on use of facsimile transmissions, neither does it presume that those

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transmissions are reliable. The rule treats all electronic transmissions in a similar fashion. Whatever the mode, the means used must be "reliable." While the rule does not further define that term, the Committee envisions that a court or magistrate judge would make that determination as a local matter. In deciding whether a particular electronic means, or media, would be reliable, the court might consider first, the expected quality and clarity of the transmission. For example, is it possible to read the contents of the warrant in its entirety, as though it were the original or a clean photocopy? Second, the court may consider whether security measures are available to insure that the transmission is not compromised. In this regard, most courts are now equipped to require that certain documents contain a digital signature, or some other similar system for restricting access. Third, the court may consider whether there are reliable means of preserving the document for later use.

Amended Rule 41(e)(2)(B) is a new provision intended to address the contents of tracking device warrants. To avoid open-ended monitoring of tracking devices, the revised rule requires the magistrate judge to specify in the warrant the length of time for using the device. Although the initial time stated in the warrant may not exceed 45 days, extensions of time may be granted for good cause. The rule further specifies that any installation of a tracking device authorized by the warrant must be made within ten calendar days and, unless otherwise provided, that any installation occur during daylight hours.

Subdivision (f). Current Rule 41(f) has been completely revised to accommodate new provisions dealing with tracking device warrants. First, current Rule 41(f)(1) has been revised to address execution and delivery of warrants to search for and seize a person or property; no substantive change has been made to that provision. New Rule 41(f)(2) addresses execution and delivery of

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tracking device warrants. That provision generally tracks the structure of revised Rule 41(f)(1), with appropriate adjustments for the particular requirements of tracking device warrants. Under Rule 41(f)(2)(A) the officer must note on the warrant the time the device was installed and the period during which the device was used. And under new Rule 41(f)(2)(B), the officer must return the tracking device warrant to the magistrate judge designated in the warrant, within 10 calendar days after use of the device has ended.

Amended Rule 41(f)(2)(C) addresses the particular problems of serving a copy of a tracking device warrant on the person who has been tracked, or whose property has been tracked. In the case of other warrants, current Rule 41 envisions that the subjects of the search typically know that they have been searched, usually within a short period of time after the search has taken place. Tracking device warrants, on the other hand, are by their nature covert intrusions and can be successfully used only when the person being investigated is unaware that a tracking device is being used. The amendment requires that the officer must serve a copy of the tracking device warrant on the person within 10 calendar days after the tracking has ended. That service may be accomplished by either personally serving the person, or both by leaving a copy at the person's residence or usual abode and by sending a copy by mail. The Rule also provides, however, that the officer may (for good cause) obtain the court's permission to delay further service of the warrant. That might be appropriate, for example, where the owner of the tracked property is undetermined, or where the officer establishes that the investigation is ongoing and that disclosure of the warrant will compromise that investigation.

Use of a tracking device is to be distinguished from other continuous monitoring or observations that are governed by statutory provisions or caselaw. *See* Title III, Omnibus Crime

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Control and Safe Streets Act of 1968, *as amended* by Title I of the 1986 Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2520; *United States v. Biasucci*, 786 F.2d 504 (2d Cir. 1986) (video camera); *United States v. Torres*, 751 F.2d 875 (7th Cir. 1984) (television surveillance).

Finally, amended Rule 41(f)(3) is a new provision that permits the government to request, and the magistrate judge to grant, a delay in any notice required in Rule 41. The amendment is co-extensive with 18 U.S.C. § 3103a(b). That new provision, added as part of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001, authorizes a court to delay any notice required in conjunction with the issuance of any search warrants.

Changes Made After Publication and Comment

The Committee agreed with the NADCL proposal that the words "has authority" should be inserted in Rule 41(c)(3), and (4) to parallel similar language in Rule 41(c)(1) and (2). The Committee also considered, but rejected, a proposal from NADCL to completely redraft Rule 41(d), regarding the finding of probable cause. The Committee also made minor clarifying changes in the Committee Note.

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Rule 58. Petty Offenses and Other Misdemeanors

* * * * *

(b) Pretrial Procedure.

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(2) ***Initial Appearance.*** At the defendant's initial appearance on a petty offense or other misdemeanor charge, the magistrate judge must inform the defendant of the following:

* * * * *

(G) ~~if the defendant is held in custody and charged with a misdemeanor other than a petty offense, the~~ any right to a preliminary hearing under Rule 5.1, and the general circumstances, if any, under which the defendant may secure pretrial release.

* * * * *

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COMMITTEE NOTE

Subdivision (b)(2)(G). Rule 58(b)(2)(G) sets out the advice to be given to defendants at an initial appearance on a misdemeanor charge, other than a petty offense. As currently written, the rule is restricted to those cases where the defendant is held in custody, thus creating a conflict and some confusion when compared to Rule 5.1(a) concerning the right to a preliminary hearing. Paragraph (G) is incomplete in its description of the circumstances requiring a preliminary hearing. In contrast, Rule 5.1(a) is a correct statement of the law concerning the defendant's entitlement to a preliminary hearing and is consistent with 18 U.S.C. § 3060 in this regard. Rather than attempting to define, or restate, in Rule 58 when a defendant may be entitled to a Rule 5.1 preliminary hearing, the rule is amended to direct the reader to Rule 5.1.

Changes Made After Publication and Comment

The Committee no changes to the Rule or Committee note after publication.

* * * * *

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[redacted] b6 b7C

Subject: FW: Changes to the Federal Rules of Criminal Procedure

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NON-RECORD

FYI--as a follow-up to the question raised on warrant requirements for "tracking devices"

-----Original Message-----
From: [redacted] b6 b7C
Sent:
To:

Subject: Changes to the Federal Rules of Criminal Procedure

CELL/OTD 006184

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Ladies and Gentlemen,

Attached are the amendments to the Federal Rules of Criminal Procedure as approved by the Judicial Conference (see www.uscourts.gov website) along with an excerpt of the "Report of the Advisory Committee on Criminal Rules," and, for your edification, a document and chart that describes the rulemaking process.

As always, please forward to appropriate personnel.

Changes_to_Federal_Rules_Crimi...

Excerpt_CR.pdf

Federal Rulemaking.doc

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AMENDMENTS TO THE FEDERAL RULES OF CRIMINAL PROCEDURE

Rule 11. Pleas

* * * * *

(b) Considering and Accepting a Guilty or Nolo Contendere Plea.

(1) ***Advising and Questioning the Defendant.*** Before the court accepts a plea of guilty or nolo contendere, the defendant may be placed under oath, and the court must address the defendant personally in open court. During this address, the court must inform the defendant of, and determine that the defendant understands, the following:

* * * * *

(M) in determining a sentence, the court's obligation to calculate the applicable

sentencing-guideline range and to consider that range, possible departures under the Sentencing Guidelines, and other sentencing factors under 18 U.S.C. § 3553(a); and

* * * * *

Rule 32. Sentence and Judgment

* * * * *

(d) Presentence Report.

(1) ***Applying the Advisory Sentencing Guidelines.*** The presentence report must:

(A) identify all applicable guidelines and policy statements of the Sentencing Commission;

(B) calculate the defendant's offense level and criminal history category;

(C) state the resulting sentencing range and kinds of sentences available;

(D) identify any factor relevant to:

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(i) the appropriate kind of sentence, or

(ii) the appropriate sentence within the applicable sentencing range; and

(E) identify any basis for departing from the applicable sentencing range.

(2) ***Additional Information.*** The presentence report must also contain the following information:

(A) the defendant's history and characteristics, including:

(i) any prior criminal record;

(ii) the defendant's financial condition; and

(iii) any circumstances affecting the defendant's behavior that may be helpful in imposing sentence or in correctional treatment;

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(B) verified information, stated in a nonargumentative style, that assesses the financial, social, psychological, and medical impact on any individual against whom the offense has been committed;

(C) when appropriate, the nature and extent of nonprison programs and resources available to the defendant;

(D) when the law provides for restitution, information sufficient for a restitution order;

(E) if the court orders a study under 18 U.S.C. § 3552(b), any resulting report and recommendation; and

(F) any other information that the court requires, including information relevant to the factors under 18 U.S.C. § 3553(a).

* * * * *

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Rule 35. Correcting or Reducing a Sentence

* * * * *

(b) Reducing a Sentence for Substantial Assistance.

(1) ***In General.*** Upon the government's motion made within one year of sentencing, the court may reduce a sentence if the defendant, after sentencing, provided substantial assistance in investigating or prosecuting another person.

* * * * *

Rule 45. Computing and Extending Time

* * * * *

(c) Additional Time After Certain Kinds of Service. Whenever a party must or may act within a specified period after service and service is made in the manner provided under Federal Rule of Civil

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Procedure 5(b)(2)(B), (C), or (D), 3 days are added after the period would otherwise expire under subdivision (a).

Rule 49.1. Privacy Protection For Filings Made with the Court

(a) Redacted Filings. Unless the court orders otherwise, in an electronic or paper filing with the court that contains an individual's social-security number, taxpayer-identification number, or birth date, the name of an individual known to be a minor, a financial-account number, or the home address of an individual, a party or nonparty making the filing may include only:

(1) the last four digits of the social-security number and taxpayer-identification number;

(2) the year of the individual's birth;

(3) the minor's initials;

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(4) the last four digits of the financial-account number; and

(5) the city and state of the home address.

(b) Exemptions from the Redaction Requirement. The redaction requirement does not apply to the following:

(1) a financial-account number or real property address that identifies the property allegedly subject to forfeiture in a forfeiture proceeding;

(2) the record of an administrative or agency proceeding;

(3) the official record of a state-court proceeding;

(4) the record of a court or tribunal, if that record was not subject to the redaction requirement when originally filed;

(5) a filing covered by Rule 49.1(d);

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(6) a pro se filing in an action brought under 28 U.S.C. §§ 2241, 2254, or 2255;

(7) a court filing that is related to a criminal matter or investigation and that is prepared before the filing of a criminal charge or is not filed as part of any docketed criminal case;

(8) an arrest or search warrant; and

(9) a charging document and an affidavit filed in support of any charging document.

(c) Immigration Cases. A filing in an action brought under 28 U.S.C. § 2241 that relates to the petitioner's immigration rights is governed by Federal Rule of Civil Procedure 5.2.

(d) Filings Made Under Seal. The court may order that a filing be made under seal without redaction. The court may later unseal the filing or order the

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person who made the filing to file a redacted version for the public record.

(e) Protective Orders. For good cause, the court may by order in a case:

(1) require redaction of additional information; or

(2) limit or prohibit a nonparty's remote electronic access to a document filed with the court.

(f) Option for Additional Unredacted Filing Under Seal. A person making a redacted filing may also file an unredacted copy under seal. The court must retain the unredacted copy as part of the record.

(g) Option for Filing a Reference List. A filing that contains redacted information may be filed together with a reference list that identifies each item of redacted information and specifies an appropriate identifier that uniquely corresponds to each item listed. The list must be filed under seal and may be

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amended as of right. Any reference in the case to a listed identifier will be construed to refer to the corresponding item of information.

(h) Waiver of Protection of Identifiers. A person waives the protection of Rule 49.1(a) as to the person's own information by filing it without redaction and not under seal.

[Model Form for Use in 28 U.S.C. § 2254 Cases Involving a Rule 9 Issue under Section 2254 of Title 28, United States Code]

(Abrogated.)

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COMMITTEE ON RULES OF PRACTICE AND PROCEDURE
OF THE
JUDICIAL CONFERENCE OF THE UNITED STATES
WASHINGTON, D.C. 20544

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CHAIR

PETER G. McCABE
SECRETARY

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CRIMINAL RULES

JERRY E. SMITH
EVIDENCE RULES

To: **Hon. David F. Levi, Chair**
Standing Committee on Rules of Practice and Procedure

From: **Hon. Susan C. Bucklew, Chair**
Advisory Committee on Federal Rules of Criminal Procedure

Subject: **Report of the Advisory Committee on Criminal Rules**

Date: **May 20, 2005 (revised July 20, 2006)**

I. Introduction

The Advisory Committee on Federal Rules of Criminal Procedure ("the Committee") met on April 3-4, 2006 in Washington, D.C. and took action on a number of proposed amendments to the Rules of Criminal Procedure. The Draft Minutes of that meeting are attached.

This report addresses a number of action items: approval of published Rules 11, 32, 35, 45, and 49.1. for transmission to the Judicial Conference; approval of proposed amendments to Rules 29 and 41 for publication and comment; and approval of the time computation template for eventual publication. In addition, the Committee has several information items to bring to the attention of the Standing Committee, most notably continued discussion of a draft amendment to Rule 16.

II. Action Items–Recommendations to Forward Amendments to the Judicial Conference

1. ACTION ITEM–Rule 11. Pleas; Proposed Amendment Regarding Advice to Defendant Under Advisory Sentencing Guidelines.

This amendment is part of a package of proposals required to bring the rules into conformity with the Supreme Court's decision in *United States v. Booker*, 543 U.S. 220 (2005). *Booker* held that the provisions of the federal sentencing statute that make the Guidelines mandatory violate the Sixth Amendment right to jury trial. With these provisions excised, the Sentencing Reform Act "makes the Guidelines effectively advisory," and "requires a sentencing court to consider Guidelines ranges, see 18 U.S.C.A. § 3553(a)(4) (Supp.2004), but it permits the court to tailor the sentence in light of other statutory concerns as well, see § 3553(a) (Supp.2004)." 543 U.S. at 222. Rule

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11(b)(M) incorporates this analysis into the information provided to the defendant at the time of a plea of guilty or nolo contendere.

There were many public comments received on this and the other *Booker* amendments. The Sentencing Commission stated that the amendment tracked the approach the Commission believes to be implicit in *Booker*, but it suggested that the word "calculate" be replaced with "determine and calculate." Other comments suggested that the amendment gave the Guidelines greater prominence than warranted under *Booker*, insufficiently emphasizing the remaining sentencing factors set forth in 18 U.S.C. § 3553(a). There was extensive discussion of the public comments and an additional concern, raised at the meeting, that the amendment might be read as requiring a complete guideline calculation in every case. That would be inconsistent with cases such as *United States v. Crosby*, 397 F.3d 103 (2nd Cir. 2005). *Crosby* recognized that the district courts would "normally" have to determine the applicable guideline range. *Id.* at 111. However, in some cases the court may conclude that it is unnecessary to resolve a particular guideline issue because statutory factors under 3553(a) require a variance that moots the guideline issue. *Id.* at 112. Consideration was given to adding a reference to *Crosby* in the note, but this effort was ultimately abandoned because of the difficulty crafting a statement that would be consistent with the varying approaches in the circuits.

The Committee agreed that the function of the rule is to advise a defendant who is pleading guilty of the manner in which the court will determine the defendant's sentence. The published language captures the approach taken by most courts after *Booker*. Here, and in the other *Booker* amendments, the Committee agreed to delete from the Committee Note a reference to the Fifth Amendment requirement of proof beyond a reasonable doubt from the description of *Booker*.

Recommendation–The Advisory Committee recommends that the proposed amendment to Rule 11 be approved as published and forwarded to the Judicial Conference.

2. ACTION ITEM–Rule 32, Sentencing and Judgment; Proposed Amendment Regarding Notice to Defendant Under Advisory Sentencing Guidelines.

These amendments adapt two subdivisions of the Rule 32 to *United States v. Booker*, 543 U.S. 220 (2005), which directs courts to consider not only information relevant to the Sentencing Guidelines, but also information relevant to the statutory factors listed in 18 U.S.C. § 3553(a). The Committee is proposing amendments only to subdivisions (d) and (h), which govern presentence reports and notice of possible departures. As noted below, the Committee has withdrawn the proposed amendment to subdivision (k) because of legislative activity that occurred after the approval of the amendments for publication and comment.

Subdivision (d) Subdivision (d) of the rule establishes the requirements for presentence reports. It already requires that the report include the applicable Guidelines and information relevant to the guideline calculations. The amendment adds the requirement that the report include

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information relevant to the statutory criteria under § 3553(a). However, in light of the difficulty that the probation office may have in determining the scope of the information that would be relevant to the broad statutory criteria under § 3553(a), the proposed amendment requires that information relevant to the statutory criteria be included only when required by the court.

The Committee received critical comments from the Federal Public Defenders and the National Association of Criminal Defense Lawyers who saw the published amendment as improperly giving primacy to the Guidelines in the sentencing process. They also urged that the rule address individually each of the sentencing factors under 3553(a) and that the rule be revised to require the probation office to collect all information relevant to each of the statutory factors. Additionally, they suggested that the title of the heading should be amended to refer to the "advisory" character of the Guidelines.

The Committee agreed that the heading should be revised to refer to the Guidelines as "advisory," and with that change it approved the amendment as published. The Committee felt the published language accurately reflects the approach most courts are taking after *Booker*, and it avoids placing an open-ended and unmanageable obligation on the probation office.

In the Committee Note accompanying the amendment to this subdivision and subdivision (h), the Committee also deleted the Fifth Amendment from the description of the *Booker* decision.

Subdivision (h). The Standing Committee approved publication of an amendment to Rule 32(h) to conform to the Supreme Court's decision in *United States v. Booker*, 543 U.S. 220 (2005). The purpose of Rule 32(h) is to avoid unfair surprise to the parties in the sentencing process. Currently, it requires notice that the court is considering departing from the Guidelines on the basis of factors not identified in the presentence report or pleadings. The proposed amendment stated that the court must provide this notice when it is considering either a departure or a non-guideline sentence based upon the factors in 18 U.S.C. § 3553(a) on the basis of a ground not identified in the presentence report or prehearing submissions.

The public comments to the published draft revealed several ambiguities in the language. The language was interpreted by some as overly broad (requiring notice whenever the court intends to rely on a non-guideline factor) and by others as too narrow (requiring no notice when a factor has been identified for one purpose, but the parties are unaware that the court is considering it for a wholly different purpose). Given the potential for misinterpretation, the Committee agreed that a modification of the published language was needed, and it unanimously accepted the alternative language proposed by the Sentencing Commission.

After discussion at the Standing Committee of recent decisions taking various approaches to the question whether notice must be given, the proposed amendment to subdivision (h) was withdrawn to permit further study.

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Subdivision (k). The Standing Committee also approved the publication of a proposed amendment to subdivision (k) intended to standardize the collection of data regarding post-*Booker* sentencing by requiring all courts to enter their judgments, including the statement of reasons, on forms prescribed by the Judicial Conference. This provision, which provoked considerable controversy, was withdrawn by the Committee in light of the enactment of § 735 of the USA Patriot Improvement and Reauthorization Act, which amended 28 U.S.C. § 994(w). The amended statute requires the chief judge of each district to provide the Sentencing Commission with an explanation of each sentence including "the written statement of reasons form issued by the Judicial Conference and approved by the United States Sentencing Commission." The Criminal Law Committee withdrew its request for an amendment to Criminal Rules, and the Advisory Committee concluded that an amendment to subdivision (k) was no longer necessary.

Recommendation–The Advisory Committee recommends that the proposed amendment to Rule 32(d) be approved as published and forwarded to the Judicial Conference.

3. ACTION ITEM–Rule 35, Correcting or Reducing Sentence; Proposed Amendment Regarding Elimination of Reference to Mandatory Sentencing Guidelines.

This amendment conforms Rule 35(b)(1)(B) to the Supreme Court's decision in *United States v. Booker*, 543 U.S. 220 (2005), holding that the Guidelines are advisory, rather than mandatory. The rule currently states that the court may reduce a sentence if "reducing the sentence accords with the Sentencing Commission's guidelines and policy statements." Although the Guidelines do not currently include provisions governing the correction of sentences under Rule 35, the amendment removes the rule's language that seems, on its face, to be inconsistent with the decision in *Booker*.

Both the Sentencing Commission and the National Association of Criminal Defense Lawyers (NACDL) suggested changes in either the amendment or the note. After discussion, the Committee decided not to alter the amendment. In essence, the proposed changes introduced additional issues that were not part of the amendment as published. NACDL suggested that given the advisory character of the Guidelines, it is no longer appropriate for the rule to require that the motion be made by the government, since powerful evidence of cooperation should be considered under 18 U.S.C. § 3553(a) even in the absence of such a motion. The language of the rule, however, was enacted by Congress. Even if the Committee had the authority to delete this requirement under the Rules Enabling Act, it could not do so without publishing such an amendment for public comment. The Sentencing Commission raised the question whether the *Booker* remedial opinion is applicable to the post-sentencing context. It suggested that the Committee Note be amended to address this issue. The Committee unanimously declined to introduce the new language to the Note, or otherwise to alter the rule as published for public comment. (The only exception was the agreement to eliminate the reference to the Fifth Amendment in the description of the *Booker* decision in this Note, as well as the notes accompanying the other *Booker* amendments.)

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Recommendation–The Advisory Committee recommends that the proposed amendment to Rule 35 be approved as published and forwarded to the Judicial Conference.

4. ACTION ITEM–Rule 45, Computing and Extending Time; Proposed Amendment Regarding Computation of Additional Time for Service.

This amendment has its origins in an amendment to Civil Rule 6 that clarifies the computation of the additional time provided when service is made by mail, leaving with the clerk of court, or electronic means under Civil Rule 5(b)(2)(B), (C), or (D). The amendment of the Civil Rule became effective on December 1, 2005. The proposed amendment to Rule 45 tracks the language of the civil rule.

The Committee received only one comment on the proposed amendment, which consisted of a statement of strong approval for the change. Without objection the Committee approved the amendment of Rule 45.

Recommendation–The Advisory Committee recommends that the proposed amendment to Rule 45 be approved as published and forwarded to the Judicial Conference.

5. ACTION ITEM–Rule 49.1, Privacy Protections for Filings Made with the Court; Proposed Rule to Implement E-Government Act.

This new rule, which is based upon the common template developed by Professor Daniel Capra, implements the E-Government Act. It differs from the common provisions in several respects, including the partial redaction of an individual's home addresses (which reflects the special concerns of witnesses and victims in criminal cases) and an exemption from redaction for certain information needed for forfeitures. Rule 49.1 also deletes the template provisions relating to social security and immigration cases, which are exclusively civil. The proposed rule includes provisions regarding actions under 28 U.S.C. §§ 2254, 2255, and 2241. Although these actions are also technically civil, the Advisory Committee concluded it was appropriate to refer to them in Rule 49.1 because they are governed by procedural rules recently restyled by the Criminal Rules Committee.

The e-government rules, including Rule 49.1, generated extensive public comment. A subcommittee reviewed the public comments and considered the advice of Professor Capra and the reporters for the other committees prior to the Committee's April meeting.

Many of the public comments dealt with considerations common to all of the e-government rules, and the Committee sought to incorporate the common changes recommended by Professor Capra after consultation with all of the reporters. These included (1) using of the term "individual" rather than "person" throughout the rule, (2) clarifying that the responsibility for redaction lies with the person making the filing, (3) rewording the exemption from redaction for information necessary

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to identify property subject to forfeiture, so that it is clearly applicable in ancillary proceedings related to forfeiture, and (4) rewording the exemption from redaction for judicial decisions that were not subject to redaction when originally filed.

The Committee also discussed the provisions for filing under seal and protective orders. The provisions, which were common to all of the e-government rules, were the topic of considerable commentary from the public and members of the Committee. The Committee ultimately endorsed a change in the provision on protective orders, and we understand that language may be adopted by the other advisory committees. The discussion focused on the difference between the standards for sealing and those for protective orders, which were not parallel in the amendment as published for comment. Protective orders were authorized only "[i]f necessary to protect private or sensitive information," while no similar restriction is placed on sealing. The Committee was satisfied with the explanation that the standard for sealing is well established, and there should be no effort to restate that standard in Rule 49.1. The Committee concluded, however, that the provision for protective orders should be modified to incorporate the more flexible standard for the issuance of protective orders set forth in Civil Rule 26(c), which employs the phrase "[f]or good cause shown." The Committee amended subdivision (d) to incorporate this language, and Professor Capra said that he would bring this change to the attention of the other advisory committees. After the Committee meeting all of the reporters agreed to recommend language based on this change to Rule 49.1, but to shorten the phrase to "cause shown." This phrasing is used elsewhere in the Criminal Rules, so we have conformed Rule 49.1 as well to "cause shown." (Note that this provision is now found in (e) due to the renumbering following the addition of a new subdivision (c) regarding immigration cases; the new subdivision is discussed below.)

Other issues addressed in the public comments and Committee discussion were specific to Rule 49.1 or bear most heavily on that rule.

Several issues related to information identifying individuals, particularly date of birth and social security number. After consultation with CACM staff and Professor Capra, the Committee was persuaded that the current rule reflects a careful balancing of interests, and it declined to make any changes. It thus rejected the request of background screeners, who urged that the public record in criminal cases should include full identifying information, such as date of birth, in order to aid private criminal records searches. It also rejected a suggestion from within the Committee that even the disclosure of the last four digits of an individual's social security number might create a danger of breaches of privacy or identity theft. The Committee was informed that CACM had considered the privacy and security issues relating to social security numbers, and had based the rule permitting disclosure of the last four digits on the practice of the Social Security Administration.

Several issues concerned actions under 18 U.S.C. §§ 2254, 2255, and 2241, which as noted above are covered by both Civil Rule 5.2 and Criminal Rule 49.1.

CACM and the National Association of Criminal Defense Lawyers (NACDL) expressed concern that a categorical exemption from redaction for filings in proceedings under 18 U.S.C.

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§§ 2254, 2255, and 2241, was unnecessarily broad. The Committee's rationale for exempting these actions was its conclusion that, as a practical matter, the pro se plaintiffs who file such actions will not generally be aware of the redaction requirements. To meet the overbreadth objection, the Committee decided to restrict the exemption to filings by pro se plaintiffs in these actions. The Committee declined, however, to eliminate the exemption entirely. It rejected the suggestion that it would be sufficient merely to relax the application of the redaction requirements in the case of pro se filings. If the rule as a technical matter requires redaction in the case of pro se filings, there could be adverse legal consequences for pro se plaintiffs who failed to redact sensitive information. If a pro se filing under §§ 2254, 2255, and 2241 contains unredacted information that raises security concerns, the court can issue a protective order.

Subsequent to the Advisory Committee meeting, Professor Cooper raised an additional issue regarding actions under 18 U.S.C. § 2241 raising immigration claims. Without going into great detail, the issue that emerged concerned efforts under Rule 5.2 to mesh the special considerations attendant to immigration cases (including limited remote access) with the considerations applicable to actions under §§ 2254, 2255, and 2241. All of the reporters agreed that it was important to apply the same standards to all 2241 cases involving immigration rights. Rather than import additional provisions into Rule 49.1 to deal with such cases, the reporters agreed that it would be preferable to deal with 2241 cases involving immigration rights exclusively under Rule 5.2. Accordingly, subdivision (c) was added to provide that such cases are governed exclusively by Rule 5.2. Since this change was needed to prevent a potential conflict with some or all of the provisions in Rule 5.2 governing immigration claims, it seemed to fall well within the authority that the Committee agreed to give to Judge Bucklew and the reporter.

CACM objected to the categorical exemption from redaction in Rule 49.1(b)(8), (9), and (10), for charging documents, affidavits in support of charging documents, arrest or search warrants, and filings prepared before the filing of a criminal charge that is not part of a docketed case. In CACM's view, redaction of specific private or sensitive information should be sufficient. The Committee reviewed the reasons for its original decision to exempt these filings, particularly the importance of particularity and identification in documents such as arrest or search warrants. Also, the public has a right to know with some specificity who has been charged with a criminal offense or where a search was executed. After discussion, the Committee agreed without objection to retain the exemptions as published.

CACM also expressed strong concern that Rule 49.1 as published did not protect the confidentiality of a grand jury foreperson's name, because it exempts charging documents from the redaction requirement. Disclosure of a grand juror's name, CACM noted, was inconsistent with its policy of protecting the privacy of jurors. Although the published draft includes the CACM policy in the Committee Note, the policy would require sealing on a case by case basis, which CACM deemed insufficient. In discussing this issue, the Committee noted that the petit jury verdict forms present a similar issue, since they are also signed by the foreperson.

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The Committee considered an amendment to the published rule that would have redacted the foreperson's name and substituted that person's initials. After extended discussion of the problems posed by requiring redaction, the Committee concluded that the rule should be recommended to the Judicial Conference as published, though the concerns raised by CACM may warrant further study. Several considerations weighed against requiring redaction at this time. Some of the concerns were practical in nature, given the importance of having an original signed version of the documents initiating a criminal prosecution and recording the verdict in the public record. Although it might be possible to have two versions of these documents, one signed and filed under seal and the other merely initialed and filed in the public record, it was unclear exactly how that would work. Moreover, that procedure had not been the subject of notice and public comment. Committee members also expressed concern about an anonymous system of justice. Under Rule 10(a)(1) the court must ensure that the defendant has a copy of the signed grand jury indictment at the time of arraignment. Rule 6(f) provides for the return of a grand jury indictment in open court, and there was support for the view that absent specific findings the public should be entitled to see any document filed in open court. Given the complexity of the issue, the Committee thought that it would be desirable to have a study to determine whether public disclosure of foreperson signatures has caused significant problems before proposing a new rule requiring redaction of every grand jury indictment and every petit jury verdict form.

Finally, the Committee clarified the relationship between the CACM policy statement, which was included in the Committee Note as published, and the rule itself. At Professor Capra's suggestion, the Committee Note was revised to state more clearly that when the rule itself does not exempt the materials listed in the CACM policy statement from disclosure, privacy and law enforcement concerns are to be accommodated through the sealing and protective order provisions of the rule.

Professor Capra also asked the Committee to give the chair and reporter the authority to work with their counterparts on the other advisory committees to work out any last-minute wording issues and to bring all of the e-government rules into agreement as far as possible.

Recommendation–The Advisory Committee recommends that proposed Rule 49.1 be approved, as modified after public comment, and forwarded to the Judicial Conference.

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PROPOSED AMENDMENTS TO THE FEDERAL RULES OF CRIMINAL PROCEDURE*

Rule 11. Pleas

* * * * *

(b) Considering and Accepting a Guilty or Nolo Contendere Plea.

(1) ***Advising and Questioning the Defendant.*** Before the court accepts a plea of guilty or nolo contendere, the defendant may be placed under oath, and the court must address the defendant personally in open court. During this address, the court must inform the defendant of, and determine that the defendant understands, the following:

* * * * *

(M) in determining a sentence, the court's obligation to calculate the applicable sentencing-guideline range ~~apply the Sentencing Guidelines, and the~~

*New material is underlined; matter to be omitted is lined through.

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~~court's discretion to depart from those guidelines under some circumstances~~ and to consider that range, possible departures under the Sentencing Guidelines, and other sentencing factors under 18 U.S.C. § 3553(a); and

* * * * *

COMMITTEE NOTE

Subdivision (b)(1)(M). The amendment conforms Rule 11 to the Supreme Court's decision in *United States v. Booker*, 543 U.S. 220 (2005). *Booker* held that the provision of the federal sentencing statute that makes the Guidelines mandatory, 18 U.S.C. § 3553(b)(1), violates the Sixth Amendment right to jury trial. With this provision severed and excised, the Court held, the Sentencing Reform Act "makes the Guidelines effectively advisory," and "requires a sentencing court to consider Guidelines ranges, see 18 U.S.C.A. § 3553(a)(4) (Supp.2004), but it permits the court to tailor the sentence in light of other statutory concerns as well, see § 3553(a) (Supp. 2004)." *Id.* at 245-46. Rule 11(b)(M) incorporates this analysis into the information provided to the defendant at the time of a plea of guilty or nolo contendere.

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CHANGES MADE TO PROPOSED AMENDMENT RELEASED FOR PUBLIC COMMENT

No changes were made to the text of the proposed amendment as released for public comment. One change was made to the Committee note. The reference to the Fifth Amendment was deleted from the description of the Supreme Court's decision in *Booker*.

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Rule 32. Sentence and Judgment

* * * * *

(d) Presentence Report.

(1) ***Applying the Advisory Sentencing Guidelines.*** The presentence report must:

(A) identify all applicable guidelines and policy statements of the Sentencing Commission;

(B) calculate the defendant's offense level and criminal history category;

(C) state the resulting sentencing range and kinds of sentences available;

(D) identify any factor relevant to:

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(i) the appropriate kind of sentence, or

(ii) the appropriate sentence within the applicable sentencing range; and

(E) identify any basis for departing from the applicable sentencing range.

(2) ***Additional Information.*** The presentence report must also contain the following information:

(A) the defendant's history and characteristics, including:

(i) any prior criminal record;

(ii) the defendant's financial condition; and

(iii) any circumstances affecting the defendant's behavior that may be helpful in imposing sentence or in correctional treatment;

(B) verified information, stated in a nonargumentative style, that assesses the financial, social, psychological, and medical

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impact on any individual against whom the offense has been committed;

(C) when appropriate, the nature and extent of nonprison programs and resources available to the defendant;

(D) when the law provides for restitution, information sufficient for a restitution order;

(E) if the court orders a study under 18 U.S.C. § 3552(b), any resulting report and recommendation; and

(F) any other information that the court requires, including information relevant to the factors under 18 U.S.C. § 3553(a).

* * * * *

COMMITTEE NOTE

Subdivision (d). The amendment conforms Rule 32(d) to the Supreme Court's decision in *United States v. Booker*, 543 U.S. 220 (2005). *Booker* held that the provision of the federal sentencing

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statute that makes the Guidelines mandatory, 18 U.S.C. § 3553(b)(1), violates the Sixth Amendment right to jury trial. With this provision severed and excised, the Court held, the Sentencing Reform Act "makes the Guidelines effectively advisory," and "requires a sentencing court to consider Guidelines ranges, see 18 U.S.C.A. § 3553(a)(4) (Supp.2004), but it permits the court to tailor the sentence in light of other statutory concerns as well, see § 3553(a) (Supp.2004)." *Id.* at 245-46. Amended subdivision (d)(2)(F) makes clear that the court can instruct the probation office to gather and include in the presentence report any information relevant to the factors articulated in § 3553(a). The rule contemplates that a request can be made either by the court as a whole requiring information affecting all cases or a class of cases, or by an individual judge in a particular case.

CHANGES MADE TO PROPOSED AMENDMENT RELEASED FOR PUBLIC COMMENT

The Committee revised the text of subdivision (d) in response to public comments. In subdivision (d), the Committee revised the title to include the word "Advisory" in order better to reflect the guidelines' role under the *Booker* decision. It withdrew proposed subdivisions (k) and (h).

Proposed subdivision (h) would have expanded the sentencing court's obligation to give notice to the parties when it intends to rely on grounds not identified in either the presentence report or the parties' submissions. The amendment was intended to respond to the courts' expanded discretion under *Booker*. In light of a number of recent decisions in the lower courts considering the proper scope of

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this obligation in light of *Booker*, the proposed amendment was withdrawn for further study.

Subdivision (k), which would have required that courts use a specified judgment and statement of reasons form, was withdrawn because of the passage of § 735 of the USA Patriot Improvement and Reauthorization Act. This legislation amended 28 U.S.C. § 994(w) to impose a statutory requirement that sentencing information for each case be provided on "the written statement of reasons form issued by the Judicial Conference and approved by the United States Sentencing Commission." The Criminal Law Committee, which had previously requested that the uniform collection of sentencing information be addressed by an amendment to the rules, withdrew that request in light of the enactment of the statutory requirement.

Finally, here—as in the other *Booker* rules—the Committee deleted the reference in the Committee Note to the Fifth Amendment from the description of the Supreme Court's decision in *Booker*.

* * * * *

Rule 35. Correcting or Reducing a Sentence

* * * * *

(b) Reducing a Sentence for Substantial Assistance.

(1) ***In General.*** Upon the government's motion made within one year of sentencing, the court may reduce a sentence if: the defendant, after sentencing,

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provided substantial assistance in investigating or prosecuting another person.

~~(A) the defendant, after sentencing, provided substantial assistance in investigating or prosecuting another person; and~~

~~(B) reducing the sentence accords with the Sentencing Commission's guidelines and policy statements.~~

* * * * *

COMMITTEE NOTE

Subdivision (b)(1). The amendment conforms Rule 35(b)(1) to the Supreme Court's decision in *United States v. Booker*, 543 U.S. 220 (2005). In *Booker* the Court held that the provision of the federal sentencing statute that makes the Guidelines mandatory, 18 U.S.C. § 3553(b)(1), violates the Sixth Amendment right to jury trial. With this provision severed and excised, the Court held, the Sentencing Reform Act "makes the Guidelines effectively advisory," and "requires a sentencing court to consider Guidelines ranges, see 18 U.S.C.A. § 3553(a)(4) (Supp.2004), but it permits the court to tailor the sentence in light of other statutory concerns as well, see § 3553(a) (Supp.2004)." *Id.* at 245-46. Subdivision (b)(1)(B) has been deleted because it treats the guidelines as mandatory.

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CHANGES MADE TO PROPOSED AMENDMENT RELEASED FOR PUBLIC COMMENT

No changes were made to the text of the proposed amendment as released for public comment, but one change was made in the Committee Note. Here—as in the other *Booker* rules—the Committee deleted the reference to the Fifth Amendment from the description of the Supreme Court's decision in *Booker*.

* * * * *

Rule 45. Computing and Extending Time

* * * * *

(c) Additional Time After Certain Kinds of Service. ~~When these rules permit or require~~ Whenever a party must or may to act within a specified period after ~~a notice or a paper has been served on that party~~ service and service is made in the manner provided under Federal Rule of Civil Procedure 5(b)(2)(B), (C), or (D), 3 days are added after ~~to~~ the period would otherwise expire under subdivision (a) ~~if service occurs in the manner provided under Federal Rule of Civil Procedure 5(b)(2)(B), (C), or (D)~~.

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COMMITTEE NOTE

Subdivision (c). Rule 45(c) is amended to remove any doubt as to the method for extending the time to respond after service by mail, leaving with the clerk of court, electronic means, or other means consented to by the party served. This amendment parallels the change in Federal Rule of Civil Procedure 6(e). Three days are added after the prescribed period otherwise expires under Rule 45(a). Intermediate Saturdays, Sundays, and legal holidays are included in counting these added three days. If the third day is a Saturday, Sunday, or legal holiday, the last day to act is the next day that is not a Saturday, Sunday, or legal holiday. The effect of invoking the day that the rule would otherwise expire under Rule 45(a) can be illustrated by assuming that the thirtieth day of a thirty-day period is a Saturday. Under Rule 45(a) the period expires on the next day that is not a Sunday or legal holiday. If the following Monday is a legal holiday, under Rule 45(a) the period expires on Tuesday. Three days are then added — Wednesday, Thursday, and Friday as the third and final day to act unless that is a legal holiday. If the prescribed period ends on a Friday, the three added days are Saturday, Sunday, and Monday, which is the third and final day to act unless it is a legal holiday. If Monday is a legal holiday, the next day that is not a legal holiday is the third and final day to act.

Application of Rule 45(c) to a period that is less than eleven days can be illustrated by a paper that is served by mailing on a Friday. If ten days are allowed to respond, intermediate Saturdays, Sundays, and legal holidays are excluded in determining when the period expires under Rule 45(a). If there is no legal holiday, the period expires on the Friday two weeks after the paper was mailed. The three added Rule 45(c) days are Saturday, Sunday, and Monday, which is the third and final day to act unless it is a legal holiday. If

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Monday is a legal holiday, the next day that is not a legal holiday is the final day to act.

CHANGES MADE TO PROPOSED AMENDMENT RELEASED FOR PUBLIC COMMENT

No change was made in the rule as published for public comment.

* * * * *

Rule 49.1. Privacy Protection For Filings Made with the Court

(a) Redacted Filings. Unless the court orders otherwise, in an electronic or paper filing with the court that contains an individual's social-security number, taxpayer-identification number, or birth date, the name of an individual known to be a minor, a financial-account number, or the home address of an individual, a party or nonparty making the filing may include only:

(1) the last four digits of the social-security number and taxpayer-identification number;

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(2) the year of the individual's birth;

(3) the minor's initials;

(4) the last four digits of the financial-account number; and

(5) the city and state of the home address.

(b) **Exemptions from the Redaction Requirement.** The redaction requirement does not apply to the following:

(1) a financial-account number or real property address that identifies the property allegedly subject to forfeiture in a forfeiture proceeding;

(2) the record of an administrative or agency proceeding;

(3) the official record of a state-court proceeding;

(4) the record of a court or tribunal, if that record was not subject to the redaction requirement when originally filed;

(5) a filing covered by Rule 49.1(d);

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(6) a pro se filing in an action brought under 28 U.S.C. §§ 2241, 2254, or 2255;

(7) a court filing that is related to a criminal matter or investigation and that is prepared before the filing of a criminal charge or is not filed as part of any docketed criminal case;

(8) an arrest or search warrant; and

(9) a charging document and an affidavit filed in support of any charging document.

(c) **Immigration Cases.** A filing in an action brought under 28 U.S.C. § 2241 that relates to the petitioner's immigration rights is governed by Federal Rule of Civil Procedure 5.2.

(d) **Filings Made Under Seal.** The court may order that a filing be made under seal without redaction. The court may later unseal the filing or order the person who made the filing to file a redacted version for the public record.

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(e) **Protective Orders.** For good cause, the court may by order in a case:

(1) require redaction of additional information; or

(2) limit or prohibit a nonparty's remote electronic access to a document filed with the court.

(f) **Option for Additional Unredacted Filing Under Seal.** A person making a redacted filing may also file an unredacted copy under seal. The court must retain the unredacted copy as part of the record.

(g) **Option for Filing a Reference List.** A filing that contains redacted information may be filed together with a reference list that identifies each item of redacted information and specifies an appropriate identifier that uniquely corresponds to each item listed. The list must be filed under seal and may be amended as of right. Any reference in the case to a listed identifier will be

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construed to refer to the corresponding item of information.

(h) Waiver of Protection of Identifiers. A person waives the protection of Rule 49.1 (a) as to the person's own information by filing it without redaction and not under seal.

COMMITTEE NOTE

The rule is adopted in compliance with section 205(c)(3) of the E-Government Act of 2002, Public Law No. 107-347. Section 205(c)(3) requires the Supreme Court to prescribe rules "to protect privacy and security concerns relating to electronic filing of documents and the public availability . . . of documents filed electronically." The rule goes further than the E-Government Act in regulating paper filings even when they are not converted to electronic form. But the number of filings that remain in paper form is certain to diminish over time. Most districts scan paper filings into the electronic case file, where they become available to the public in the same way as documents initially filed in electronic form. It is electronic availability, not the form of the initial filing, that raises the privacy and security concerns addressed in the E-Government Act.

The rule is derived from and implements the policy adopted by the Judicial Conference in September 2001 to address the privacy concerns resulting from public access to electronic case files. *See* http://www.privacy.uscourts.gov/Policy.htm. The Judicial Conference policy is that documents in case files generally should be made

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available electronically to the same extent they are available at the courthouse, provided that certain "personal data identifiers" are not included in the public file.

While providing for the public filing of some information, such as the last four digits of an account number, the rule does not intend to establish a presumption that this information never could or should be protected. For example, it may well be necessary in individual cases to prevent remote access by nonparties to any part of an account number or social security number. It may also be necessary to protect information not covered by the redaction requirement — such as driver's license numbers and alien registration numbers — in a particular case. In such cases, protection may be sought under subdivision (d) or (e). Moreover, the Rule does not affect the protection available under other rules, such as Criminal Rule 16(d) and Civil Rules 16 and 26(c), or under other sources of protective authority.

Parties must remember that any personal information not otherwise protected by sealing or redaction will be made available over the internet. Counsel should notify clients of this fact so that an informed decision may be made on what information is to be included in a document filed with the court.

The clerk is not required to review documents filed with the court for compliance with this rule. The responsibility to redact filings rests with counsel and the party or nonparty making the filing.

Subdivision (e) provides that the court can order in a particular case more extensive redaction than otherwise required by the Rule, where necessary to protect against disclosure to nonparties of sensitive or private information. Nothing in this subdivision is

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intended to affect the limitations on sealing that are otherwise applicable to the court.

Subdivision (f) allows a person who makes a redacted filing to file an unredacted document under seal. This provision is derived from section 205(c)(3)(iv) of the E-Government Act. Subdivision (g) allows the option to file a register of redacted information. This provision is derived from section 205(c)(3)(v) of the E-Government Act, as amended in 2004.

In accordance with the E-Government Act, subdivision (f) of the rule refers to "redacted" information. The term "redacted" is intended to govern a filing that is prepared with abbreviated identifiers in the first instance, as well as a filing in which a personal identifier is edited after its preparation.

Subdivision (h) allows a person to waive the protections of the rule as to that person's own personal information by filing it unsealed and in unredacted form. One may wish to waive the protection if it is determined that the costs of redaction outweigh the benefits to privacy. If a person files an unredacted identifier by mistake, that person may seek relief from the court.

Trial exhibits are subject to the redaction requirements of Rule 49.1 to the extent they are filed with the court. Trial exhibits that are not initially filed with the court must be redacted in accordance with the rule if and when they are filed as part of an appeal or for other reasons.

The Judicial Conference Committee on Court Administration and Case Management has issued "Guidance for Implementation of the Judicial Conference Policy on Privacy and Public Access to Electronic Criminal Case Files" (March 2004). This document sets

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out limitations on remote electronic access to certain sensitive materials in criminal cases. It provides in part as follows:

> The following documents shall not be included in the public case file and should not be made available to the public at the courthouse or via remote electronic access:
>
> - unexecuted summonses or warrants of any kind (*e.g.*, search warrants, arrest warrants);
> - pretrial bail or presentence investigation reports;
> - statements of reasons in the judgment of conviction;
> - juvenile records;
> - documents containing identifying information about jurors or potential jurors;
> - financial affidavits filed in seeking representation pursuant to the Criminal Justice Act;
> - ex parte requests for authorization of investigative, expert or other services pursuant to the Criminal Justice Act; and
> - sealed documents (*e.g.*, motions for downward departure for substantial assistance, plea agreements indicating cooperation).

To the extent that the Rule does not exempt these materials from disclosure, the privacy and law enforcement concerns implicated by

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the above documents in criminal cases can be accommodated under the rule through the sealing provision of subdivision (d) or a protective order provision of subdivision (e).

CHANGES MADE TO PROPOSED AMENDMENT RELEASED FOR PUBLIC COMMENT

Numerous changes were made in the rule after publication in response to the public comments as well as continued consultation among the reporters and chairs of the advisory committees as each committee reviewed its own rule.

A number of revisions were made in all of the e-government rules. These include: (1) using of the term "individual" rather than "person" where possible, (2) clarifying that the responsibility for redaction lies with the person making the filing, (3) rewording the exemption from redaction for information necessary to identify property subject to forfeiture, so that it is clearly applicable in ancillary proceedings related to forfeiture, and (4) rewording the exemption from redaction for judicial decisions that were not subject to redaction when originally filed. Additionally, some changes of a technical or stylistic nature (involving matters such as hyphenation and the use of "a" or "the") were made to achieve clarity as well as consistency among the various e-government rules.

Two changes were made to the provisions concerning actions under §§ 2241, 2254, and 2255, which the published rule exempted from the redaction requirement. First, in response to criticism that the original exemption was unduly broad, the Committee limited the exemption to pro se filings in these actions. Second, a new subdivision (c) was added to provide that all actions under § 2241 in which immigration claims were made would be governed exclusively.

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by Civil Rule 5.2. This change (which was made after the Advisory Committee meeting) was deemed necessary to ensure consistency in the treatment of redaction and public access to records in immigration cases. The addition of the new subdivision required renumbering of the subdivisions designated as (c) to (g) at the time of publication.

The provision governing protective orders was revised to employ the flexible "cause shown" standard that governs protective orders under the Federal Rules of Civil Procedure.

Finally, language was added to the Note clarifying the impact of the CACM policy that is reprinted in the Note: if the materials enumerated in the CACM policy are not exempt from disclosure under the rule, the sealing and protective order provisions of the rule are applicable.

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Federal Rulemaking

The Rulemaking Process

A Summary for the Bench and Bar
April 2006

THE FEDERAL RULES OF PRACTICE AND PROCEDURE
ADMINISTRATIVE OFFICE OF THE U.S. COURTS

JAMES C. DUFF, DIRECTOR

The federal rules govern procedure, practice, and evidence in the federal courts. They set forth the procedures for the conduct of court proceedings and serve as a pattern for the procedural rules adopted by many state court systems.

Authority

The Congress has authorized the federal judiciary to prescribe the rules of practice, procedure, and evidence for the federal courts, subject to the ultimate legislative right of the Congress to reject, modify, or defer any of the rules. The authority and procedures for promulgating rules are set forth in the Rules Enabling Act. 28 U.S.C. §§ 2071-2077.

The Judicial Conference of the United States is also required by statute to "carry on a continuous study of the operation and effect of the general rules of practice and procedure." 28 U.S.C. § 331. As part of this continuing obligation, the Conference is authorized to recommend amendments and additions to the rules to promote:

- simplicity in procedure,
- fairness in administration,
- the just determination of litigation, and
- the elimination of unjustifiable expense and delay.

The Rules Committees

The Judicial Conference's responsibilities as to rules are coordinated by its Committee on Rules of Practice and Procedure, commonly referred to as the "Standing Committee." 28 U.S.C. § 2073(b). The Judicial Conference has authorized the appointment of five advisory committees to assist the Standing Committee, dealing respectively with the appellate, bankruptcy, civil, criminal, and evidence rules. 28 U.S.C. § 2073(a)(2). The Standing Committee reviews and coordinates the recommendations of the five advisory committees, and it recommends to the Judicial

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Conference proposed rules changes "as may be necessary to maintain consistency and otherwise promote the interests of justice." 28 U.S.C. § 2073(b).

The Standing Committee and the advisory committees are composed of federal judges, practicing lawyers, law professors, state chief justices, and representatives of the Department of Justice. Each committee has a reporter, a prominent law professor, who is responsible for coordinating the committee's agenda and drafting appropriate amendments to the rules and explanatory committee notes.

The Assistant Director for Judges Programs of the Administrative Office of the United States Courts currently serves as secretary to the Standing Committee, coordinates the operational aspects of the rules process, and maintains the records of the committees. The Rules Committee Support Office of the Administrative Office provides the day to day administrative and legal support for the secretary and the committees.

Open Meetings and Records

Meetings of the rules committees are open to the public and are widely announced. All records of the committees, including minutes of committee meetings, reports of the committees, suggestions and comments submitted by the public, statements of witnesses, transcripts of public hearings, and memoranda prepared by the reporters, are public and are maintained by the secretary. Copies of the rules and proposed amendments are available from the Rules Committee Support Office. The proposed amendments are also published on the Judiciary's website <http:\\www.uscourts.gov>.

HOW THE RULES ARE AMENDED

The pervasive and substantial impact of the rules on the practice of law in the federal courts demands exacting and meticulous care in drafting rule changes. The rulemaking process is time consuming and involves a minimum of seven stages of formal comment and review. From beginning to end, it usually takes two to three years for a suggestion to be enacted as a rule.

The process, however, may be expedited when there is an urgent need to amend the rules.

All interested individuals and organizations are provided an opportunity to comment on proposed rules amendments and to recommend alternative proposals. The comments received from this extensive and thorough public examination are studied very carefully by the committees and generally improve the amendments. The committees actively encourage the submission of comments, both positive and negative, to ensure that proposed amendments have been considered by a broad segment of the bench and bar.

STEP 1. INITIAL CONSIDERATION BY THE ADVISORY COMMITTEE

Making suggestions for changes

Proposed changes in the rules are suggested by judges, clerks of court, lawyers, professors, government agencies, or other individuals and organizations. They are considered in the first instance by appropriate advisory committees (appellate, bankruptcy, civil, criminal, or evidence). Suggestions for changes, additions, or deletions must be submitted in writing to the secretary, who acknowledges each letter and distributes it to the chair of the Standing Committee and the chair and reporter of the advisory committee.

The reporter normally analyzes the suggestions and makes appropriate recommendations to the advisory committee. The suggestions from the public and the recommendations of the reporter are placed on the advisory committee's agenda and are normally discussed at its next meeting. The advisory committees usually meet twice a year in the spring and fall, and they also conduct business by telephone and correspondence.

Consideration of suggestions

In considering a suggestion for a change in the rules, the advisory committee may take several courses of action, including:

1. Accepting the suggestion, either completely or with modifications or limitations;

2. Deferring action on the suggestion or seeking additional information regarding its operation and impact;

3. Rejecting a suggestion because it does not have merit or would be inconsistent with other rules or a statute; or

4. Rejecting a suggestion because, although it may be meritorious, it simply is not necessary or important enough to warrant the significant step of an amendment to the federal rules.

The secretary is required, to the extent feasible, to advise the person making a suggestion of the action taken on it by the advisory committee.

Drafting Rules Changes

When an advisory committee decides initially that a particular change in the rules would be appropriate, it normally asks its reporter to prepare a draft amendment to the rules and an explanatory committee note. The draft amendment and committee note are discussed and voted upon at a committee meeting.

The Standing Committee has a style subcommittee that works with the respective advisory committees in reviewing proposed amendments to ensure that the rules are written in clear and consistent language. In addition, the reporter of the Standing Committee and the reporters of the five advisory committees are encouraged to work together to promote clarity and consistency among the various sets of federal rules.

STEP 2. PUBLICATION AND PUBLIC COMMENT

Once an advisory committee votes initially to recommend an amendment to the rules, it must obtain the approval of the Standing Committee, or its chair, to publish the proposed amendment for public comment. In seeking publication, the advisory committee must explain to the Standing Committee the reasons for its proposal, including any minority or separate views.

After publication is approved, the secretary arranges for printing and distribution of the proposed amendment to the bench and bar, to publishers, and to the general public. More than 10,000 persons and organizations are on the mailing list, including

- federal judges and other federal court officers,
- United States attorneys,
- other federal government agencies and officials,
- state chief justices,
- state attorneys general,
- legal publications,
- law schools,
- bar associations, and
- interested lawyers, individuals, and organizations requesting distribution.

In order to promote public comment, the proposed amendments are sent to points of contact that have been established with 53 state bar associations.

The public is normally given 6 months to comment in writing to the secretary regarding the proposed amendment. In an emergency, a shorter time period may be authorized by the Standing Committee.

During the 6-month comment period, the advisory committee schedules one or more public hearings on the proposed amendments. Persons who wish to appear and testify at the hearings are required to contact the secretary at least 30 days before

the hearings.

STEP 3. CONSIDERATION OF THE PUBLIC COMMENTS AND FINAL APPROVAL BY THE ADVISORY COMMITTEE

At the conclusion of the public comment period, the reporter is required to prepare a summary of the written comments received from the public and the testimony presented at the hearings. The advisory committee then takes a fresh look at the proposed rule changes in light of the written comments and testimony.

If the advisory committee decides to make a substantial change in its proposal, it may provide a period for additional public notice and comment.

Once the advisory committee decides to proceed in final form, it submits the proposed amendment to the Standing Committee for approval. Each proposed amendment must be accompanied by a separate report summarizing the comments received from the public and explaining any changes made by the advisory committee following the original publication. The advisory committee's report must also include minority views of any members who wish to have their separate views recorded.

STEP 4. APPROVAL BY THE STANDING COMMITTEE

The Standing Committee considers the final recommendations of the advisory committee and may accept, reject, or modify them. If the Standing Committee approves a proposed rule change, it will transmit it to the Judicial Conference with a recommendation for approval, accompanied by the advisory committee's reports and the Standing Committee's own report explaining any modifications it made. If the Standing Committee makes a modification that constitutes a substantial change from the recommendation of the advisory committee, the proposal will normally be returned to the advisory committee with appropriate instructions.

STEP 5. JUDICIAL CONFERENCE APPROVAL

The Judicial Conference normally considers proposed amendments to the rules at its September session each year. If approved by the Conference, the amendments are transmitted promptly to the Supreme Court.

STEP 6. SUPREME COURT APPROVAL

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The Supreme Court has the authority to prescribe the federal rules, subject to a statutory waiting period. 28 U.S.C. §§ 2072, 2075. The Court must transmit proposed amendments to Congress by May 1 of the year in which the amendment is to take effect. 28 U.S.C. §§ 2074, 2075.

STEP 7. CONGRESSIONAL REVIEW

The Congress has a statutory period of at least 7 months to act on any rules prescribed by the Supreme Court. If the Congress does not enact legislation to reject, modify, or defer the rules, they take effect as a matter of law on December 1. 28 U.S.C. §§ 2074, 2075.

SUMMARY OF PROCEDURES

Action	Date
STEP 1	
• Suggestion for a change in the rules. *(Submitted in writing to the secretary.)*	At any time.
• Referred by the secretary to the appropriate advisory committee.	Promptly after receipt.
• Considered by the advisory committee.	Normally at the next committee meeting.
• If approved, the advisory committee seeks authority from the Standing Committee to circulate to bench and bar for comment.	Normally at the same meeting or the next committee meeting.
STEP 2	
• Public comment period.	6 months.
• Public hearings.	During the public comment period.
STEP 3	
• Advisory committee considers the amendment afresh in light of public comments and testimony at the hearings.	About one or two months after the close of the comment period.
• Advisory committee approves amendment in	About one or two months after

final form and transmits it to the Standing Committee.	the close of the comment period.
SSTEP 4	
• Standing Committee approves amendment, with or without revisions, and recommends approval by the Judicial Conference.	Normally at its June meeting.
SSTEP 5	
• Judicial Conference approves amendment and transmits it to the Supreme Court.	Normally at its September session.
SSTEP 6	
• The Supreme Court prescribes the amendment.	By May 1.
SSTEP 7	
• Congress has statutory time period in which to enact legislation to reject, modify, or defer the amendment.	By December 1.
• Absent Congressional action, the amendment becomes law.	December 1.

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(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:**
~~10/02/2006~~11/03/2006

To: All Field Offices **Attn:** SAC
CDC

From: Office of the General Counsel
Investigative Law Unit
Contact: SSA [redacted]

Approved By: [redacted]

Drafted By: [redacted]

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b7C

Case ID #: 66F-HQ-1085159 (Pending)

Title: PROPOSED AMENDMENT TO RULE 41
FEDERAL RULES OF CRIMINAL PROCEDURE
EFFECTIVE DECEMBER 1, 2006

Synopsis: To advise field offices of a proposed amendment to Rule 41 of the Federal Rules of Criminal Procedure, which addresses procedures for issuing tracking device warrants, and is effective December 1, 2006, absent Congressional action to the contrary.

Details: Effective December 1, 2006, and absent Congressional action to the contrary[1], Rule 41 of the Federal Rules of Criminal Procedure will be amended to reflect the following procedures for issuing tracking device warrants:

Rule 41(a) Scope and Definitions will include the following definition:

[1] Contact with the Office of Congressional Affairs has revealed that there is not any Congressional Action pending as of the date of this communication that would affect this provision and therefore it appears likely that this amendment will take effect on December 1, 2006.

(E) "Tracking device" has the meaning set out in 18 U.S.C. §3117(b).[2]

Rule 41(b) Authority to Issue a Warrant, will be amended to include the following:

(4) a magistrate judge with authority in the district has authority to issue a warrant to install within the district a tracking device; the warrant may authorize use of the device to track the movement of a person or property located within the district, outside the district, or both.

Rule 41(d) Obtaining a Warrant, will be amended to read as follows (amended language has been italicized and underlined):

(1) In General. After receiving an affidavit or other information, a magistrate judge-or if authorized by Rule 41(b) a judge of a state court of record-must issue the warrant if there is probable cause to search for and seize a person or property *or to install and use a tracking device*.

Rule 41(e)(2) Contents of the Warrant, will be amended to read as follows (amended language has been italicized and underlined):
(A) Warrant to Search for and Seize a Person or Property. *Except for a tracking-device-warrant*, the warrant must identify the person or property to be searched, identify any person or property to be seized, and designate the magistrate judge to whom it must be returned. The warrant must command the officer to:

(i) execute the warrant within a specified time no longer than 10 days;
(ii) execute the warrant during the daytime, unless the judge for good cause expressly authorizes execution at another time; and
(iii) return the warrant to the magistrate judge designated in the warrant.

(B) Warrant for a Tracking Device. *A tracking-device warrant must identify the person or property to be tracked, designate the magistrate judge to whom it must be returned, and specify a reasonable length of time that the device may be used. The time must not exceed 45 days from the date the warrant was issued. The court may, for good cause, grant one or more extensions for a reasonable period not to exceed 45 days each. The warrant must command the officer to:*

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[2]A "tracking device" is defined to mean "an electronic or mechanical device which permits the tracking of the movement of a person or object." 18 U.S.C. § 3117(b).

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(i) complete any installation authorized by the warrant within a specified time no longer than 10 calendar days;
(ii) perform any installation authorized by the warrant during the daytime, unless the judge for good cause expressly authorizes installation at another time; and
(iii) return the warrant to the judge designated in the warrant.

Rule 41(f) Executing and Returning the Warrant, will be amended as follows (amended language has been italicized and underlined):

(1) Warrant to Search for and Seize a Person or Property.
(A) Noting the Time. The officer executing the warrant must enter it on the exact date and time it was executed.
(B) Inventory. An officer present during the execution of the warrant must prepare and verify an inventory of any property seized. The officer must do so in the presence of another officer and the person from whom, or from whose premises, the property was taken. If either one is not present, the officer must prepare and verify the inventory in the presence of at least one other credible person.
(C) Receipt. The officer executing the warrant must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken or leave a copy of the warrant and receipt at the place where the officer took the property.
(D) Return. The officer executing the warrant must promptly return it-together with a copy of the inventory-to the magistrate judge designated on the warrant. The judge must, on request, give a copy of the inventory to the person from whom, or from whose premises, the property was taken and to the applicant for the warrant.

(2) Warrant for a Tracking Device.
(A) Noting the Time. The officer executing a tracking-device warrant must enter on it the exact date and time the device was installed and the period during which it was used.
(B) Return. Within 10 calendar days after the use of the tracking device has ended, the officer executing the warrant must return it to the judge designated in the warrant.
(C) Service. Within 10 calendar days after the use of the tracking device has ended, the officer executing a tracking device warrant must serve a copy of the warrant on the person who was tracked or whose property was tracked. Service may be accomplished by delivering a copy to the person who, or whose property, was tracked; or by leaving a copy at the person's

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residence or usual place of abode with an individual of suitable age and discretion who resides at that location and by mailing a copy to the person's last known address. Upon request of the government, the judge may delay notice as provided in Rule 41(f)(3).

(3) Delayed Notice. *Upon the government's request, a magistrate judge-or if authorized by Rule 41(b), a judge of a state court of record-may delay any notice required by this rule if the delay is authorized by statute.*

Proposed amendments to the Advisory Committee Notes state that the Committee "did not intend by this amendment to expand or contract the definition of what might constitute a tracking device." See F.R.Crim.P 41(b) advisory committee's note. The Advisory Committee indicated that the changes to Rule 41(b) were intended to provide procedural guidance for judicial officers who were asked to issue tracking device warrants. The Committee Notes indicate that the amendment "reflects the view that if the officers intend to install or use the device in a constitutionally protected area, they must obtain judicial approval to do so. If, on the other hand, the officers intend to install and use the device without implicating any Fourth Amendment rights, there is no need to obtain a warrant." Id. The Committee Notes also recognize that 18 U.S.C. § 3117, "does not specify the standard an applicant must meet to install a tracking device" and state that the "amendment to Rule 41 does not resolve this issue or hold that such warrants may issue only on a showing of probable cause. Instead, it simply provides that if probable cause is shown, the magistrate judge must issue the warrant." See F.R.Crim.P 41(d) advisory committee's note.

INVESTIGATIVE LAW UNIT ANALYSIS:

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Any questions regarding this matter should be directed to the Investigative Law Unit [redacted] or the Science and Technology Law Unit [redacted] b7E

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(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 11/03/2006

To: All Field Offices **Attn:** SAC
CDC

From: Office of the General Counsel
Investigative Law Unit
Contact: SSA [redacted]

Approved By: [redacted]

Drafted By: [redacted]

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Case ID #: 66F-HQ-1085159 (Pending)

Title: PROPOSED AMENDMENT TO RULE 41
FEDERAL RULES OF CRIMINAL PROCEDURE
EFFECTIVE DECEMBER 1, 2006

Synopsis: To advise field offices of a proposed amendment to Rule 41 of the Federal Rules of Criminal Procedure, which addresses procedures for issuing tracking device warrants, and is effective December 1, 2006, absent Congressional action to the contrary.

Details: Effective December 1, 2006, and absent Congressional action to the contrary[1], Rule 41 of the Federal Rules of Criminal Procedure will be amended to reflect the following procedures for issuing tracking device warrants:

Rule 41(a) Scope and Definitions will include the following definition:

(E) "Tracking device" has the meaning set out in 18 U.S.C. §3117(b).[2]

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[1] Contact with the Office of Congressional Affairs has revealed that there is not any Congressional Action pending as of the date of this communication that would affect this provision and therefore it appears likely that this amendment will take effect on December 1, 2006.

[2] A "tracking device" is defined to mean "an electronic or mechanical device which permits the tracking of the movement of a person or object." 18 U.S.C. § 3117(b).

Rule 41(b) Authority to Issue a Warrant, will be amended to include the following:

(4) a magistrate judge with authority in the district has authority to issue a warrant to install within the district a tracking device; the warrant may authorize use of the device to track the movement of a person or property located within the district, outside the district, or both.

Rule 41(d) Obtaining a Warrant, will be amended to read as follows (amended language has been italicized and underlined):

(1) In General. After receiving an affidavit or other information, a magistrate judge-or if authorized by Rule 41(b) a judge of a state court of record-must issue the warrant if there is probable cause to search for and seize a person or property *or to install and use a tracking device*.

Rule 41(e)(2) Contents of the Warrant, will be amended to read as follows (amended language has been italicized and underlined):
(A) Warrant to Search for and Seize a Person or Property. *Except for a tracking-device-warrant*, the warrant must identify the person or property to be searched, identify any person or property to be seized, and designate the magistrate judge to whom it must be returned. The warrant must command the officer to:

(i) execute the warrant within a specified time no longer than 10 days;
(ii) execute the warrant during the daytime, unless the judge for good cause expressly authorizes execution at another time; and
(iii) return the warrant to the magistrate judge designated in the warrant.

(B) Warrant for a Tracking Device. *A tracking-device warrant must identify the person or property to be tracked, designate the magistrate judge to whom it must be returned, and specify a reasonable length of time that the device may be used. The time must not exceed 45 days from the date the warrant was issued. The court may, for good cause, grant one or more extensions for a reasonable period not to exceed 45 days each. The warrant must command the officer to:*

(i) complete any installation authorized by the warrant within a specified time no longer than 10 calendar days;
(ii) perform any installation authorized by the warrant during the daytime, unless the judge for good cause expressly authorizes installation at another time; and
(iii) return the warrant to the judge designated in the warrant.

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Rule 41(f) Executing and Returning the Warrant, will be amended as follows (amended language has been italicized and underlined):

(1) Warrant to Search for and Seize a Person or Property.
(A) Noting the Time. The officer executing the warrant must enter it on the exact date and time it was executed.
(B) Inventory. An officer present during the execution of the warrant must prepare and verify an inventory of any property seized. The officer must do so in the presence of another officer and the person from whom, or from whose premises, the property was taken. If either one is not present, the officer must prepare and verify the inventory in the presence of at least one other credible person.
(C) Receipt. The officer executing the warrant must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken or leave a copy of the warrant and receipt at the place where the officer took the property.
(D) Return. The officer executing the warrant must promptly return it-together with a copy of the inventory-to the magistrate judge designated on the warrant. The judge must, on request, give a copy of the inventory to the person from whom, or from whose premises, the property was taken and to the applicant for the warrant.

(2) Warrant for a Tracking Device.
(A) Noting the Time. The officer executing a tracking-device warrant must enter on it the exact date and time the device was installed and the period during which it was used.
(B) Return. Within 10 calendar days after the use of the tracking device has ended, the officer executing the warrant must return it to the judge designated in the warrant.
(C) Service. Within 10 calendar days after the use of the tracking device has ended, the officer executing a tracking device warrant must serve a copy of the warrant on the person who was tracked or whose property was tracked. Service may be accomplished by delivering a copy to the person who, or whose property, was tracked; or by leaving a copy at the person's residence or usual place of abode with an individual of suitable age and discretion who resides at that location and by mailing a copy to the person's last known address. Upon request of the government, the judge may delay notice as provided in Rule 41(f)(3).

(3) Delayed Notice. Upon the government's request, a magistrate judge-or if authorized by Rule 41(b), a judge of a state court of record-may delay any notice required by this rule if the delay is authorized by statute.

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Proposed amendments to the Advisory Committee Notes state that the Committee "did not intend by this amendment to expand or contract the definition of what might constitute a tracking device." See F.R.Crim.P 41(b) advisory committee's note. The Advisory Committee indicated that the changes to Rule 41(b) were intended to provide procedural guidance for judicial officers who were asked to issue tracking device warrants. The Committee Notes indicate that the amendment "reflects the view that if the officers intend to install or use the device in a constitutionally protected area, they must obtain judicial approval to do so. If, on the other hand, the officers intend to install and use the device without implicating any Fourth Amendment rights, there is no need to obtain a warrant." Id. The Committee Notes also recognize that 18 U.S.C. § 3117, "does not specify the standard an applicant must meet to install a tracking device" and state that the "amendment to Rule 41 does not resolve this issue or hold that such warrants may issue only on a showing of probable cause. Instead, it simply provides that if probable cause is shown, the magistrate judge must issue the warrant." See F.R.Crim.P 41(d) advisory committee's note.

INVESTIGATIVE LAW UNIT ANALYSIS:

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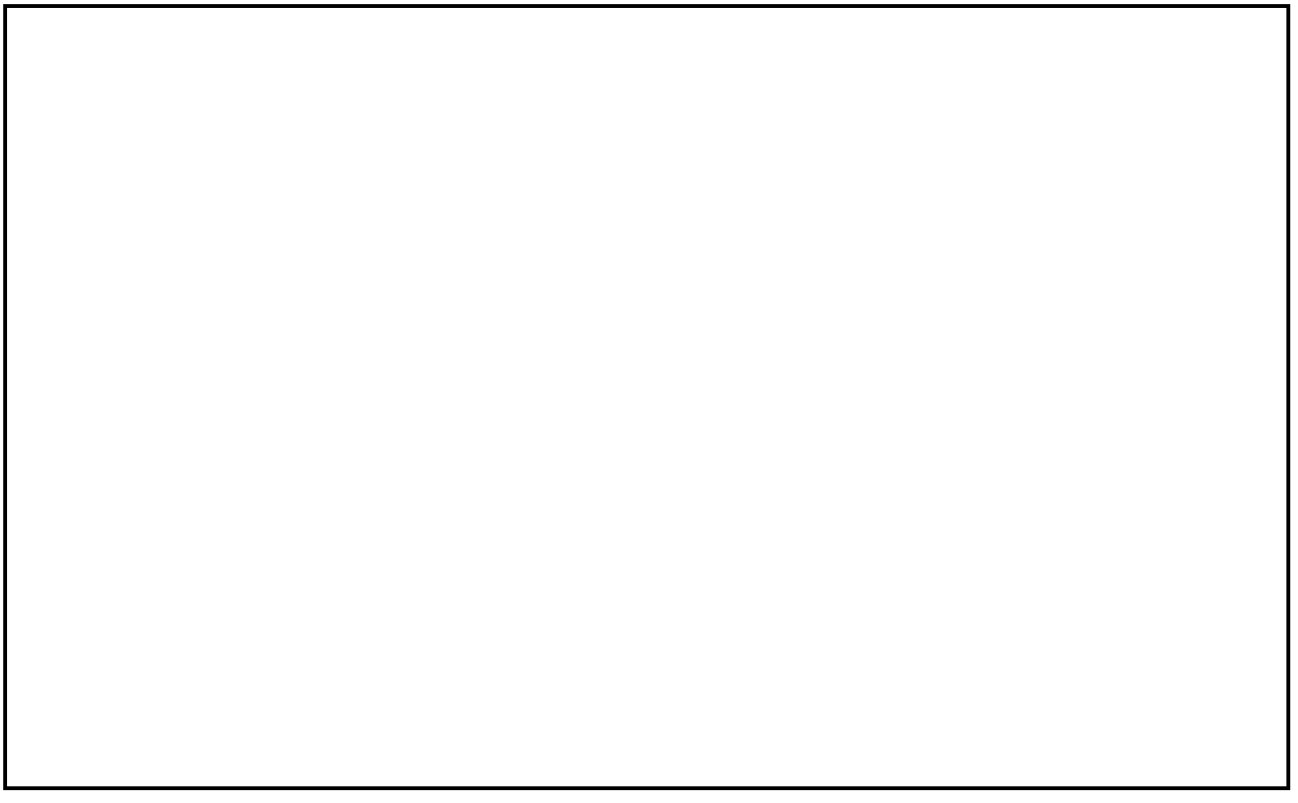

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Any questions regarding this matter should be directed to the Investigative Law Unit [redacted] or the Science and Technology Law Unit [redacted]

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Briefs and Other Related Documents
U.S. v. GarciaC.A.7 (Wis.),2007.Only the Westlaw citation is currently available.

United States Court of Appeals,Seventh Circuit.
UNITED STATES of America, Plaintiff-Appellee,
v.
Bernardo GARCIA, Defendant-Appellant.
No. 06-2741.

Argued Jan. 10, 2007.
Decided Feb. 2, 2007.

Background: Following denial of his motion to suppress, 2006 WL 1601716, defendant was convicted in the United States District Court for the Western District of Wisconsin, Barbara B. Crabb, J., of crimes relating to the manufacture of methamphetamine. Defendant appealed.

Holding: The Court of Appeals, Posner, Circuit Judge, held that there was no search or seizure under Fourth Amendment when police placed GPS tracking unit underneath defendant's vehicle.

Affirmed.

[1] Searches and Seizures 349 124

349 Searches and Seizures
349II Warrants
349k123 Form and Contents of Warrant; Signature
349k124 k. Particularity or Generality and Overbreadth in General. Most Cited Cases
Under the Fourth Amendment, a warrant must describe with particularity the object of the search or seizure and must be supported both by an oath or affirmation and by probable cause. U.S.C.A. Const.Amend. 4.

[2] Searches and Seizures 349 101

349 Searches and Seizures
349II Warrants
349k101 k. In General. Most Cited Cases
The warrant requirement forces the police to make a record before the search, rather than allowing them to conduct the search without prior investigation in the expectation that if the search is fruitful a rationalization for it will not be difficult to construct, working backwards. U.S.C.A. Const.Amend. 4.

[3] Searches and Seizures 349 21

349 Searches and Seizures
349I In General
349k13 What Constitutes Search or Seizure
349k21 k. Use of Electronic Devices; Tracking Devices or "Beepers.". Most Cited Cases
There was no search or seizure within meaning of Fourth Amendment when police placed a global positioning system (GPS) tracking unit underneath bumper of vehicle driven by defendant; device did not affect vehicle's driving qualities, did not draw power from vehicle's engine or battery, did not take up room that might otherwise have been occupied by passengers or packages, did not alter vehicle's appearance, and police could follow a car around or observe its route by means of cameras or satellite imaging without it being a search. U.S.C.A. Const.Amend. 4.

Appeal from the United States District Court for the Western District of Wisconsin. No. 05-CR-155-C-Barbara B. Crabb, Chief Judge.

David Reinhard, Office of the United States Attorney, Madison, WI, for Plaintiff-Appellee.
Patrick J. Stangl, Stangl Law Offices, Madison, WI, for Defendant-Appellant.

Before POSNER, MANION, and SYKES, Circuit Judges.
POSNER, Circuit Judge.
*1 The defendant appeals from his conviction for crimes relating to the manufacture of methamphetamine. The only issue is whether evidence obtained as a result of a tracking device attached to his car should have been suppressed as the fruit of an unconstitutional search.

The defendant had served time for methamphetamine offenses. Shortly after his release from prison, a person who was a known user of meth reported to police that the defendant had brought meth to her and her husband, consumed it with them, and told them he wanted to start manufacturing meth again.

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Another person told the police that the defendant had bragged that he could manufacture meth in front of a police station without being caught. A store's security video system recorded the defendant buying ingredients used in making the drug.

From someone else the police learned that the defendant was driving a borrowed Ford Tempo. They went looking for it and found it parked on a public street near where the defendant was staying. The police placed a GPS (global positioning system) "memory tracking unit" underneath the rear bumper of the Ford. Such a device, pocket-sized, battery-operated, commercially available for a couple of hundred dollars (see, e.g., Vehicle-Tracking, Incorporated, "GPS Vehicle Tracking with the Tracking Key," www.vehicle-tracking.com/products/Tracking-Key.html, visited Jan. 21, 2007), receives and stores satellite signals that indicate the device's location. So when the police later retrieved the device (presumably when the car was parked on a public street, as the defendant does not argue that the retrieval involved a trespass), they were able to learn the car's travel history since the installation of the device. One thing they learned was that the car had been traveling to a large tract of land. The officers obtained the consent of the tract's owner to search it and they did so and discovered equipment and materials used in the manufacture of meth. While the police were on the property, the defendant arrived in a car that the police searched, finding additional evidence.

The police had not obtained a warrant authorizing them to place the GPS tracker on the defendant's car. The district judge, however, found that they had had a reasonable suspicion that the defendant was engaged in criminal activity, and she ruled that reasonable suspicion was all they needed for a lawful search, although she added that they had had probable cause as well. The defendant argues that they needed not only probable cause to believe that the search would turn up contraband or evidence of crime, but also a warrant. The government argues that they needed nothing because there was no search or seizure within the meaning of the Fourth Amendment.

[1][2] The Fourth Amendment forbids unreasonable searches and seizures. There is nothing in the amendment's text to suggest that a warrant is required in order to make a search or seizure reasonable. All that the amendment says about warrants is that they must describe with particularity the object of the search or seizure and must be supported both by an oath or affirmation and by probable cause, which is understood, in the case of searches incident to criminal investigations, to mean probable cause that the search will turn up contraband or evidence of crime. *Zurcher v. Stanford Daily*, 436 U.S. 547, 554-55, 98 S.Ct. 1970, 56 L.Ed.2d 525 (1978). The Supreme Court, however, has created a presumption that a warrant is required, unless infeasible, for a search to be reasonable. E.g., *United States v. Leon*, 468 U.S. 897, 913-14 (1984); *Mincey v. Arizona*, 437 U.S. 385, 390, 98 S.Ct. 2408, 57 L.Ed.2d 290 (1978); *Henry v. United States*, 361 U.S. 98, 100, 80 S.Ct. 168, 4 L.Ed.2d 134 (1959); see *Nicholas v. Goord*, 430 F.3d 652, 678 (2d Cir.2005). "Although the framers of the Fourth Amendment were more fearful that the warrant would protect the police from the citizen's tort suit through operation of the doctrine of official immunity than hopeful that the warrant would protect the citizen against the police, see [Telford] Taylor, *Two Studies in Constitutional Interpretation* 23-43 (1969), and although the effective neutrality and independence of magistrates in ex parte proceedings for the issuance of search warrants may be doubted, there is a practical reason for requiring warrants where feasible: it forces the police to make a record before the search, rather than allowing them to conduct the search without prior investigation in the expectation that if the search is fruitful a rationalization for it will not be difficult to construct, working backwards." *United States v. Mazzone*, 782 F.2d 757, 759 (7th Cir.1986). But of course the presumption in favor of requiring a warrant, or for that matter the overarching requirement of reasonableness, does not come into play unless there is a search or seizure within the meaning of the Fourth Amendment.

*2 [3] The defendant's contention that by attaching the memory tracking device the police seized his car is untenable. The device did not affect the car's driving qualities, did not draw power from the car's engine or battery, did not take up room that might otherwise have been occupied by passengers or packages, did not even alter the car's appearance, and in short did not "seize" the car in any intelligible sense of the word. But was there a search? The Supreme Court has held that the mere tracking of a vehicle on public streets by means of a similar though less sophisticated device (a beeper) is not a search. *United States v. Knotts*, 460 U.S. 276, 284-85, 103 S.Ct. 1081, 75 L.Ed.2d 55 (1983). But the Court left open the question whether installing the device in the vehicle converted the subsequent tracking into a search. *Id.* at 279 n. 2; see also *United States v. Karo*, 468 U.S. 705, 713-14, 104 S.Ct. 3296, 82 L.Ed.2d

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530 (1984). The courts of appeals have divided over the question. Compare *United States v. McIver*, 186 F.3d 1119, 1127 (9th Cir.1999), and *United States v. Pretzinger*, 542 F.2d 517, 520 (9th Cir.1976) (per curiam), holding (and *United States v. Michael*, 645 F.2d 252, 256 and n. 11 (5th Cir.1981) (en banc), and *United States v. Bernard*, 625 F.2d 854, 860-61 (9th Cir.1980), intimating) that there is no search, with *United States v. Bailey*, 628 F.2d 938, 944-45 (6th Cir.1980); *United States v. Shovea*, 580 F.2d 1382, 1387-88 (10th Cir.1978), and *United States v. Moore*, 562 F.2d 106, 110-12 (1st Cir.1977), holding the contrary. Several of the cases actually take intermediate positions, such as requiring reasonable suspicion rather than probable cause (a possible interpretation of *Michael),* or probable cause but no warrant-*Shovea* and *Moore.* This court has not spoken to the issue.

If a listening device is attached to a person's phone, or to the phone line outside the premises on which the phone is located, and phone conversations are recorded, there is a search (and it is irrelevant that there is a trespass in the first case but not the second), and a warrant is required. But if police follow a car around, or observe its route by means of cameras mounted on lampposts or of satellite imaging as in Google Earth, there is no search. Well, but the tracking in this case *was* by satellite. Instead of transmitting images, the satellite transmitted geophysical coordinates. The only difference is that in the imaging case nothing touches the vehicle, while in the case at hand the tracking device does. But it is a distinction without any practical difference.

There is a practical difference lurking here, however. It is the difference between, on the one hand, police trying to follow a car in their own car, and, on the other hand, using cameras (whether mounted on lampposts or in satellites) or GPS devices. In other words, it is the difference between the old technology-the technology of the internal combustion engine-and newer technologies (cameras are not new, of course, but coordinating the images recorded by thousands of such cameras is). But GPS tracking is on the same side of the divide with the surveillance cameras and the satellite imaging, and if what they do is not searching in Fourth Amendment terms, neither is GPS tracking.

***3** This cannot be the end of the analysis, however, because the Supreme Court has insisted, ever since *Katz v. United States*, 389 U.S. 347, 88 S.Ct. 507, 19 L.Ed.2d 576 (1967), that the meaning of a Fourth Amendment search must change to keep pace with the march of science. So the use of a thermal imager to reveal details of the interior of a home that could not otherwise be discovered without a physical entry was held in *Kyllo v. United States*, 533 U.S. 27, 34, 121 S.Ct. 2038, 150 L.Ed.2d 94 (2001), to be a search within the meaning of the Fourth Amendment. But *Kyllo* does not help our defendant, because his case unlike *Kyllo* is not one in which technology provides a substitute for a form of search unequivocally governed by the Fourth Amendment. The substitute here is for an activity, namely following a car on a public street, that is unequivocally *not* a search within the meaning of the amendment.

But while the defendant's efforts to distinguish the GPS case from the satellite-imaging and lamppost-camera cases are futile, we repeat our earlier point that there is a difference (though it is not the difference involved in *Kyllo)* between all three of those situations on the one hand and following suspects around in a car on the other. The new technologies enable, as the old (because of expense) do not, wholesale surveillance. One can imagine the police affixing GPS tracking devices to thousands of cars at random, recovering the devices, and using digital search techniques to identify suspicious driving patterns. One can even imagine a law requiring all new cars to come equipped with the device so that the government can keep track of all vehicular movement in the United States. It would be premature to rule that such a program of mass surveillance could not possibly raise a question under the Fourth Amendment-that it could not be a search because it would merely be an efficient alternative to hiring another 10 million police officers to tail every vehicle on the nation's roads.

Of course the amendment cannot sensibly be read to mean that police shall be no more efficient in the twenty-first century than they were in the eighteenth. *United States v. Knotts, supra*, 460 U.S. at 283-84. There is a tradeoff between security and privacy, and often it favors security. Even at the height of the "Warren Court," the Court held over a strong dissent by Justice Brennan that the planting of an undercover agent in a criminal gang does not become a search just because the agent has a transmitter concealed on his person, even though the invasion of privacy is greater when the suspect's words are recorded and not merely recollected. *Lopez v. United States*, 373 U.S. 427, 439, 83 S.Ct. 1381, 10 L.Ed.2d 462 (1963).

Yet Chief Justice Warren, while concurring in the judgment in *Lopez,* remarked "that the fantastic

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advances in the field of electronic communication constitute a great danger to the privacy of the individual; that indiscriminate use of such devices in law enforcement raises grave constitutional questions under the Fourth and Fifth Amendments; and that these considerations impose a heavier responsibility on this Court in its supervision of the fairness of procedures in the federal court system." *Id.* at 441. These "fantastic advances" continue, and are giving the police access to surveillance techniques that are ever cheaper and ever more effective. Remember the beeper in *Knotts?* "Officers installed a beeper inside a five-gallon container of chloroform ... [and] followed the car in which the chloroform had been placed, maintaining contact by using both visual surveillance and a monitor which received the signals sent from the beeper." *United States v. Knotts, supra,* 460 U.S. at 278. That was only a modest improvement over following a car by means of unaided human vision.

***4** Technological progress poses a threat to privacy by enabling an extent of surveillance that in earlier times would have been prohibitively expensive. Whether and what kind of restrictions should, in the name of the Constitution, be placed on such surveillance when used in routine criminal enforcement are momentous issues that fortunately we need not try to resolve in this case. So far as appears, the police of Polk County (a rural county in northwestern Wisconsin), where the events of this case unfolded, are not engaged in mass surveillance. They do GPS tracking only when they have a suspect in their sights. They had, of course, abundant grounds for suspecting the defendant. Should government someday decide to institute programs of mass surveillance of vehicular movements, it will be time enough to decide whether the Fourth Amendment should be interpreted to treat such surveillance as a search. Cf. *Zurcher v. Stanford Daily, supra,* 436 U.S. at 566.

Affirmed.

C.A.7 (Wis.),2007.
U.S. v. Garcia
--- F.3d ----, 2007 WL 286534 (C.A.7 (Wis.))

Briefs and Other Related Documents (Back to top)

• 06-2741 (Docket) (Jun. 23, 2006)

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(2) THE USE OF FBI ELECTRONIC SURVEILLANCE EQUIPMENT IN **JOINT CASES** WHERE STATE AND LOCAL LAW ENFORCEMENT AGENCIES OBTAINED AUTHORITY FOR ITS USE (SEE MIOG, PART 2, 10-10.3 (8).) (RCU)

| (a) A JOINT CASE, for purposes of this section, is an investigation in which there exists significant FBI interest in the subject or subjects of a local investigation and substantial FBI investigative resources have been utilized and/or will be utilized in the planned investigation with the local agency. (RCU)

| **(b) FBIHQ authority MUST be obtained prior to any use of FBI electronic surveillance equipment or personnel in furtherance of any order or authority obtained by state or local law enforcement agencies.** Should approval be granted for such use, the pertinent local or state order or authority MUST contain specific language authorizing FBI participation and specifying whether the assistance is for installation, monitoring, or whatever is required. (RCU)

| (c) In requesting FBIHQ authority, the field office is to set forth the following information: (RCU)

| 1. A synopsis of the investigation conducted to date by FBI and the local agency involved, to include the date the FBI
| case was opened, as well as when the joint investigation was initiated. (RCU)

| 2. the specific SAC comments as to the value of the assistance to the FBI investigation and extent of federal control
| over local electronic surveillance. (RCU)

| 3. the exact nature of equipment to be utilized and technical assistance required, and whether the equipment is on
| hand in the requesting division. (RCU)

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| 4. the specific comments of the [redacted] as to the complexity of the equipment and the ability of the
| local agency to properly utilize technical equipment requested. (RCU)

| 5. that the local agency has valid legal authority under state or local law to conduct the electronic
| surveillance for which equipment will be utilized, to include citation of the specific statute; (RCU)

| 6. that the Chief Division Counsel or the Assistant U.S. Attorney has reviewed the affidavits and orders to be
| filed and concurs in their sufficiency; and, (RCU)

| 7. that FBI policy in limiting disclosure as set forth in Part 2, Sections 10-10.13 and 10-10.16, of this manual, will
| be honored in any subsequent local proceedings. (RCU)

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| The above information is to be provided by appropriate communication to the attention of the Operational Technology Division, as well as to either the Criminal Investigative Division or the [redacted] as appropriate. (RCU) b7D

(d) Any request for FBI assistance in the execution of a locally obtained court order which requires [redacted] will be handled separately and will require significant justification. Emergency requests for such | assistance are to be discouraged and likely will NOT be approved. (RCU)

-----Original Message-----

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[redacted] b6 b7C

Subject: Loan of ELSUR

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NON-RECORD

[redacted] b5

62-3.3 Policy

(1) Upon receipt of requests for investigation from local or state law enforcement agencies involving matters in which there is no FBI jurisdictional interest, the FBI's cooperative role will be limited to the acquisition of records or information from the criminal files of local or state law enforcement agencies or records of nongovernmental organizations and concerns and other governmental agencies.

(a) Records or information are defined as material normally available to law enforcement agencies which can be obtained without a court order.
(b) When obtaining material outlined above, dissemination authority must be obtained from that agency providing the records/information, when appropriate.
(2) In addition to record gathering and dissemination noted above, [redacted] b7E

(4) Domestic Police Cooperation matters received in the field should be opened on an individual case basis, the subject of the record indexed to the general indices, resulting disclosures recorded in accordance with Privacy Act requirements and maintained in accordance with existing instructions pertaining to the destruction of field office files and records, MAOP, Part II, 2-4.5.
(5) SACs may approve use of FBI resources on behalf of local and state agencies providing such action falls within the above guidelines. No communication need be

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forwarded to FBIHQ advising of the initiation of a Domestic Police Cooperation investigation.

(6) Name check requests for a review of pertinent information contained in our central records system received by FBIHQ from authorized state and local criminal justice agencies will be | processed by the|Executive Agencies Dissemination|Unit, Information|Management Division, in accordance with MAOP, Part II,9-3. Completed responses will be returned to the respective field office which covers the territory of the submitting agency for appropriate dissemination.
(7) Domestic Police Cooperation cases are not to be opened in the field for the purpose of conducting foreign inquiries through Interpol. All state and local law enforcement agencies in the United States have direct access to the United States National Central Bureau (USNCB), Interpol, by mail or via the National Law Enforcement Telecommunications System (NLETS). The USNCB mailing address is:Interpol, U.S. Department of Justice, Washington, D.C. 20530. The NLETS ORI is "DCINTER0/0/."

This authority appears to also be codified by Regulation at 28 CFR 0.85(j)

See also Part I, Section 184-1 Investigative Authority

2) Under DOJ guidelines, the FBI's role in Domestic Police Cooperation, see this manual, Part 1, Section 62, entitled "Domestic Police Cooperation," is limited to: (1) FBI record checks; (2) record checks of other governmental agencies, nongovernmental organizations and concerns; (3) record checks of criminal files of local or state law enforcement agencies; (4) verifying the location of an individual whose interview is desired by local authorities; and (5) acting in a liaison capacity between local law enforcement agencies to facilitate one agency handling the investigative requests of another [redacted] b5 b7E

[redacted]

[redacted]

(g) No Federal Bureau of Investigation personnel may be used to ***install the equipment or participate in the surveillance***, unless deemed necessary ***and authorized by the Director or his designee.*** This restriction does not prohibit maintenance and of the equipment when not installed.

the AG Order also expressly states that:

i The Director may delegate his authority to a designated representative ***(not lower than an appropriate Headquarters-level Section Chief)*** to approve loans of electronic surveillance equipment to state and local law enforcement agencies

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(2) THE USE OF FBI ELECTRONIC SURVEILLANCE EQUIPMENT IN **JOINT CASES** WHERE STATE AND LOCAL LAW ENFORCEMENT AGENCIES OBTAINED AUTHORITY FOR ITS USE (SEE MIOG, PART 2, 10-10.3 (8).) (RCU)

| (a) A JOINT CASE, for purposes of this section, is an investigation in which there exists significant FBI interest in the subject or subjects of a local investigation and substantial FBI investigative resources have been utilized and/or will be utilized in the planned investigation with the local agency. (RCU)

| **(b) FBIHQ authority MUST be obtained prior to any use of FBI electronic surveillance equipment or personnel in furtherance of any order or authority obtained by state or local law enforcement agencies.** Should approval be granted for such use, the pertinent local or state order or authority MUST contain specific language authorizing FBI participation and specifying whether the assistance is for installation, monitoring, or whatever is required. (RCU)

| (c) In requesting FBIHQ authority, the field office is to set forth the following information: (RCU)

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| 1. A synopsis of the investigation conducted to date by FBI and the local agency involved, to include the date the FBI
| case was opened, as well as when the joint investigation was initiated. (RCU)

| 2. the specific SAC comments as to the value of the assistance to the FBI investigation and extent of federal control
| over local electronic surveillance. (RCU)

| 3. the exact nature of equipment to be utilized and technical assistance required, and whether the equipment is on
| hand in the requesting division. (RCU)

| 4. the specific comments of the [redacted] as to the complexity of the equipment and the ability of the
| local agency to properly utilize technical equipment requested. (RCU)

| 5. that the local agency has valid legal authority under state or local law to conduct the electronic
| surveillance for which equipment will be utilized, to include citation of the specific statute; (RCU)

| 6. that the Chief Division Counsel or the Assistant U.S. Attorney has reviewed the affidavits and orders to be
| filed and concurs in their sufficiency; and, (RCU) b7E

| 7. that FBI policy in limiting disclosure as set forth in Part 2, Sections 10-10.13 and 10-10.16, of this manual, will
| be honored in any subsequent local proceedings. (RCU)

| The above information is to be provided by appropriate communication to the attention of the Operational Technology Division, as well as to either the Criminal Investigative Division or the [redacted] as appropriate. (RCU)

(d) Any request for FBI assistance in the execution of a locally obtained court order which requires [redacted] will be handled separately and will require significant justification. Emergency requests for such
| assistance are to be discouraged and likely will NOT be approved. (RCU) b5 b6 b7C b7E

[redacted]

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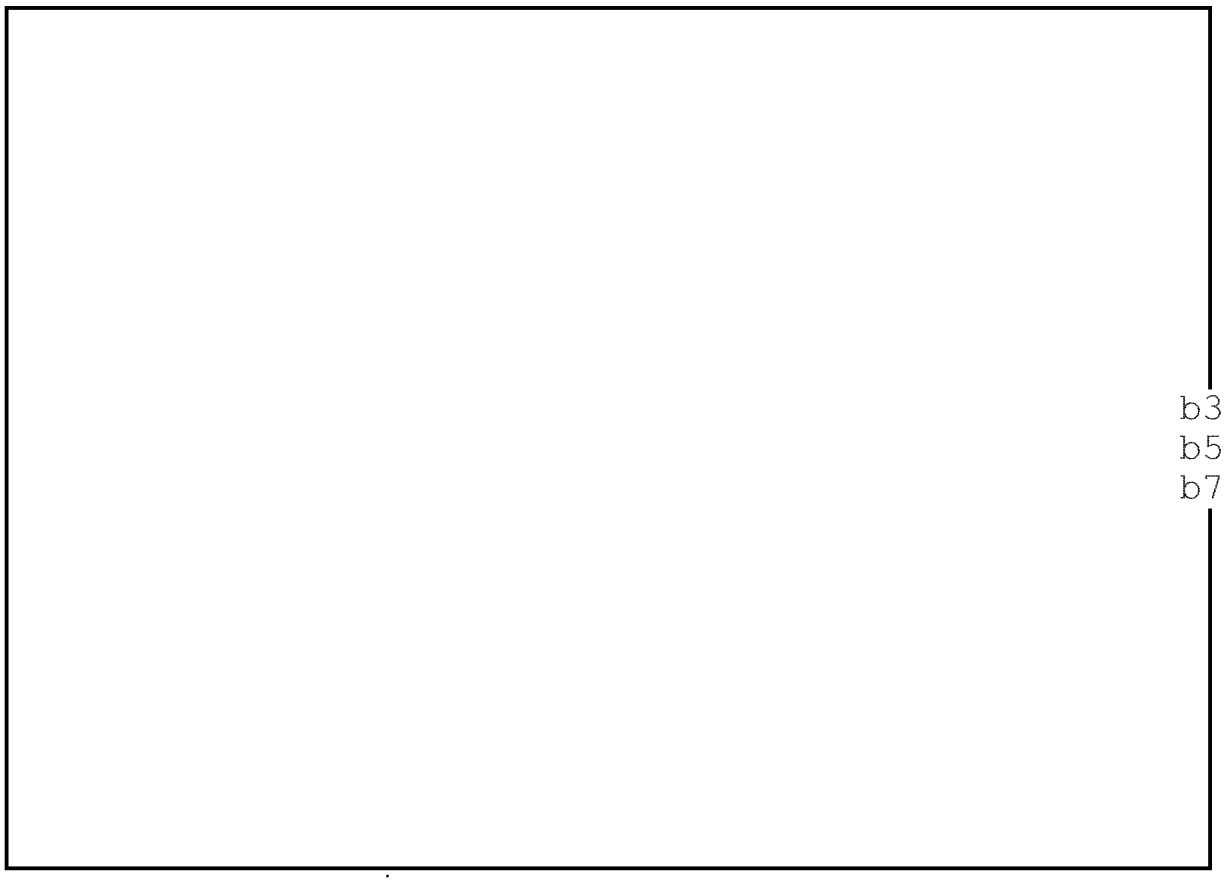

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DATE 10-04-2012 BY 65179/dmh/stp/as

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 03/06/2007

To: All Field Offices **Attn:** SAC
CDC

From: Office of the General Counsel
Investigative Law Unit
Contact: SSA [redacted]

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Approved By: [redacted]

Drafted By: [redacted] :dem

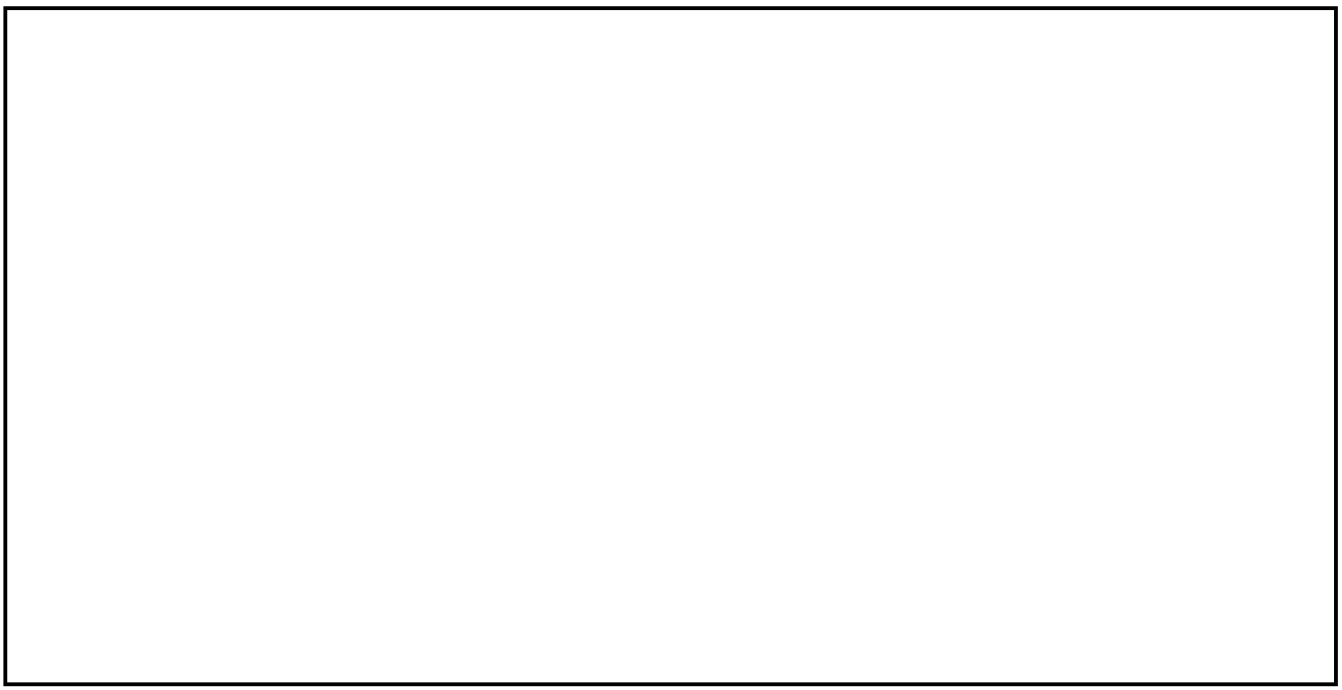
Case ID #: 333-HQ-1551350 (Pending)

Title: AMENDMENT TO RULE 41
FEDERAL RULES OF CRIMINAL PROCEDURE
EFFECTIVE DECEMBER 1, 2006

Synopsis: To advise field offices of an amendment to Rule 41 of the Federal Rules of Criminal Procedure, which addresses procedures for issuing tracking device warrants, and became effective December 1, 2006.

Details: Effective December 1, 2006, Rule 41 of the Federal Rules of Criminal Procedure was amended to reflect procedures for issuing tracking device warrants (copy is attached). Amendments to the Advisory Committee Notes state that the Committee "did not intend by this amendment to expand or contract the definition of what might constitute a tracking device." See F.R.Crim.P 41(b) advisory committee's note. The Advisory Committee indicated that the changes to Rule 41(b) were intended to provide procedural guidance for judicial officers who were asked to issue tracking device warrants. The Committee Notes indicate that the amendment "reflects the view that if the officers intend to install or use the device in a constitutionally protected area, they must obtain judicial approval to do so. If, on the other hand, the officers intend to install and use the device without implicating any Fourth Amendment rights, there is no need to obtain a warrant." Id. The Committee Notes also recognize that 18 U.S.C. § 3117, "does not specify the standard an applicant must meet to install a tracking device" and state that the "amendment to Rule 41 does not resolve this issue or hold that such warrants may issue only on a showing of probable cause. Instead, it simply provides that if probable cause is shown, the magistrate judge must issue the warrant." See F.R.Crim.P 41(d) advisory committee's note.

INVESTIGATIVE LAW UNIT ANALYSIS:



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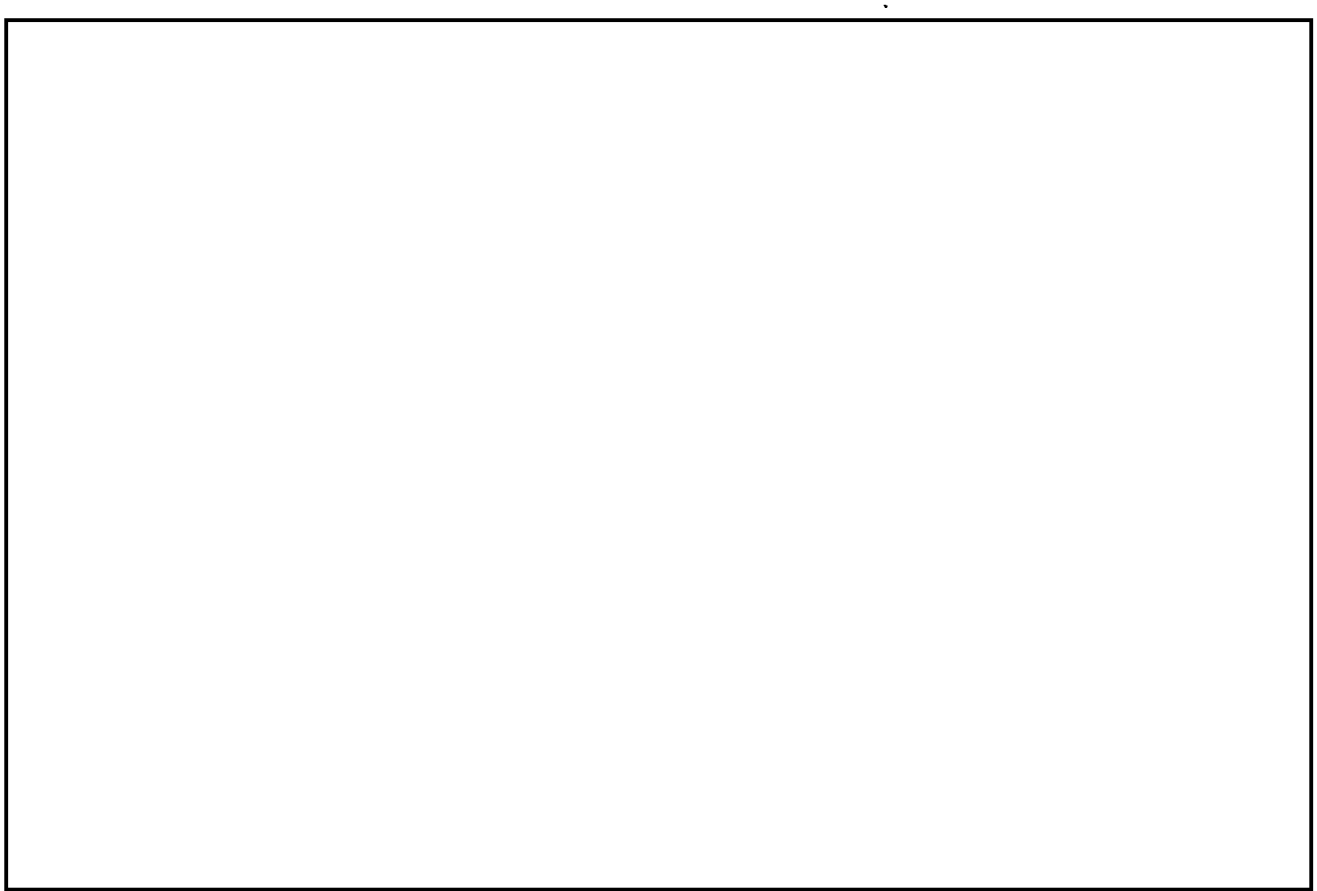

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(WITT) personnel before employing an electronic tracking device in a particular case.

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Any questions regarding this matter may be directed to the Investigative Law Unit [redacted] or the Science and Technology Law Unit [redacted]

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Federal Rules of Criminal Procedure, Rule 41

(a) Scope and Definitions.

(1) Scope. This rule does not modify any statute regulating search or seizure, or the issuance and execution of a search warrant in special circumstances.

(2) Definitions. The following definitions apply under this rule:

(A) "Property" includes documents, books, papers, any other tangible objects, and information.

(B) "Daytime" means the hours between 6:00 a.m. and 10:00 p.m. according to local time.

(C) "Federal law enforcement officer" means a government agent (other than an attorney for the government) who is engaged in enforcing the criminal laws and is within any category of officers authorized by the Attorney General to request a search warrant.

(D) "Domestic terrorism" and "international terrorism" have the meanings set out in 18 U.S.C. § 2331.

(E) "Tracking device" has the meaning set out in 18 U.S.C. §3117(b).[4]

(b) Authority to Issue a Warrant. At the request of a federal law enforcement officer or an attorney for the government:

(1) a magistrate judge with authority in the district - or if none is reasonably available, a judge of a state court of record in the district - has authority to issue a warrant to search for and seize a person or property located within the district;

(2) a magistrate judge with authority in the district has authority to issue a warrant for a person or property outside the district if the person or property is located within the district when the warrant is issued but might move or be moved outside the district before the warrant is executed; and

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[4] A "tracking device" is defined to mean "an electronic or mechanical device which permits the tracking of the movement of a person or object." 18 U.S.C. § 3117(b).

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(3) a magistrate judge - in an investigation of domestic terrorism or international terrorism - with authority in any district in which activities related to the terrorism may have occurred has authority to issue a warrant for a person or property within or outside that district; and

(4) a magistrate judge with authority in the district has authority to issue a warrant to install within the district a tracking device; the warrant may authorize use of the device to track the movement of a person or property located within the district, outside the district, or both.

(c) Persons or Property Subject to Search or Seizure. A warrant may be issued for any of the following:

(1) evidence of a crime;

(2) contraband, fruits of crime, or other items illegally possessed;

(3) property designed for use, intended for use, or used in committing a crime; or

(4) a person to be arrested or a person who is unlawfully restrained.

(d) Obtaining a Warrant.

(1) In General. After receiving an affidavit or other information, a magistrate judge - or if authorized by Rule 41(b) a judge of a state court of record-must issue the warrant if there is probable cause to search for and seize a person or property or to install and use a tracking device.

(2) Requesting a Warrant in the Presence of a Judge.

(A) Warrant on an Affidavit. When a federal law enforcement officer or an attorney for the government presents an affidavit in support of a warrant, the judge may require the affiant to appear personally and may examine under oath the affiant and any witness the affiant produces.

(B) Warrant on Sworn Testimony. The judge may wholly or partially dispense with a written affidavit and base a warrant on sworn testimony if doing so is reasonable under the circumstances.

(C) Recording Testimony. Testimony taken in support of a warrant must be recorded by a court reporter or by a suitable recording

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device, and the judge must file the transcript or recording with the clerk, along with any affidavit.

(3) Requesting a Warrant by Telephonic or Other Means.

(A) In General. A magistrate judge may issue a warrant based on information communicated by telephone or other reliable electronic means.

(B) Recording Testimony. Upon learning that an applicant is requesting a warrant under Rule 41(d)(3)(A), a magistrate judge must:

(i)place under oath the applicant and any person on whose testimony the application is based; and

(ii) make a verbatim record of the conversation with a suitable recording device, if available, or by a court reporter, or in writing.

(C) Certifying Testimony. The magistrate judge must have any recording or court reporter's notes transcribed, certify the transcription's accuracy, and file a copy of the record and the transcription with the clerk. Any written verbatim record must be signed by the magistrate judge and filed with the clerk.

(D) Suppression Limited. Absent a finding of bad faith, evidence obtained from a warrant issued under Rule 41(d)(3)(A) is not subject to suppression on the ground that issuing the warrant in that manner was unreasonable under the circumstances.

(e) Issuing the Warrant.

(1) In General. The magistrate judge or a judge of a state court of record must issue the warrant to an officer authorized to execute it.

(2) Contents of the Warrant.

(A) Warrant to Search for and Seize a Person or Property. Except for a tracking-device warrant, the warrant must identify the person or property to be searched, identify any person or property to be seized, and designate the magistrate judge to whom it must be returned. The warrant must command the officer to:

(i) execute the warrant within a specified time no longer than 10 days;

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(ii) execute the warrant during the daytime, unless the judge for good cause expressly authorizes execution at another time; and

(iii) return the warrant to the magistrate judge designated in the warrant.

(B) Warrant for a Tracking Device. A tracking-device warrant must identify the person or property to be tracked, designate the magistrate judge to whom it must be returned, and specify a reasonable length of time that the device may be used. The time must not exceed 45 days from the date the warrant was issued. The court may, for good cause, grant one or more extensions for a reasonable period not to exceed 45 days each. The warrant must command the officer to:

(i) complete any installation authorized by the warrant within a specified time no longer than 10 calendar days;

(ii) perform any installation authorized by the warrant during the daytime, unless the judge for good cause expressly authorizes installation at another time; and

(iii) return the warrant to the judge designated in the warrant.

(3) Warrant by Telephonic or Other Means. If a magistrate judge decides to proceed under Rule 41(d)(3)(A), the following additional procedures apply:

(A) Preparing a Proposed Duplicate Original Warrant. The applicant must prepare a "proposed duplicate original warrant" and must read or otherwise transmit the contents of that document verbatim to the magistrate judge.

(B) Preparing an Original Warrant. If the applicant reads the contents of the proposed duplicate original warrant, the magistrate judge must enter those contents into an original warrant. If the applicant transmits the contents by reliable electronic means, that transmission may serve as the original warrant.

(C) Modification. The magistrate judge may modify the original warrant. The judge must transmit any modified warrant to the applicant by reliable electronic means under Rule 41(e)(3)(D) or direct the applicant to modify the proposed duplicate original warrant accordingly.

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(D) Signing the Warrant. Upon determining to issue the warrant, the magistrate judge must immediately sign the original warrant, enter on its face the exact date and time it is issued, and transmit it by reliable electronic means to the applicant or direct the applicant to sign the judge's name on the duplicate original warrant.

(f) Executing and Returning the Warrant.

(1) Warrant to Search for and Seize a Person or Property.

(A) Noting the Time. The officer executing the warrant must enter it on the exact date and time it was executed.

(B) Inventory. An officer present during the execution of the warrant must prepare and verify an inventory of any property seized. The officer must do so in the presence of another officer and the person from whom, or from whose premises, the property was taken. If either one is not present, the officer must prepare and verify the inventory in the presence of at least one other credible person.

(C) Receipt. The officer executing the warrant must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken or leave a copy of the warrant and receipt at the place where the officer took the property.

(D) Return. The officer executing the warrant must promptly return it-together with a copy of the inventory-to the magistrate judge designated on the warrant. The judge must, on request, give a copy of the inventory to the person from whom, or from whose premises, the property was taken and to the applicant for the warrant.

(2) Warrant for a Tracking Device.

(A) Noting the Time. The officer executing a tracking-device warrant must enter on it the exact date and time the device was installed and the period during which it was used.

(B) Return. Within 10 calendar days after the use of the tracking device has ended, the officer executing the warrant must return it to the judge designated in the warrant.

(C) Service. Within 10 calendar days after the use of the tracking device has ended, the officer executing a tracking device warrant must serve a copy of the warrant on the person who

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was tracked or whose property was tracked. Service may be accomplished by delivering a copy to the person who, or whose property, was tracked; or by leaving a copy at the person's residence or usual place of abode with an individual of suitable age and discretion who resides at that location and by mailing a copy to the person's last known address. Upon request of the government, the judge may delay notice as provided in Rule 41(f)(3).

(3) Delayed Notice. Upon the government's request, a magistrate judge-or if authorized by Rule 41(b), a judge of a state court of record-may delay any notice required by this rule if the delay is authorized by statute.

(g) Motion to Return Property. A person aggrieved by an unlawful search and seizure of property or by the deprivation of property may move for the property's return. The motion must be filed in the district where the property was seized. The court must receive evidence on any factual issue necessary to decide the motion. If it grants the motion, the court must return the property to the movant, but may impose reasonable conditions to protect access to the property and its use in later proceedings.

(h) Motion to Suppress. A defendant may move to suppress evidence in the court where the trial will occur, as Rule 12 provides.

(i) Forwarding Papers to the Clerk. The magistrate judge to whom the warrant is returned must attach to the warrant a copy of the return, of the inventory, and of all other related papers and must deliver them to the clerk in the district where the property was seized.

LEAD(s):

Set Lead 1: (Action)

ALL RECEIVING OFFICES

CELL/OTD 006394

CELLSITE-20541

To: All Field Offices From: Office of the General Counsel
Re: 333-HQ-1551350, 03/06/2007

Please distribute to appropriate personnel.

♦♦

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From:
Sent:
To:
Subject:

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Per your request....

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The policy verbage reads:

Title 47 United States Code- TELEGRAPHS, TELEPHONES, AND RADIOTELEGRAPHS

CHAPTER 5--WIRE OR RADIO COMMUNICATIONS

SUBCHAPTER III--SPECIAL PROVISIONS RELATING TO RADIO

Part I--General Provisions

Sec. 333. Willful or malicious interference

No person shall willfully or maliciously interfere with or cause interference to any radio communications of any station licensed or authorized by or under this chapter or operated by the United States Government.

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-04-2012 BY 65179 DMH/MJS

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 06/18/2007

To: Operational Technology **Attn:** SC
UC

From: Operational Technology Division

Contact: UC

Approved By: AD Thomas Marcus C
SC
UC
AGC

Drafted By:

Case ID #: 268-HQ-1068430 (Pending)

Title: WIRELESS INTERCEPT TRACKING TEAM (WITT);
DELEGATION OF AUTHORITY

Synopsis: To document the delegation of authority to approve the Wireless Intercept Tracking Team (WITT)

Details: By way of background, on January 18, 1995, Attorney General Order 1945-95 delegated to the Director of the FBI authority to

The relevant policy is restated herein.

In an effort to streamline both routine and after hours approval of exigent WITT operations, lend further clarity to authority levels, and enhance documentation for WITT endeavors in the required FBIHQ approval has been delegated from SC, to the UC, with responsibility for the WITT Program. The UC for WITT Program will insure that all authorized court orders only FBI trained WITT personnel operate WITT a federal nexus as well as an official FBI case is opened in either a status prior to approval. The requesting division will be responsible for

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documenting the request to OTD in an EC. The OTD will document its decision as well as any resulting action in an EC. In accordance with the above, the [redacted] Chief will be responsible for adhering to and applying the below MIOG provisions as well as the legal authorities as identified below in reviewing and approving [redacted] Any request which requires a deviation from the MIOG provisions or legal authorities as identified below must be referred to the [redacted] SC for approval. No change is being requested to the policy for the [redacted] where only equipment is being [redacted]

[redacted]

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To: Operational Technology From: Operational Technology
Re: 268-HQ-1068430, 06/18/2007

LEAD(s):

Set Lead 1: (Action)

OPERATIONAL TECHNOLOGY

AT QUANTICO, VIRGINIA

Review and if appropriate approve delegation of authority from OTD, [redacted] Section Chief level to Unit Chief, Program Manager, WITT operations.

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♦♦

CELL/OTD 006433

CELLSITE-11953

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-09-2012 BY 65179 DMH/MJS

From:
Sent: Friday, September 28, 2007 9:26 AM
To:
Cc:
Subject: FW: WITT info

UNCLASSIFIED
NON-RECORD

FYI. I didn't see your name in the email below that was forwarded by

are you familiar with this? I'm happy to talk with the AUSA who is handling this matter if it would be helpful.

The same email was forwarded by another and here's how I replied

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PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room
Quantico, Va. 22135
Tel:
Fax
Cell

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From:
Sent: Thursday, September 27, 2007 6:26 PM
To:
Subject: FW: WITT info

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UNCLASSIFIED
NON-RECORD

Hey

Are you aware of this email from some AUSA

I know that it's just

-----Original Message-----

CELL/OTD 006435 CELLSITE-11955

From:
Sent: Thursday, September 27, 2007 5:08 AM
To:
Cc:
Subject: FW: WITT info

b3
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b7E

UNCLASSIFIED
NON-RECORD

Hi guys,

After reading the below e-mail I have the following question:

I recently read an article where a guy was charged criminally for tracking his ex-girlfriend with a cell phone he slapped on her vehicle. Honestly, I'm not sure what violation was used to charge this guy.

-----Original Message-----
From:
Sent: Wednesday, September 26, 2007 3:33 PM
To:
Subject: FW: WITT info

UNCLASSIFIED
NON-RECORD

fyi

-----Original Message-----
From:
Sent: Tuesday, September 25, 2007 4:46 AM
To:
Cc:
Subject: RE: WITT info

UNCLASSIFIED
NON-RECORD

a great many thanks,

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-----Original Message-----
From:
Sent: Friday, September 21, 2007 10:55 AM
To:
Subject: WITT info

CELL/OTD-00434
CELLSITE-11956

ALL FBI INFORMATION CONTAINED
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DATE 10-04-2012 BY 65179 DMH/MJS

Department of Justice

Executive Secretariat

FAX Transmittal Cover Sheet

DATE 4 April 08

Number of Pages Transmitted: 3
(Including cover sheet)

To: [redacted]

Agency/Location: Justice

FAX Number: [redacted]

Voice Number:

FRO [redacted]

b3
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Department of Justice
Executive Secretariat
Room 4400, Main Justice
FAX Number (202) 514-4507
Voice Number (202) 514-2063

Comments: Right [redacted]
Should you require additional information
please contact me [redacted]

CELL/OTD 006440

CELLSITE-11959

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-04-2012 BY 65179 DMH/MJS

WITT

Wireless Intercept and Tracking Team

Cellular Tracking Legal Issues

October 18, 2006

CELL/OTD 006446

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-04-2012 BY 65179 DMH/MJS

From:
Sent: Sunday, October 22, 2006 1:55 PM
To:
Cc:

Subject: RE:

UNCLASSIFIED
NON-RECORD

I have been working closely with OTD and the WITT members on this and Improvements have been made in the approval process to support the I'm not sure of OTD's statistical accomplishments, but WITT's accomplishments are included below. Most notable (outside of arrest stats) are the number of victims recovered. As you are well aware, these cases move fast.

WITT Tracking Cases.xls

WITT STAT CHART.wpd

I've closely coordinated with OTD UC on this issue numerous times. SAC approval has been the standard recently as long as WITT personnel and the

Additionally, I've previously been advised by ASC (OTD) that can be approved by SACs as long as

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I advised of the same last week. Our MIOG is outdated with respect to this policy and process.

All OTD/WITT and WITT members are trained in legal process and follow the laws when

Some info from previous emails provided below.

Out on inspection but will be back by end week (hopefully).

Thanks,

BEGINNING OF CUT AND PASTE

UNCLASSIFIED
NON-RECORD

Could we get a copy of all the paperwork that went into this to use as a pony. When crunch time happens here I don't want to have to reinvent the wheel. I know can do all of this in his head, but I'm not that smart.

in the

-----Original Message-----
From:
Sent: Monday, October 02, 2006 4:24 PM

CELL/OTD 006531 CELLSITE-12044

To:
Cc:

Subject: RE: Approval for

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UNCLASSIFIED
NON-RECORD

I've cc'd all WITT SSAs and SA s. Names should show in the header. Thanks,

-----Original Message-----
From:
Sent: Monday, October 02, 2006 3:57 PM
To:
Subject: RE: Approval for

UNCLASSIFIED
NON-RECORD

Also. I am going to send all WITT personnel an email asking them to FORMALLY brief their SAC's and SSA's on WITT capabilities. This way your EC and a personal brief should address any future requirements and it will be fresh in the minds of the managers.. Please send me all the names and offices of the WITT personnel for inclusion. I will ask that in the offices where we have both capabilities that they do the brief together.

Unit Chief
Tracking Technology Unit
Operational Technology Division

-----Original Message-----
From:
Sent: Monday, October 02, 2006 3:46 PM
To:
Subject: RE: Approval for

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UNCLASSIFIED
NON-RECORD

Thanks

-----Original Message-----
From:
Sent: Monday, October 02, 2006 3:43 PM
To:
Cc:
Subject: RE: Approval for

UNCLASSIFIED
NON-RECORD

No problem on approval of the WITT TEAM from Additionally, We can **service** to the -WITT personnel and the . If this goes

CELL/OTD 006532

CELLSITE-12045

into a [redacted] please notify myself [redacted] and we will send in reinforcements for our [redacted] WITT [redacted]

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted]

-----Original Message-----
From: [redacted]
Sent: Monday, October 02, 2006 3:37 PM
To: [redacted]
Cc:
Subject: FW: Approval for [redacted]

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UNCLASSIFIED
NON-RECORD

[redacted]

Please see below regarding the [redacted] I just spoke with [redacted] and [redacted] and they indicated that you have authority to grant the approval. Thanks for your help.

[redacted]

SA [redacted]
[redacted]

-----Original Message-----
From: [redacted]
Sent: Monday, October 02, 2006 10:49 AM
To: [redacted]
Cc:
Subject: Approval for [redacted]

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UNCLASSIFIED
NON-RECORD

[redacted]

I've been asked to confirm the verbal authority which you provided last Friday for [redacted] We are assisting them under a 62D case regarding [redacted] and have been running a [redacted] We have seen a lot of activity [redacted] over the last few days and we are pulling in a WITT team from [redacted] We want to be sure we have approval to use them.

Please let me know as soon as possible if there is any problem with us using the WITT team. We are working on the follow-up paperwork now. Thanks.

[redacted]

SA [redacted]
[redacted]

UNCLASSIFIED

CELL/OTD 006533 CELLSITE-12046

From:
Sent: Sunday, October 22, 2006 3:23 PM
To:
Cc:
Subject: RE:

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UNCLASSIFIED
NON-RECORD

Nice that we have all weekend to chat. Can't get enough of that

-----Original Message-----
From:
Sent: Sunday, October 22, 2006 1:55 PM
To:
Cc:
Subject: RE:

UNCLASSIFIED
NON-RECORD

I have been working closely with OTD and the WITT members on this and Improvements have been made in the approval process to support the I'm not sure of OTD's statistical accomplishments, but WITT's accomplishments are included below. Most notable (outside of arrest stats) are the number of victims recovered. As you are well aware, these cases move fast.

<< File: WITT Tracking Cases.xls >> << File: WITT STAT CHART.wpd >>
I've closely coordinated with OTD UC on this issue numerous times. SAC approval has been the standard recently as long as WITT personnel and the

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Additionally, I've previously been advised by ASC (OTD) that can be approved by SACs as long as

I advised of the same last week. Our MIOG is outdated with respect to this policy and process.

All OTD/WITT and WITT members are trained in legal process and follow the laws when

Some info from previous emails provided below.

Out on inspection but will be back by end week (hopefully).

Thanks

BEGINNING OF CUT AND PASTE

CELLSITE-12052
CELL/OTD 006542

UNCLASSIFIED
NON-RECORD

[redacted]

Could we get a copy of all the paperwork that went into this to use as a pony. When crunch time happens here I don't want to have to reinvent the wheel. I know [redacted] can do all of this in his head, but I'm not that smart.

[redacted] in the [redacted]

-----Original Mess[redacted]
From: [redacted]
Sent: Monday, October 02, 2006 4:24 PM
To: [redacted]
Cc: [redacted]
Subject: RE: Approval fo[redacted]

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UNCLASSIFIED
NON-RECORD

[redacted] I've cc'd all [redacted] WITT SSAs and SA s. Names should show in the header. Thanks, [redacted]

-----Original Message-----
From: [redacted]
Sent: Monday, October 02, 2006 3:57 PM
To: [redacted]
Subject: RE: Approval fo[redacted]

UNCLASSIFIED
NON-RECORD

Also. I am going to send all WITT personnel an email asking them to FORMALLY brief their SAC's and SSA's on WITT capabilities. This way your EC and a personal brief should address any future requirements and it will be fresh in the minds of the managers.. Please send me all the names and offices of the [redacted] WITT personnel for inclusion. I will ask that in the offices where we have both capabilities that they do the brief together.

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted]

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b7C
b7E

-----Original Mess[redacted]
From: [redacted]
Sent: Monday, October 02, 2006 3:46 PM
To: [redacted]
Subject: RE: Approval fo[redacted]

UNCLASSIFIED
NON-RECORD

CELLSITE-12053

CELL/OTD 006543

Thanks

-----Original Message-----
From:
Sent: Monday, October 02, 2006 3:43 PM
To:
Cc:
Subject: RE: Approval for

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No problem on approval of the WITT TEAM from . Additionally, We can **service** to the WITT personnel and the . If this goes into a please notify myself 24/7) and we will send in reinforcements for our WITT

SSA
Unit Chief
Tracking Technology Unit
Operational Technology Division

-----Original Message-----
From:
Sent: Monday, October 02, 2006 3:37 PM
To:
Cc:
Subject: FW: Approval for

UNCLASSIFIED
NON-RECORD

Please see below regarding the I just spoke with and and they indicated that you have authority to grant the approval. Thanks for your help.

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SA

-----Original Message-----
From:
Sent: Monday, October 02, 2006 10:49 AM
To:
Cc:
Subject: Approval for

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NON-RECORD

CELLSITE-12054
CELL/OTD 006544

I've been asked to confirm the verbal authority which you provided last Friday for [redacted] We are assisting them under a 62D case regarding a [redacted] and have been running [redacted] We have seen a lot of activity [redacted] over the last few days and we are pulling in a WITT team from [redacted] We want to be sure we have approval to use them.

Please let me know as soon as possible if there is any problem with us using the WITT team. We are working on the follow-up paperwork now. Thanks.

[redacted]

SA [redacted]

[redacted]

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UNCLASSIFIED

END OF CUT AND PASTE

-----Original Message-----
From: [redacted]
Sent: Sunday, October 22, 2006 1:13 PM
To: [redacted]
Cc: [redacted]

Subject: [redacted]
Importance: High

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UNCLASSIFIED
NON-RECORD

[redacted]

CELLSITE-12055
CELL/OTD 006545

DECLASSIFIED BY 65179 DMH/MJS
ON 10-09-2012

From:
Sent: Tuesday, March 18, 2008 5:54 PM
To:
Cc:

Subject: RE: WITT Q's

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RECORD

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I've included my section chief and Unit chief for informational purposes on this email.

In short, the WITT program can address the three catagories of needs mentioned below, primarily dealing with Although, we have also maintained

This varies on the and at times the goal Let's schedule a time we can meet to go over your requirement. It's actually pretty difficult to answer I would be up for providing you a demonstration.

Unfortunately, most of the team is out next week on travel, although I would like to go ahead and schedule a time to meet and provide this demonstration. Please call my cell phone, as my office (desk) phone is pretty full on voice mails.

From:
Sent: Tuesday, March 18, 2008 5:31 PM
To:
Subject: FW: WITT Q's
Importance: High

~~SECRET~~
RECORD

Are you there?

From:
Sent: Monday, March 17, 2008 5:01 PM
To:
Subject: WITT Q's

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RECORD

CELL/PED 0078C-E-12222

I left you a message today about the WITT We are considering utilizing it in a couple cases under I am trying to draft a request that captures what info WITT I'm interested in the range of the WITT

I'm looking forward to speaking with you on this and possibly receiving a reply to this email so I know I haven't missed something in my notes. Of course, if there is an on WITT, that would save both of us a lot of time.

Thanks,

SSA
STE
FAX
STE FAX

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~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations~~
~~DECLASSIFICATION EXEMPTION 1~~
SECRET

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations~~
~~DECLASSIFICATION EXEMPTION 1~~
SECRET

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations~~
~~DECLASSIFICATION EXEMPTION 1~~
SECRET

CELL/OTD 006727

CELLSITE-12223

DECLASSIFIED BY 65179 DMH/MJS
ON 10-10-2012

[redacted]

From: [redacted]
Sent: Wednesday, April 02, 2008 4:41 PM
To: [redacted]
Cc:
Subject: RE: "WIT" [redacted] Description?

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RECORD xxxxxxxxxx

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[redacted]

Attached is a quick 3 slide presentation on the [redacted] Let me know how or "if" this helps.

[redacted]

[redacted]

From: [redacted]
Sent: Monday, March 31, 2008 12:49 PM
To: [redacted]
Cc:
Subject: FW: "WIT" [redacted] Description?

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RECORD xxxxxxxxxx

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[redacted]

Attached is a copy of an [redacted]

[redacted]

We would like to get something like this in [redacted]

<< File [redacted] doc >> << File: [redacted] .doc >>

Call me if you have any questions.

[redacted]

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From: [redacted]
Sent: Friday, March 28, 2008 1:37 PM
To: [redacted]

CELL/OTD-006218 SECRET-12224

Cc:
Subject: RE: "WIT" Description?

~~SECRET~~
RECORD xxxxxxxxxxx

Sorry for the delay. I was out this week on travel duty this week, and unfortunatly do not have anything ready for you. I'l try to get you something Monday or early Tuesday.

In the mean time, I would like to provide you with the following information. I have copied SA on this email, b3 b5 b6 b7C b7E

Also,
Here's our WITT Web site Address:
Here's a link to our

From:
Sent: Tuesday, March 25, 2008 4:53 PM
To:
Cc:
Subject: "WIT" Description?
Importance: High

~~SECRET~~
RECORD xxxxxxxxxxx

Did you get a chance to write something up on this? Or is there something already done that you can point me to? I'm hoping to meet with DOJ this week, but I need some

Thanks.

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Assistant General Counsel

DERIVED FROM: Multiple Sources
~~**DECLASSIFICATION EXEMPTION 1**~~
SECRET

~~**DERIVED FROM: Multiple Sources**~~

CELL/OTD 00729 CELLSITE-12225

DECLASSIFIED BY 65179 DMH/MJS
ON 10-04-2012

From:
Sent: Wednesday, May 21, 2008 4:02 PM
To:
Subject: FW: WITT

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RECORD xxxx

Could you have one of your WITT folks review this to see if it is technically accurate? Thanks,

Assistant General Counsel
Science and Technology Law Unit
Phone:
Cell phone:
Secure phone:
Fax:

From:
Sent: Wednesday, May 21, 2008 12:35 PM
To:
Subject: FW: WITT

~~SECRET~~
RECORD xxxx

See below. Please forward to the appropriate OTD personnel as well. Thanks.

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Assistant General Counsel

From:
Sent: Wednesday, May 21, 2008 12:32 PM
To:
Cc:
Subject: RE: WITT

~~SECRET~~
RECORD xxxx

Attached is a write-up of the WITT that I prepared -- using information from a variety of sources. Would you please distribute it to the appropriate people within the FBI to (a) make sure the

CELL/OTD 006745

CELLSITE-12229

more than half the battle.

Thanks very much.

pdf

From:
Sent: Wednesday, April 23, 2008 11:25 AM
To:
Subject: WITT

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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Have we made any progress on this issue from your side of the house? We may have a case or two that we can consider. I propose we get together and hammer out the remaining legal issues. Let me know what you guys think.

Assistant General Counsel

SENSITIVE BUT UNCLASSIFIED

DERIVED FROM: Multiple Sources
DECLASSIFICATION EXEMPTION 1
SECRET

DERIVED FROM: Multiple Sources
DECLASSIFICATION EXEMPTION 1
SECRET

DERIVED FROM: Multiple Sources
DECLASSIFICATION EXEMPTION 1
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CELL/OTD 006746

CELLSITE-12230

~~SECRET~~

DATE: 10-09-2012
CLASSIFIED BY 65179 DMH/MJS
REASON: 1.4 (c, g)
DECLASSIFY ON: 10-09-2037

From:
Sent: Thursday, July 03, 2008 8:25 PM
To:
Subject: Meeting today

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~
RECOR

Sorry I'm getting to this so late. I hope you are enjoying your long weekend by now!

Per conversation today, I would recommend you provide EAD Grever a memo that basically:

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5) Recommendation that this be briefed to the Director as soon as possible, and that FBI

(S)

I provided the following short paragraph on legal issues in a memo I did to the GC. In addition to having an I also mentioned this would likely

Legal Implications: Title 18 United States Code Section 2512 specifically prohibits the manufacture, distribution, possession, and advertising of wire, oral or electronic communication intercepting devices.

(S)

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CELL/OTD 006796

~~SECRET~~

DERIVED FROM: Multiple Sources
DECLASSIFY ON: ~~20330703~~
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~~SECRET~~

CELL/OTD 006797

CELLSITE-12268

~~SECRET~~

DATE: 10-05-2012
CLASSIFIED BY 65179 DMH/MJS
REASON: 1.4 (c)
DECLASSIFY ON: 10-05-2037

[redacted]

From: [redacted]
Sent: Tuesday, March 17, 2009 11:34 AM
To: [redacted]
Cc:
Subject: RE: [redacted] REQUEST.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

~~SECRET~~
RECORD XX

[redacted] b3 b5 b6 b7C b7E

This is something that our whole section would be interested in hearing about. Let us know when the legal issues are resolved and we'll set it up for you to come talk about it. We can have DAD and AD in the same meeting.

Thanks,

[redacted]

SSA [redacted]
Unit Chief / FBIHQ / Unit [redacted]

[redacted]

From: [redacted]
Sent: Tuesday, March 17, 2009 10:54 AM
To: [redacted]
Cc:
Subject: FW: [redacted] REQUEST.

~~SECRET~~
RECORD XX

[redacted] b1 b3 b5 b6 b7C b7E

(S)

[redacted]

From: [redacted]
Sent: Monday, March 16, 2009 5:07 PM
To: [redacted]
Subject: [redacted] REQUEST.

~~SENSITIVE BUT UNCLASSIFIED~~
NON-RECORD

As per our discussion today..

~~SECRET~~

CELL/OTD 007020

CELLSITE-12365

DATE: 10-05-2012
CLASSIFIED BY 65179 DMH/MJS
REASON: 1.4 (c, g)
DECLASSIFY ON: 10-05-2037

~~SECRET~~

Justification for Other Than Full and Open Competition In Accordance With 41 U.S.C. 253 (c)(6)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI) Operational Technology Division (OTD). The contracting activity is the Engineering Contracts Unit (ECU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(U) The proposed acquisition

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3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(U) is responsible for providing the FBI with

The FBI's Wireless Intercept and Tracking Team (WITT) plays a critical role

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$XXXXXX.00. Requisition #E00XXXX, in the amount of $XXXXXX.00 has been submitted to fund the requirement.

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

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6. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would

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7. DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A

STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED

(U) [redacted] b3 b7E [redacted] that [redacted] can provide.

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

(U [redacted] See paragraph (5) above for facts supporting the use of other then full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

CELL/OTD-007027 CELLSITE-12372

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] (Date)

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(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Supervisory Contracting Officer (Date)

_____

, FBI Chief Contracting Officer (Date)

_____

Office of General Counsel (Date)

Approved By: _____

, Competition Advocate (Date)

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

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ALL INFORMATION CONTAINED
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DATE 08-31-2012 BY 65179 DMH/SBS

From:
Sent: Thursday, September 17, 2009 12:46 PM
To:

Cc:
Subject: Updated

b6
b7C

UNCLASSIFIED
NON-RECORD

The order I previously sent to you guys was redone by our AUSA for the current I am conducting here in The latest and greatest Application and Order is attached for your use in your districts if your AUSAs would like some guidance on what to write. I'm having really good success with

b3
b7E

@ic.fbi.gov

b6
b7C

https: fbinet.fbi

b3
b7E

UNCLASSIFIED

CELLSITE-5971
CELL/OTD 007067

~~SECRET~~

DATE: 09-17-2012
CLASSIFIED BY 65179 DMH/SBS
REASON: 1.4 (c)
DECLASSIFY ON: 09-17-2037

[redacted]

From: [redacted]
Sent: Wednesday, November 04, 2009 1:05 PM
To: [redacted]
Cc:
Subject: [redacted]

~~SECRET~~
RECORD HQ

With the help of [redacted] and a lot of research it was found that [redacted]

V/r,

[redacted]

ALL INFORMATION CONTAINED
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From: [redacted]
Sent: Friday, October 23, 2009 2:08 PM
To: [redacted]
Cc:
Subject: [redacted]

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~~SECRET~~
RECORD HQ

(S) Do we know what has happened in the docket cited below [redacted]

[redacted]

From: [redacted]
Sent: Friday, October 23, 2009 8:31 AM
To: [redacted]
Cc:
Subject: [redacted]

~~SECRET~~
RECORD HQ

Upon reflection [redacted]

[redacted]

CELLSITE-5978

CELL/OTD 007074

~~SECRET~~

Hope this answers your questions..

[redacted]

No formal guidance has been provided other that[redacted]
We are awaiting assistance from[redacted]
hopefully address the below concerns.. Just need to pin[redacted]down to get this finished..

SSA[redacted]
Unit Chief
[redacted]

From: [redacted]
Sent: Thursday, October 22, 2009 3:46 PM
To: [redacted]
Subject:
Importance: High

~~SECRET~~
RECORD HQ

From: [redacted]
Sent: Thursday, October 22, 2009 3:38 PM
To: [redacted]
Cc:
Subject:

~~SECRET~~
RECORD HQ

b3
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b7C
b7E

Actually speaking - what is [redacted]

[redacted]

Sir,

Can you read below and assist on letting us know whether the Bureau is [redacted]

Thanks,

[redacted]

From: [redacted]
Sent: Thursday, October 22, 2009 3:20 PM
To: [redacted]
Cc:
Subject:
Importance: High

~~SECRET~~
RECORD HQ

Can you look into this for [redacted] and let [redacted] and me know what's going on before we respond to [redacted]

CELL/OTD 007075

CELLSITE-5979

Thanks,

[redacted]

From: [redacted]
Sent: Thursday, October 22, 2009 3:14 PM
To: [redacted]
Cc:
Subject: [redacted]
Importance: High

~~SECRET~~
RECORD HQ

[redacted] can you help with something? I'm trying to determine whether pursuant to [redacted]
(S) [redacted] In a recent case, docket number [redacted] out of [redacted] we were told that [redacted]

The reason I'm asking is that you may recall the law is [redacted]

[redacted]

b1
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b7E

Thanks.

[redacted]
Acting Deputy Chief, Operations Section
[redacted]
U.S. Department of Justice
950 Pennsylvania Ave., NW, [redacted]
Washington, DC 20530
[redacted]

DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations
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CELL/OTD 007076

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DATE 08-31-2012 BY 65179 DMH/SBS

[redacted]

From: [redacted]
Sent: Tuesday, November 10, 2009 4:55 PM
To: [redacted]
Subject:

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

Here's the document we reviewed earlier, with the two small edits we discussed incorporated. I've sent it on to [redacted] but if you see anything that gives you heartburn, let me know and we can discuss and tweak as needed.

b3
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b7C
b7E

Thanks,

[redacted]

[redacted]

[redacted]

Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation

[redacted]

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SENSITIVE BUT UNCLASSIFIED

CELL/OTD 007078
CELLSITE-5982

CELCBIDS 0070996

~~SECRET~~

[redacted]

From: [redacted]
Sent: Tuesday, December 23, 2008 5:23 PM
To: [redacted]
Subject: [redacted]

SECRET
RECORD [redacted]

(S) [redacted] below is a draft intelligence bulletin on [redacted] Let me know if it's accurate. [redacted] I didn't think it relavant to the primary point of the bulletin, [redacted] and it might slow down the approval of the bulletin. If you want it in [redacted] I made a couple of sentence structure changes.

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[redacted]

[redacted]

DERIVED FROM: Multiple Sources
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DATE: 10-03-2012
CLASSIFIED BY 65179 DMH/SBS
REASON: 1.4 (c)
DECLASSIFY ON: 10-03-2037

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CELLSITE-6227

CELL/OTD 007325

~~SECRET~~

DATE: 09-04-2012
CLASSIFIED BY 65179 DMH/SBS
REASON: 1.4 (c,g)
DECLASSIFY ON: 09-04-2037

[redacted]

From: [redacted]
Sent: Thursday, February 19, 2009 4:21 PM
To: [redacted]

(S) **Subject:** FW: [redacted] IMPORTANT NEW AUTHORIES AVAILABLE TO US

Importance: High

~~SECRET~~
RECORD 00

(S) Current status of [redacted] -O

From: [redacted]
Sent: Thursday, February 19, 2009 3:59 PM
To: [redacted]
Cc: [redacted]

(S) **Subject:** FW: [redacted] IMPORTANT NEW AUTHORIES AVAILABLE TO US
Importance: High

b6
b7C

~~SECRET~~
RECORD 00

b1
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b7E

[redacted] SSA's,

(S) In response to [redacted] feedback at the SSA Conference last week I took the action to clarify [redacted] All of the significant changes are in [redacted] email below.

(S) [redacted]

(S) [redacted]

Here is the relevent section from the complete email below:

(S) [redacted]

Let me know if you have questions.

Thanks,

[redacted]

SSA [redacted]
[redacted] FBIHQ
[redacted]

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CELL/OTD 007360 CELLSITE-6231

~~SECRET~~

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DATE: 09-04-2012
CLASSIFIED BY 65179 DMH/SBS
REASON: 1.4 (c,g)
DECLASSIFY ON: 09-04-2037

[redacted]

From: [redacted]
Sent: Thursday, February 19, 2009 5:32 PM
To: [redacted]
(S) **Subject:** FW: [redacted] IMPORTANT NEW AUTHORIES AVAILABLE TO US

~~SECRET~~
RECORD 00

[redacted] FYI

[redacted]

From: [redacted]
Sent: Thursday, February 19, 2009 5:29 PM
To: [redacted]
(S) **Subject:** RE: [redacted] IMPORTANT NEW AUTHORIES AVAILABLE TO US

~~SECRET~~
RECORD 00

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Have not gone to [redacted] colleagues started sharing tales of woe in trying to get this done themselves. When we finished laughing we advised that we already had the authorities in place so they should be riding our coattails pretty soon. Can't thank you guys enough for steeting us through the woods on this one. Will keep you posted; -O

From: [redacted]
Sent: Thursday, February 19, 2009 5:12 PM
To: [redacted]
(S) **Subject:** RE: [redacted] IMPORTANT NEW AUTHORIES AVAILABLE TO US

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RECORD 00

Hi [redacted] Thanks for the info. How is your project going? Have you tried to [redacted]

[redacted]

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CELL/OTD 007418

CELLSITE-6288

~~SECRET~~

~~SECRET~~

From:
Sent: Thursday, February 19, 2009 4:21 PM
To:
(S) **Subject:** FW IMPORTANT NEW AUTHORIES AVAILABLE TO US
Importance: High

~~SECRET~~
RECORD 00

(S) Current status of -O

From:
Sent: Thursday, February 19, 2009 3:59 PM
To:
Cc:
(S) **Subject:** FW IMPORTANT NEW AUTHORIES AVAILABLE TO US
Importance: High

~~SECRET~~
RECORD 00

SSA's,

In response to feedback at the SSA Conference last week I took the action to clarify
(S) b1
All of the significant changes are in b3
(S) email below. b6
b7C
(S) b7E

Here is the relevent section from the complete email below:

(S)

Let me know if you have questions.

Thanks,

SSA
FBIHQ

CELL/OTD 007419

CELLSITE-6289

~~SECRET~~

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DATE 09-04-2012 BY 65179 DMH/SBS

[redacted]

From: [redacted]
Sent: Thursday, July 14, 2011 1:28 PM
To: [redacted]
Cc:

Subject: [redacted] - UNCLASSIFIED//LES/FOUO

Classification: UNCLASSIFIED//LES/FOUO
ATTORNEY-CLIENT PRIVILEGED INFORMATION
==========

[redacted]

Thanks for talking with me earlier today. As I mentioned, [redacted] at OTD became aware that the US Attorney's Office might be interested in using [redacted]
I'd like to talk to you and SA [redacted] (and feel free to bring in one of your CDCs/ADCs) further about this, as there's some

[redacted]

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DATE 09-05-2012 BY 65179 DMH/SBS

[redacted] (OTD) (FBI)

From: [redacted] (OTD)(FBI)
Sent: Monday, July 27, 2009 9:22 AM
To: [redacted] (OTD) (FBI)
Subject: FW: WITT Information

UNCLASSIFIED
NON-RECORD

From: [redacted] (OTD)(CON)
Sent: Wednesday, July 22, 2009 10:37 AM
To: [redacted] (OTD) (FBI)
Subject: WITT Information

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UNCLASSIFIED
NON-RECORD

[redacted] *asked me to forward these to you.*

WITT POLicy .wpd

WITTPOL.wpd

[redacted]

UNCLASSIFIED

UNCLASSIFIED

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CELL/OTD 007529 CELLSITE-6318

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-06-2012 BY 65179 DMH/SBS

[redacted]

From: [redacted]
Sent: Friday, September 26, 2008 5:45 PM
To: [redacted]
Subject: DRAFT [redacted]

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UNCLASSIFIED
NON-RECORD

[redacted]wp
d

Good luck Ill pick the ball up when I return on Oct 6

UNCLASSIFIED

CELL/OTD 008167

CELLSITE-6327

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 09-06-2012 BY 65179 DMH/SBS

[redacted]

From: [redacted]
Sent: Tuesday, June 30, 2009 11:12 AM
To: [redacted]
Cc:

Subject: CID DRAFT EC

UNCLASSIFIED
NON-RECORD

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[redacted] has provided a draft of his EC to All Offices re WITT etc. The attached is a marked up copy of suggested edits. We should meet with [redacted] as you deem appropriate to ensure that OTD provides CID with one response. Please review this closely and add your thoughts. Following your review, would you please schedule a time to meet and discuss with executives so we can establish OTDs singular policy position.

WITT CD_6-11-09_[redacted]

[redacted]

UNCLASSIFIED

CELL/OTD 008171
CELLSITE-6331

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FOI/PA
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DATE 10-05-2012 BY 65179 DMH/MJS

[redacted]

From: [redacted]
Sent: Thursday, February 04, 2010 1:57 PM
To: [redacted]
Subject: RE: NEW LEGISLATION

UNCLASSIFIED
NON-RECORD

[redacted]

Here's the most recent version of the legislative proposal (as of last Fall). We are continuing to try to push this in connection with the [redacted] that have been floating around in Congress and generally, but things have been a little quiet on that front as of late. I will let you know if there are any developments.

I managed to find the last version of the [redacted] that I had - it is the draft we [redacted]

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[redacted] Legislative Propos...

[redacted]

From: [redacted]
Sent: Friday, January 29, 2010 8:29 AM
To: [redacted]
Subject: NEW LEGISLATION

UNCLASSIFIED
NON-RECORD

[redacted] Can you email me on the new proposed legislation language that you wrote addressing [redacted] It was to clarify existing authority, or establish new authority to provide clear and unambiguous standing authority for federal law enforcement

CELLSITE-17980
CELL/OTD 013089

ALL INFORMATION CONTAINED
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DATE 10-05-2012 BY 65179 DMH/MJS

From:
Sent: Wednesday, August 18, 2010 9:45 AM
To:
Cc:

Subject: Issues with

Everyone:

The purpose of this email is to provide information regarding the issues that the is dealing with regarding We need clarification on why the Federal Judges and AUSA's office in

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We do not want to create a debate on why
We are pointing out that it should not be That issue can be discussed at a later date.

CELL/OTD 013153

CELLSITE-17996

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DATE 10-05-2012 BY 65179 DMH/MJS

[redacted]

From: [redacted]
Sent: Wednesday, August 18, 2010 11:34 AM
To: [redacted]
Cc:

Subject: RE: Issues with [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

We follow the guidance given by DOJ/OEO regarding the use of WITT equipment which states that:

- For [redacted]
- For

I have attached below the written guidance given by [redacted] Associate Director, DOJ/OEO. There are a few none judges and districts out there which [redacted] I am unaware of a final ruling. [redacted]

DOJ-OEO [redacted]

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Please let me know whether this answers your questions. I am more than willing to call you, if you would like to talk.

V/r,

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
[redacted]

PRIVILEGED ATTORNEY-CLIENT COMMUNICATION AND ATTORNEY WORK PRODUCT. DO NOT DISSEMINATE WITHOUT OGC APPROVAL.

From: [redacted]
Sent: Wednesday, August 18, 2010 9:45 AM
To: [redacted]
Cc:

Subject: Issues with [redacted]

Everyone:

The purpose of this email is to provide information regarding the issues that the [redacted] is dealing with regarding [redacted] We need clarification on why the Federal Judges and AUSA's office in [redacted]

[redacted]

[redacted]

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b5
b6
b7C
b7E

We do not want to create a debate on why certain Federal Districts are [redacted]
We are pointing out that it should not [redacted] That issue can be discussed at a later date.

[redacted]

[redacted]

Thank you for your attention regarding this matter.

[redacted]

CELL-2TD 013156

CELLSITE-17999

DATE: 10-09-2012
CLASSIFIED BY 65179 DMH/MJS
REASON: 1.4 (c)
DECLASSIFY ON: 10-09-2037

[redacted]

From: [redacted]
Sent: Tuesday, August 24, 2010 9:36 AM
To: [redacted]
Cc:
Subject: FW: Use of [redacted]

~~SECRET~~
RECORD 333-WF-235579

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

Hey [redacted]

Not sure if you saw this, but this is follow up to the material I sent you a 1.5 weeks ago regarding [redacted] The following is [redacted] concerns are very valid.

Thanks,
[redacted]

From: [redacted]
Sent: Thursday, August 12, 2010 10:52 AM
To: [redacted]
Cc:
Subject: FW: Use of [redacted]

b3
b5
b6
b7C
b7E

~~SECRET~~
RECORD 333-WF-235579

Has anybody talked to our CDCs yet or the OTD Counsel? This new policy seems to, well, blow. The issue really isn't where [redacted]

Maybe I'm missing something but I don't think this policy will work.

We currently have [redacted]

From: [redacted]
Sent: Thursday, August 12, 2010 9:57 AM
To: [redacted]
Subject: FW: Use of [redacted]

~~SECRET~~
RECORD 333-WF-235579

~~SECRET~~
RECORD FBI-NSISCG

CELL/OTD 013211

CELLSITE-18054

ALL INFORMATION CONTAINED
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DATE 10-05-2012 BY 65179 DMH/MJS

[redacted]

From: [redacted]
Sent: Wednesday, September 08, 2010 11:55 AM
To: [redacted]
Cc:
Subject: FW: [redacted]

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NON-RECORD

For your information.

Interesting comments from a [redacted]

From: [redacted]
Sent: Wednesday, September 08, 2010 11:47 AM
To: [redacted]
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

b3
b5
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b7C
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Please forward this to all appropriate personnel.

[redacted]

E-MAIL FROM DOJ'S OEO

RE: YESTERDAY'S [redacted] INFORMATION

Yesterday morning, the [redacted]

At the outset, [redacted]

CELL/OTD 013214 CELLSITE-18057

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DATE 10-05-2012 BY 65179 DMH/MJS

PRECEDENTIAL

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 08-4227

IN THE MATTER OF THE APPLICATION
OF THE UNITED STATES OF AMERICA
FOR AN ORDER DIRECTING A PROVIDER OF
ELECTRONIC COMMUNICATION
SERVICE TO DISCLOSE RECORDS TO THE
GOVERNMENT

United States of America,
Appellant

On Appeal from the United States District Court
for the Western District of Pennsylvania
(D.C. No. 2-07-mj-00524-001)
District Judge: Honorable Terrence F. McVerry

Argued February 12, 2010

Before: SLOVITER, ROTH, and TASHIMA,* Circuit Judges

(Filed: September 7, 2010)

Mary Beth Buchanan
Robert L. Eberhardt
Office of the United States Attorney
Pittsburgh, PA 15219

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* Honorable A. Wallace Tashima, Senior Judge of the United States Court of Appeals for the Ninth Circuit, sitting by designation.

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OPINION OF THE COURT

CELL/OTD 013215

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SLOVITER, *Circuit Judge*.

The United States ("Government") applied for a court order pursuant to a provision of the Stored Communications Act, 18 U.S.C. § 2703(d), to compel an unnamed cell phone provider to produce a customer's "historical cellular tower data," also known as cell site location information or "CSLI." App. at 64. The Magistrate Judge ("MJ") denied the application. *See In re Application of the United States for an Order Directing a Provider of Elec. Commc'n Serv. to Disclose Records to the Gov't*, 534 F. Supp. 2d 585, 616 (W.D. Pa. 2008) (hereafter "*MJOp.*"). In doing so, the MJ wrote an extensive opinion that rejected the Government's analysis of the statutory language, the legislative history, and the Government's rationale for its request. On the Government's appeal to the District Court, the Court recognized "the important and complex matters presented in this case," but affirmed in a two page order without analysis. *In re Application of the United States for an Order Directing a Provider of Elec. Commc'n Serv. to Disclose Records to the Gov't*, No. 07-524M, 2008 WL 4191511, at *1 (W.D. Pa. Sept. 10, 2008). The Government appeals.

We have de novo review. *See DIRECTV Inc. v. Seijas*, 508 F.3d 123, 125 (3d Cir. 2007). This appeal gives us our first opportunity to review whether a court can deny a Government application under 18 U.S.C. § 2703(d) after the Government has satisfied its burden of proof under that provision, a task that to our knowledge has not been performed by any other court of appeals.[1]

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[1] Because the Government's application was *ex parte*, there was no adverse party to review or oppose it. However, we received amici briefs in support of affirmance of the District Court from a group led by the Electronic Frontier Foundation and joined by the American Civil Liberties Union, the ACLU-Foundation of Pennsylvania, Inc., and the Center for Democracy and Technology (hereafter jointly referred to as "EFF") and from Susan A. Freiwald, a law professor who teaches and writes in the area of cyberspace law and privacy law. Representatives on behalf of EFF

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I.

The growth of electronic communications has stimulated Congress to enact statutes that provide both access to information heretofore unavailable for law enforcement purposes and, at the same time, protect users of such communication services from intrusion that Congress deems unwarranted. The Stored Communications Act ("SCA"), was enacted in 1986 as Title II of the Electronic Communications Privacy Act of 1986 ("ECPA"), Pub. L. No. 99-508, 100 Stat. 1848 (1986) (codified as amended at 18 U.S.C. §§ 2701-2711 (2010)), which amended the Omnibus Crime Control and Safe Streets Act of 1968 (the "Wiretap Act"), Pub. L. No. 90-351, 82 Stat. 197 (1968).[2] In 1994, Congress enacted the Communications Assistance for Law Enforcement Act ("CALEA"), Pub. L. No. 103-414, 108 Stat. 4279, 4292 (1994) (codified in relevant part at 18 U.S.C. § 2703 (2010)), in part to amend the SCA.

The SCA is directed to disclosure of communication information by providers of electronic communications ("providers"). Section 2703(a) covers the circumstances in which a governmental entity may require providers to disclose the *contents* of wire or electronic communications in electronic storage; section 2703(b) covers the circumstances in which a governmental entity may require providers to disclose the *contents* of wire or electronic communications held by a remote computing service. *See* 18 U.S.C. § 2703(a)-(b). Neither of those sections is at issue here. The Government does not here seek disclosure of the contents of wire or electronic communications. Instead, the Government seeks what is

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and Professor Freiwald participated in the proceedings below and at the oral argument before us. We are grateful to the amici for their interest in the issue and their participation in this matter.

[2] Title II of the ECPA was formally entitled "Stored Wire and Electronic Communications and Transactional Records Access." Pub. L. No. 99-508, 100 Stat. 1848 (1986).

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referred to in the statute as "a record or other information pertaining to a subscriber to or customer of such service," a term that expressly excludes the contents of communications. *Id.* § 2703(c)(1).

Section 2703(c)(1) of the SCA provides:

> **(c) Records concerning electronic communication service or remote computing service.--(1)** A governmental entity may require a provider of electronic communication service or remote computing service to disclose a record or other information pertaining to a subscriber to or customer of such service (not including the contents of communications) only when the governmental entity–
>
> **(A)** obtains a warrant issued using the procedures described in the Federal Rules of Criminal Procedure (or, in the case of a State court, issued using State warrant procedures) by a court of competent jurisdiction;
>
> **(B)** obtains a court order for such disclosure under subsection (d) of this section;
>
> **(C)** has the consent of the subscriber or customer to such disclosure;
>
> **(D)** submits a formal written request relevant to a law enforcement investigation concerning telemarketing fraud for the name, address, and place of business of a subscriber or customer of such provider, which subscriber or customer is engaged in telemarketing (as such term is defined in section 2325 of this title); or
>
> **(E)** seeks information under paragraph (2).

Id. The formal separation of these options in § 2703(c)(1)

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evinces Congressional intent to separate the requirements for their application. Each option in § 2703(c)(1) is an independently authorized procedure. The only options relevant to the matter before us are § 2703(c)(1)(A) for obtaining a warrant and § 2703(c)(1)(B) for obtaining a court order under § 2703(d).

A third option covered by the statute provides for the governmental entity to use "an administrative subpoena authorized by a Federal or State statute or a Federal or State grand jury or trial subpoena . . . ." *Id.* § 2703(c)(2). The subpoena option covers more limited information – such as a customer's name, address, and certain technical information[3] –

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[3] Subsection (2) of § 2703(c) provides:

> **(2)** A provider of electronic communication service or remote computing service shall disclose to a governmental entity the–
>
> **(A)** name;
>
> **(B)** address;
>
> **(C)** local and long distance telephone connection records, or records of session times and durations;
>
> **(D)** length of service (including start date) and types of service utilized;
>
> **(E)** telephone or instrument number or other subscriber number or identity, including any temporarily assigned network address; and
>
> **(F)** means and source of payment for such service (including any credit card or bank account number),
>
> of a subscriber to or customer of such service . . . .

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as distinguished from that referred to in § 2703(c)(1) which broadly covers "a record or other information pertaining to a subscriber or customer." The Government may seek such information under any of these three options *ex parte*, and no notice is required to a subscriber or customer. *See id.* § 2703(c)(3).

In submitting its request to the MJ in this case, the Government did not obtain either a warrant under § 2703(c)(1)(A), or a subpoena under § 2703(c)(2), nor did it secure the consent of the subscriber under § 2703(c)(1)(C). Instead it sought a court order as authorized by § 2703(c)(1)(B). The requirements for a court order are set forth in § 2703(d) as follows:

> **(d) Requirements for court order.**--A court order for disclosure under subsection (b) or (c) may be issued by any court that is a court of competent jurisdiction and shall issue only if the governmental entity *offers specific and articulable facts showing that there are reasonable grounds to believe that the contents of a wire or electronic communication, or the records or other information sought, are relevant and material to an ongoing criminal investigation.* In the case of a State governmental authority, such a court order shall not issue if prohibited by the law of such State. A court issuing an order pursuant to this section, on a motion made promptly by the service provider, may quash or modify such order, if the information or records requested are unusually voluminous in nature or compliance with such order otherwise would cause an undue burden on such provider.

Id. § 2703(d) (emphasis added).

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18 U.S.C. § 2703(c)(2).

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As the Government notes in its reply brief, there is no dispute that historical CSLI is a "record or other information pertaining to a subscriber . . . or customer," and therefore falls within the scope of § 2703(c)(1). Instead, the dispute in this case concerns the standard for a § 2703(d) order. The Government states that the records at issue, which are kept by providers in the regular course of their business, include CSLI, i.e., the location of the antenna tower and, where applicable, which of the tower's "faces" carried a given call at its beginning and end and, inter alia, the time and date of a call.

The Government's application, which is heavily redacted in the Appendix, seeks

> historical cellular tower data i.e. transactional records (including, without limitation, call initiation and termination to include sectors when available, call handoffs, call durations, registrations and connection records), to include cellular tower site information, maintained with respect to the cellular telephone number [of a subscriber or subscribers whose names are redacted].

App. at 64. The Government does not foreclose the possibility that in a future case it will argue that the SCA may be read to authorize disclosure of additional material.

II.

The MJ concluded, "as a matter of statutory interpretation, that nothing in the provisions of the electronic communications legislation authorizes it [i.e., the MJ] to order a [provider's] covert disclosure of CSLI absent a showing of probable cause under Rule 41." *MJOp.*, 534 F. Supp. 2d at 610. Rule 41(d) of the Federal Rules of Criminal Procedure, referred to by the MJ, provides:

(d) Obtaining a Warrant.

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> **(1) In General.** After receiving an affidavit or other information, a magistrate judge--or if authorized by Rule 41(b), a judge of a state court of record--must issue the warrant if there is *probable cause* to search for and seize a person or property or to install and use a tracking device.

Fed. R. Crim. P. 41(d) (emphasis added).

The Government argues that 18 U.S.C. § 2703(d) on its face requires only that it make a showing of "specific and articulable facts establishing reasonable grounds" that the information sought is "relevant and material to an ongoing criminal investigation." It argues that it made such a showing in this case by the statement in its application that the requested cell phone records are relevant and material to an ongoing investigation into large-scale narcotics trafficking and various related violent crimes, that nothing more is required, and that the MJ erred in holding that something more, in particular probable cause, is required before issuing the requested order. Thus, the counterpoised standards are "probable cause," the standard for a Rule 41 warrant, and the "relevant and material" language in 18 U.S.C. § 2703(d).

We begin with the MJ's opinion. We note, preliminarily, that the MJ's opinion was joined by the other magistrate judges in that district. This is unique in the author's experience of more than three decades on this court and demonstrates the impressive level of support Magistrate Judge Lenihan's opinion has among her colleagues who, after all, routinely issue warrants authorizing searches and production of documents.

One of the principal bases for the MJ's conclusion that the Government must show probable cause for a § 2703(d) order was her explanation that probable cause is the standard which the Government has long been required to meet in order to obtain court approval for the installation and use by law enforcement agents of a device enabling the Government to record, or "track," movement of a person or thing. *See MJOp.*, 534 F. Supp. 2d at 613-14. The MJ also held that a cell phone is

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a "tracking device" under 18 U.S.C. § 3117, and that the Government cannot obtain information from a "tracking device" under § 2703(d). *See id.* at 601-02. A statute, incorporated by reference in § 2711(1) of the SCA, defines a "tracking device" as "an electronic or mechanical device which permits the tracking of the movement of a person or object." 18 U.S.C. § 3117(b).[4]

Section 2703(c) applies only to "provider[s] of electronic communication service[s]." 18 U.S.C. § 2703(c)(1). An "electronic communication service" is defined as "any service which provides to users thereof the ability to send or receive wire or electronic communications." *Id.* § 2510(15).[5] The

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[4] We note that the Senate Report on the ECPA, which encompasses the SCA, defines "electronic tracking devices" as follows:

> These are one-way radio communication devices that emit a signal on a specific radio frequency. This signal can be received by special tracking equipment, and allows the user to trace the geographical location of the transponder. Such "homing" devices are used by law enforcement personnel to keep track of the physical whereabouts of the sending unit, which might be placed in an automobile, on a person, or in some other item.

S. Rep. No. 99-541, at 10 (1986), *reprinted in* 1986 U.S.C.C.A.N. 3555, 3564.

[5] "'[W]ire communication' means any aural transfer made in whole or in part through the use of facilities for the transmission of communications by the aid of wire, cable, or other like connection between the point of origin and the point of reception (including the use of such connection in a switching station) furnished or operated by any person engaged in providing or operating such facilities for the transmission of interstate or foreign communications or communications affecting interstate or foreign commerce . . . ." 18 U.S.C. § 2510(1).

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definition of "electronic communication" found in § 2510(12) excludes the communications from a "tracking device." *See id.* § 2510(12) ("'[E]lectronic communication' . . . does not include . . . any communication from a tracking device . . . ."). The MJ held that CSLI that allows the Government to follow where a subscriber was over a period of time is information from a tracking device deriving from an electronic communications service, and that therefore the Government cannot obtain that information through a § 2703(d) order. *See MJOp.*, 534 F. Supp. 2d at 589, 601. If CSLI could be characterized as information from a tracking device, and a tracking device is not covered by the SCA, this would be a relatively straightforward case because the Government, when seeking judicial permission to install or use a tracking device, must ordinarily obtain a warrant. *See* Fed. R. Crim. P. 41.

The Government vigorously objects to treating CSLI from cell phone calls as information from a tracking device. It

---

"'[E]lectronic communication' means any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic or photooptical system that affects interstate or foreign commerce, but does not include --

> (A) any wire or oral communication;
>
> (B) any communication made through a tone-only paging device;
>
> (C) any communication from a tracking device (as defined in section 3117 of this title); or
>
> (D) electronic funds transfer information stored by a financial institution in a communications system used for the electronic storage and transfer of funds . . . ."

Id. § 2510(12).

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explains that cellular calls are wire communications, that tracking devices are excluded from the definition of electronic communications but not from the definition of wire communications, and that, in any event, it hasn't sought records from a tracking device in this case.

Section 2510(1) defines "wire communication" as "any aural transfer made in whole or in part through the use of facilities for the transmission of communications by the aid of wire, cable, or other like connection between the point of origin and the point of reception (including the use of such connection in a switching station) . . . ." 18 U.S.C. § 2510(1). The CSLI requested by the Government consists of records of information collected by cell towers when a subscriber makes a cellular phone call. That historical record is derived from a "wire communication" and does not itself comprise a separate "electronic communication." Thus, even if the record of a cell phone call does indicate generally where a cell phone was used when a call was made, so that the resulting CSLI was information from a tracking device, that is irrelevant here because the CSLI derives from a "wire communication" and not an "electronic communication." *See id.* § 2703(c) (providing that the Government may require "a provider of electronic communication service" to disclose records); *id.* § 2510(15) (defining "electronic communication service" to include providers of "wire *or* electronic communications") (emphasis added).[6]

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[6] We acknowledge that numerous magistrate judges and district courts in other jurisdictions have addressed various issues regarding whether the Government can obtain prospective CSLI through the authorization found in § 2703(d) alone or in combination with the pen register and trap and trace statutes (the "hybrid" theory), and/or whether the Government can obtain historical CSLI through a § 2703(d) order. *See, e.g., MJOp.*, 534 F. Supp. 2d at 599-600 (discussing "hybrid" theory and citing cases). Some of those cases hold that the government cannot obtain prospective, i.e., realtime, CSLI through the "hybrid" theory. *See, e.g., In re Application of the United States for an Order: (1)*

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As with other issues under the SCA, the issue of the

Authorizing the Installation & Use of a Pen Register & Trap & Trace Device; (2) Authorizing the Release of Subscriber & Other Info.; & (3) Authorizing the Disclosure of Location-Based Servs., Nos. 1:06-MC-6,-7, 2006 WL 1876847, at *1 (N.D. Ind. July 5, 2006); *In re Application for Pen Register & Trap/Trace Device with Cell Site Location Auth.*, 396 F. Supp. 2d 747, 765 (S.D. Tex. 2005); *In re Application of the United States for an Order (1) Authorizing the Use of a Pen Register & a Trap & Trace Device & (2) Authorizing Release of Subscriber Info. &/or Cell Site Info.*, 396 F. Supp. 2d 294, 327 (E.D.N.Y. 2005). Others cases hold that the Government may obtain prospective cell site location information through the "hybrid" theory. *See, e.g., In re Application of the United States for an Order for Prospective Cell Site Location Info. on a Certain Cellular Tel.*, 460 F. Supp. 2d 448, 461 (S.D.N.Y. 2006); *In re Application of the United States for an Order for Disclosure of Telecomm. Records & Authorizing the Use of a Pen Register & Trap & Trace*, 405 F. Supp. 2d 435, 449 (S.D.N.Y. 2005). Most relevant here, at least two cases expressly hold that historical CSLI can be obtained through a § 2703(d) order. *See In re Application of the United States for an Order: (1) Authorizing the Installation & Use of a Pen Register & Trap & Trace Device, & (2) Authorizing Release of Subscriber & Other Info.*, 622 F. Supp. 2d 411, 418 (S.D. Tex. 2007); *In re Applications of the United States for Orders Pursuant to Title 18, U.S.C. § 2703(d)*, 509 F. Supp. 2d 76, 82 (D. Mass. 2007). Additionally, judges in at least two cases, *In re Applications*, 509 F. Supp. 2d at 81 n.11, and *In re Application of the United States for an Order for Disclosure of Telecommunications Records & Authorizing the Use of a Pen Register & Trap & Trace*, 405 F. Supp. 2d 435, 449 (S.D.N.Y. 2005), have specifically held that cell phones are not tracking devices under 18 U.S.C. § 3117. In contrast, Judge McMahon of the Southern District of New York held that CSLI is information from a tracking device under § 3117 and is therefore excluded from § 2703(c). *See In re Application of the United States for an Order Authorizing the Use of a Pen Register with Caller Identification Device Cell Site Location Auth. on a Cellular Tel.*, 2009 WL 159187, at *6-7 (S.D.N.Y. Jan. 13, 2009).

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standard by which the Government may obtain CSLI is not easily avoided. The MJ held that even if the CSLI here is included within the scope of § 2703(c)(1), the Government must show probable cause because a cell phone acts like a tracking device. The MJ's holding that probable cause was the correct standard appeared to be influenced by her belief that CSLI, and cell phone location information generally, make a cell phone act like a tracking device in that the CSLI discloses movement/location information. *See MJOp.*, 534 F. Supp. 2d at 609 ("In the case of movement/location information derived from an electronic device, the traditionally-applied legal standard has been a showing of probable cause; and nothing in the text, structure, purpose or legislative history of the SCA dictates a departure from that background standard as to either historic or prospective CSLI.").

In response, the Government notes that the historical CSLI that it sought in this case does not provide information about the location of the caller closer than several hundred feet. However, much more precise location information is available when global positioning system ("GPS") technology is installed in a cell phone. A GPS is a widely used device installed in automobiles to provide drivers with information about their whereabouts. The Government argues that it did not seek GPS information in this case.

Nonetheless, the Government does not argue that it cannot or will not request information from a GPS device through a § 2703(d) order. In fact, a publication of the Computer Crime and Intellectual Property Section of the U.S. Department of Justice contains a "Sample 18 U.S.C. § 2703(d) Application and Order" seeking "[a]ll records and other information relating to the account(s) and [the relevant] time period" including "telephone records, . . . caller identification records, cellular site and sector information, *GPS data*," and other information. U.S. Department of Justice, Computer Crime and Intellectual Property Section, Criminal Division, *Searching and Seizing Computers and Obtaining Electronic Evidence in Criminal Investigations*, 222 (3d ed. 2009) (emphasis added), *available at*

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http://www.cybercrime.gov/ssmanual/ssmanual2009.pdf (last visited Aug. 3, 2010).

We take no position whether a request for GPS data is appropriate under a § 2703(d) order. However, a § 2703(d) order requiring production of CSLI or GPS data could elicit location information. For example, historical CSLI could provide information tending to show that the cell phone user is generally at home from 7 p.m. until 7 a.m. the next morning (because the user regularly made telephone calls from that number during that time period). With that information, the Government may argue in a future case that a jury can infer that the cell phone user was at home at the time and date in question.

Amicus EFF points to the testimony of FBI Agent William B. Shute during a trial in the Eastern District of Pennsylvania in which he analyzed cell location records – seemingly the records of the towers used during calls – and concluded that it was "highly possible that [a cell phone user] was at her home," EFF App. at 20, and at another time that the user was "in the vicinity of her home," *id.* at 21. Later, Agent Shute testified that the cell phone records revealed a genuine probability that the individual was in another person's home. *Id.* at 25. Agent Shute also testified that at one point the phone was in an "overlap area" of less than eight blocks. *Id.* at 27-28. Moreover, Agent Shute said that he could track the direction that the individual was traveling based on when the individual switched from one tower to another. *Id.* at 21-22. According to Agent Shute, he has given similar testimony in the past. In other words, the Government has asserted in other cases that a jury should rely on the accuracy of the cell tower records to infer that an individual, or at least her cell phone, was at home.

The Government counters that Agent Shute acknowledged that historical cell site information provides only a rough indication of a user's location at the time a call was made or received. The Government correctly notes that Agent Shute did not state that the cell-site information "is reliable evidence" that the suspect was at home, as EFF asserts. EFF Br. at 15. Agent Shute only stated that it is "highly possible" that

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the user was at home or in the vicinity.

This dispute may seem to be a digression, but it is not irrelevant. The MJ proceeded from the premise that CSLI can track a cell phone user to his or her location, leading the MJ to conclude that CSLI could encroach upon what the MJ believed were citizens' reasonable expectations of privacy regarding their physical movements and locations. The MJ regarded location information as "extraordinarily personal and potentially sensitive." *MJOp.*, 534 F. Supp. 2d at 586. We see no need to decide that issue in this case without a factual record on which to ground the analysis. Instead, we merely consider whether there was any basis for the MJ's underlying premises.

For that purpose, we refer to two opinions of the Supreme Court, both involving criminal cases not directly applicable here, but which shed some light on the parameters of privacy expectations. In *United States v. Knotts*, 460 U.S. 276 (1983), the Supreme Court held that the warrantless installation of an electronic tracking beeper/radio transmitter inside a drum of chemicals sold to illegal drug manufacturers, and used to follow their movements on public highways, implicated no Fourth Amendment concerns, as the drug manufacturers had no reasonable expectation of privacy while they and their vehicles were in plain view on public highways. The following year, in *United States v. Karo*, 468 U.S. 705 (1984), the Court held that where a beeper placed inside a chemical drum was then used to ascertain the drum's presence within a residence, the search was unreasonable absent a warrant supported by probable cause. More specifically, the Court stated that the "case . . . present[ed] the question whether the monitoring of a beeper in a private residence, a location not open to visual surveillance, violates the Fourth Amendment rights of those who have a justifiable interest in the privacy of the residence." *Karo*, 468 U.S. at 714. The *Karo* Court distinguished *Knotts*:

> [M]onitoring of an electronic device such as a beeper is, of course, less intrusive than a full-scale search, but it does reveal a critical fact about the interior of the premises that the Government is

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> extremely interested in knowing and that it could not have otherwise obtained without a warrant. The case is thus not like *Knotts*, for there the beeper told the authorities nothing about the interior of Knotts' cabin . . . . here, as we have said, the monitoring indicated that the beeper was inside the house, a fact that could not have been visually verified.

Id. at 715.

We cannot reject the hypothesis that CSLI may, under certain circumstances, be used to approximate the past location of a person. If it can be used to allow the inference of present, or even future, location, in this respect CSLI may resemble a tracking device which provides information as to the actual whereabouts of the subject. The *Knotts/Karo* opinions make clear that the privacy interests at issue are confined to the interior of the home. There is no evidence in this record that historical CSLI, even when focused on cell phones that are equipped with GPS, extends to that realm. We therefore cannot accept the MJ's conclusion that CSLI by definition should be considered information from a tracking device that, for that reason, requires probable cause for its production.

In sum, we hold that CSLI from cell phone calls is obtainable under a § 2703(d) order and that such an order does not require the traditional probable cause determination. Instead, the standard is governed by the text of § 2703(d), i.e., "specific and articulable facts showing that there are reasonable grounds to believe that the contents of a wire or electronic communication, or the records or other information sought, are relevant and material to an ongoing criminal investigation." 18 U.S.C. § 2703(d). The MJ erred in allowing her impressions of the general expectation of privacy of citizens to transform that standard into anything else. We also conclude that this standard is a lesser one than probable cause, a conclusion that, as discussed below, is supported by the legislative history.

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III.

On different occasions in the MJ's opinion, the MJ referred to her understanding that the "relevant legislative history indicates that Congress did not intend its electronic communications legislation to be read to require, on its authority, disclosure of an individual's location information . . . ." *MJOp.*, 534 F. Supp. 2d at 610. We also have reviewed the legislative history of the SCA and find no support for this conclusion.

The legislative history of the ECPA begins in 1985 with the introduction by Representative Kastenmeier of H.R. 3378. *See* 131 Cong. Rec. 24,397 (1985) (statement of Rep. Robert W. Kastenmeier). At the hearings on H.R. 3378, Senator Leahy explained that "the bill provides that law enforcement agencies must obtain a court order based on a reasonable suspicion standard before . . . being permitted access to records of an electronic communication system which concern specific communications." *Electronic Communications Privacy Act: Hearings on H.R. 3378 Before the Subcomm. on Courts, Civil Liberties, and the Admin. of Justice of the H. Comm. on the Judiciary*, 99th Cong. 7 (1985) (statement of Sen. Patrick Leahy). H.R. 3378 was not enacted.

The statute that was enacted the following year, the ECPA, was designed "to protect against the unauthorized interception of electronic communications. The bill amends the 1968 law [the Wiretap Act,] to update and clarify Federal privacy protections and standards in light of dramatic changes in new computer and telecommunications technologies." S. Rep. No. 99-541, at 1 (1986). The Senate Report states that Title II of the ECPA, the SCA, "addresses access to stored wire and electronic communications and transactional records. It is modeled after [legislation that] protects privacy interests in personal and proprietary information, while protecting the Government's legitimate law enforcement needs." *Id.* at 3; *see also* 132 Cong. Rec. 27,633 (1986) (statement of Sen. Leahy that the ECPA "provides standards by which law enforcement agencies may obtain access to . . . the records of an electronic communications system."). During House consideration and

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passage of the ECPA, Representative Moorhead explained that "the legislation establishes clear rules for Government access to new forms of electronic communications as well as the transactional records regarding such communications [and] . . . removes cumbersome procedures from current law that will facilitate the interests of Federal law enforcement officials." 132 Cong. Rec. 14,887 (1986) (statement of Rep. Carlos J. Moorhead).

Eight years later, in 1994, Congress amended the statute to keep pace with technological changes through CALEA, which altered the standard in 18 U.S.C. § 2703 to its current state. Pub. L. No. 103-414, 108 Stat. 4922 (1994). In Senate Report No. 103-402, which accompanied the CALEA legislation, it noted that the bill "also expands privacy and security protection for telephone and computer communications. The protections of the [ECPA] are extended to cordless phones and certain data communications transmitted by radio." S. Rep. No. 103-402, at 10 (1994).

The legislative history strongly supports the conclusion that the present standard in § 2703(d) is an "intermediate" one. For example, Senate Report No. 103-402 states that § 2703(d)

> imposes an intermediate standard to protect on-line transactional records. It is a standard higher than a subpoena, but not a probable-cause warrant. The intent of raising the standard for access to transactional data is to guard against "fishing expeditions" by law enforcement. Under the intermediate standard, the court must find, based on law enforcement's showing of facts, that there are specific and articulable grounds to believe that the records are relevant and material to an ongoing criminal investigation.

Id. at 31; *see also* H.R. Rep. No. 103-827, pt. 1, at 31 (1994) (noting same), *reprinted in* 1994 U.S.C.C.A.N. 3489, 3511. We are aware of no conflicting legislative history on the matter, and

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we will accept the intermediate standard as applicable to all attempts to obtain transaction records under § 2703(d).

In its interpretation of the standard to be applied to § 2703(d) orders, the MJ referred to the testimony of then-FBI Director Louis Freeh supporting the passage of CALEA. *See MJOp.*, 534 F. Supp. 2d at 596-97 (citing *Digital Telephony and Law Enforcement Access to Advanced Telecommunications Technologies and Services: Joint Hearings on H.R. 4922 and S. 2375 Before the Subcomm. on Technology and the Law of the S. Comm. on the Judiciary and the Subcomm. on Civil and Constitutional Rights of the H. Comm. on the Judiciary*, 103d Cong. 2, 22-23, 27-29 (1994) (statement of Louis J. Freeh, Director, Federal Bureau of Investigation) ("Freeh Testimony")). The MJ described Director Freeh's testimony as follows:

> Freeh addressed Congress' concern that with advances in cell phone technology, law enforcement could obtain-by CSLI-information of an individual's physical movement previously obtainable only through visual surveillance or the covert installation of a radio-wave transmitter. During the course of his testimony, Director Freeh reassured Congress that law enforcement was not attempting to obtain via the 1994 enactments, or to otherwise alter the standards applicable to, movement/location information.

Id. at 596.

Director Freeh's testimony, referred to by the MJ, does not provide support for the MJ's conclusion that a warrant is required to obtain CSLI. Director Freeh's testimony regarding allegations of "tracking" persons focused on the Government's ability to obtain information through a pen register or trap and trace device, which is governed by a different, and lower, standard than that applicable to a § 2703(d) order. *See* Freeh Testimony at 33. To obtain information from pen register and trap and trace devices, the Government need only certify "that the information likely to be obtained by such installation and use

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is relevant to an ongoing criminal investigation." 18 U.S.C. § 3123(a)(1). In contrast, § 2703(d) requires "specific and articulable facts," "reasonable grounds to believe," and "material[ity]" to an ongoing criminal investigation, a higher standard. *Id.* § 2703(d). Thus, the protections that Congress adopted for CSLI in 47 U.S.C. § 1002(a)(2)[7] have no apparent relevance to § 2703(d), and the legislative history does not show that Congress intended to exclude CSLI or other location information from § 2703(d). Although the language of § 2703(d) creates a higher standard than that required by the pen register and trap and trace statutes, the legislative history provides ample support for the proposition that the standard is an intermediate one that is less stringent than probable cause.

IV.

Because we conclude that the SCA does not contain any language that requires the Government to show probable cause as a predicate for a court order under § 2703(d) and because we are satisfied that the legislative history does not compel such a result, we are unable to affirm the MJ's order on the basis set forth in the MJ's decision. The Government argues that if it presents a magistrate court with "specific and articulable facts showing that there are reasonable grounds to believe that the contents of a wire or electronic communication, or the records or other information sought, are relevant and material to an ongoing criminal investigation," 18 U.S.C. § 2703(d), the magistrate judge *must* provide the order and cannot demand an additional showing. The EFF disagrees, and argues that the requirements of § 2703(d) merely provide a floor – the minimum showing required of the Government to obtain the information – and that

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[7] *See* 47 U.S.C. § 1002(a)(2)(B) ("with regard to information acquired solely pursuant to the authority for pen registers and trap and trace devices" a telecommunications carrier need not allow the government access to "call-identifying information . . . that may disclose the physical location of the subscriber (except to the extent that the location may be determined from the telephone number) . . . .").

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magistrate judges do have discretion to require warrants.

We begin with the text. Section § 2703(d) states that a "court order for disclosure under subsection (b) or (c) *may be* issued by any court that is a court of competent jurisdiction and *shall* issue *only if*" the intermediate standard is met. 18 U.S.C. § 2703(d) (emphasis added). We focus first on the language that an order "may be issued" if the appropriate standard is met. This is the language of permission, rather than mandate. If Congress wished that courts "shall," rather than "may," issue § 2703(d) orders whenever the intermediate standard is met, Congress could easily have said so. At the very least, the use of "may issue" strongly implies court discretion, an implication bolstered by the subsequent use of the phrase "only if" in the same sentence.

The EFF argues that the statutory language that an order can be issued "only if" the showing of articulable facts is made indicates that such a showing is necessary, but not automatically sufficient. EFF Br. at 4. If issuance of the order were not discretionary, the EFF asserts, the word "only" would be superfluous. *Id.* at 5. The EFF compares the use of the words "only if" with the clearly mandatory language of the pen register statute, 18 U.S.C. § 3123(a)(1), which states that a court "shall" enter an ex parte order "if" the court finds that information relevant to an ongoing criminal investigation would be found. In other words, the difference between "shall . . . if" (for a pen register) and "shall . . . only if" (for an order under § 2703(d)) is dispositive.

We addressed the effect of the statutory language "only . . . if" in the Anti-Head Tax Act, which provides that a "State or political subdivision of a State *may* levy or collect a tax on or related to a flight of a commercial aircraft or an activity or service on the aircraft *only if* the aircraft takes off or lands in the State or political subdivision as part of the flight." 49 U.S.C. § 40116(c) (emphasis added). In *Township of Tinicum v. United States Department of Transportation*, 582 F.3d 482 (3d Cir. 2009), we stated that the "phrase 'only if' describe[d] a necessary condition, not a sufficient condition," *id.* at 488 (citing

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California v. Hodari D., 499 U.S. 621, 627-28 (1991) (explaining that "only if" describes "a *necessary,* but not a *sufficient*, condition")), and that while a "necessary condition describes a prerequisite[,]" *id.*, a "sufficient condition is a guarantee[,]" *id.* at 489. Adopting the example of the baseball playoffs and World Series, we noted that while "a team may win the World Series *only if* it makes the playoffs . . . a team's meeting the necessary condition of making the playoffs does not guarantee that the team will win the World Series." *Id.* at 488. In contrast, "winning the division is a sufficient condition for making the playoffs because a team that wins the division is ensured a spot in the playoffs . . . [and thus] a team makes the playoffs *if* it wins its division." *Id.* at 489. The EFF's argument, essentially, is that our analysis of the words "only if" in § 2703(d) should mirror that in *Tinicum*.

This is a powerful argument to which the Government does not persuasively respond. Under the EFF's reading of the statutory language, § 2703(c) creates a "sliding scale" by which a magistrate judge can, at his or her discretion, require the Government to obtain a warrant or an order. EFF Br. at 6. As the EFF argues, if magistrate judges were required to provide orders under § 2703(d), then the Government would never be required to make the higher showing required to obtain a warrant under § 2703(c)(1)(A). *See id.*

The Government's only retort to the argument that it would never need to get a warrant under § 2703(c)(1)(A) if it could always get CSLI pursuant to an order under § 2703(d) is that the warrant reference in § 2703(c)(1)(A) is "alive and well" because a prosecutor can "at his or her option . . . employ a single form of compulsory process (a warrant), rather than issuing a warrant for content and a separate subpoena or court order for the associated non-content records." Appellant's Reply Br. at 14. In other words, the Government asserts that obtaining a warrant to get CSLI is a purely discretionary decision to be made by it, and one that it would make only if a warrant were, in the Government's view, constitutionally required. We believe it trivializes the statutory options to read the § 2703(c)(1)(A) option as included so that the Government may proceed on one

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paper rather than two.

In response to the EFF's statutory argument, the Government argues that the "shall issue" language is the language of mandate. It also asserts that without the word "only", the sentence would read that an order "may be issued by [a] court . . . and shall issue if the government" makes the correct showing. Appellant's Reply Br. at 12. The difficulty with the Government's argument is that the statute does contain the word "only" and neither we nor the Government is free to rewrite it.

The Government argues that when the statutory scheme is read as a whole, it supports a finding that a magistrate judge does not have "arbitrary" discretion to require a warrant. We agree that a magistrate judge does not have arbitrary discretion. Indeed, no judge in the federal courts has arbitrary discretion to issue an order. Orders of a magistrate judge must be supported by reasons that are consistent with the standard applicable under the statute at issue. Nonetheless, we are concerned with the breadth of the Government's interpretation of the statute that could give the Government the virtually unreviewable authority to demand a § 2703(d) order on nothing more than its assertion. Nothing in the legislative history suggests that this was a result Congress contemplated.[8]

Because the MJ declined to issue a § 2703(d) order on legal grounds without developing a factual record, she never performed the analysis whether the Government's affidavit even met the standard set forth in § 2703(d). The Government's position would preclude magistrate judges from inquiring into the types of information that would actually be disclosed by a

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[8] We are puzzled by the Government's position. If, as it suggests, the Government needs the CSLI as part of its investigation into a large scale narcotics operation, it is unlikely that it would be unable to secure a warrant by disclosing additional supporting facts. In our experience, magistrate judges have not been overly demanding in providing warrants as long as the Government is not intruding beyond constitutional boundaries.

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cell phone provider in response to the Government's request, or from making a judgment about the possibility that such disclosure would implicate the Fourth Amendment, as it could if it would disclose location information about the interior of a home.

The Government argues that no CSLI can implicate constitutional protections because the subscriber has shared its information with a third party, i.e., the communications provider. For support, the Government cites *United States v. Miller*, 425 U.S. 435 (1976), in which the Supreme Court found that an individual's bank records were not protected by the Constitution because "all of the records [which are required to be kept pursuant to the Bank Secrecy Act,] pertain to transactions to which the bank was itself a party," *id.* at 441 (internal quotation and citation omitted), and "[a]ll of the documents obtained, including financial statements and deposit slips, contain only information voluntarily conveyed to the banks and exposed to their employees in the ordinary course of business," *id.* at 442.

The Government also cites *Smith v. Maryland*, 442 U.S. 735 (1979), in which the Supreme Court held that citizens have no reasonable expectation of privacy in dialed phone numbers because "a person has no legitimate expectation of privacy in information he voluntarily turns over to third parties," *id.*, at 744, and a phone call "voluntarily convey[s] numerical information to the telephone company and 'expose[s]' that information to its equipment in the ordinary course of business," *id.* at 744. The Court reasoned that individuals "assume[] the risk that the company w[ill] reveal to police the numbers . . . dialed . . . [and the] switching equipment that processed those numbers is merely the modern counterpart of the operator who, in an earlier day, personally completed calls for the subscriber." *Id.*

A cell phone customer has not "voluntarily" shared his location information with a cellular provider in any meaningful way. As the EFF notes, it is unlikely that cell phone customers are aware that their cell phone providers *collect* and store historical location information. Therefore, "[w]hen a cell phone user makes a call, the only information that is voluntarily and

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knowingly conveyed to the phone company is the number that is dialed and there is no indication to the user that making that call will also locate the caller; when a cell phone user receives a call, he hasn't voluntarily exposed anything at all." EFF Br. at 21.

The EFF has called to our attention an FCC order requiring cell phone carriers to have, by 2012, the ability to locate phones within 100 meters of 67% of calls and 300 meters for 95% of calls for "network based" calls, and to be able to locate phones within 50 meters of 67% of calls and 150 meters of 95% of calls for "hand-set" based calls. EFF Br. at 12 n.5 (citing 47 C.F.R. § 20.18(h)(1)(2008)). The record does not demonstrate whether this can be accomplished with present technology, and we cannot predict the capabilities of future technology. *See Kyllo v. United States*, 533 U.S. 27, 36 (2001) ("While the technology used in the present case was relatively crude, the rule we adopt must take account of more sophisticated systems that are already in use or in development."); *see also id.* ("the novel proposition that inference insulates a search is blatantly contrary to [*Karo*], where the police 'inferred' from the activation of a beeper that a certain can of ether was in the home.").

Although CSLI differs from information received from a beeper, which the Supreme Court held in *Karo* required a warrant before disclosure of information from a private home, the remarks of the Supreme Court in *Karo* are useful to contemplate, particularly in connection with the Government's extreme position. The Supreme Court stated:

> We cannot accept the Government's contention that it should be completely free from the constraints of the Fourth Amendment to determine by means of an electronic device, without a warrant and without probable cause or reasonable suspicion, whether a particular article-or a person, for that matter-is in an individual's home at a particular time. Indiscriminate monitoring of property that has been withdrawn from public view would present far too serious a threat to privacy

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> interests in the home to escape entirely some sort of Fourth Amendment oversight.

Karo, 468 U.S. at 716.

The Government is also not free from the warrant requirement merely because it is investigating criminal activity. A similar argument was rejected in *Karo* where the Court stated:

> We also reject the Government's contention that it should be able to monitor beepers in private residences without a warrant if there is the requisite justification in the facts for believing that a crime is being or will be committed and that monitoring the beeper wherever it goes is likely to produce evidence of criminal activity. Warrantless searches are presumptively unreasonable, though the Court has recognized a few limited exceptions to this general rule. *See, e.g., United States v. Ross*, 456 U.S. 798, 102 S. Ct. 2157, 72 L. Ed. 2d 572 (1982) (automobiles); *Schneckloth v. Bustamonte*, 412 U.S. 218, 93 S. Ct. 2041, 36 L. Ed. 2d 854 (1973) (consent); *Warden v. Hayden*, 387 U.S. 294, 87 S. Ct. 1642, 18 L. Ed. 2d 782 (1967) (exigent circumstances). The Government's contention that warrantless beeper searches should be deemed reasonable is based upon its deprecation of the benefits and exaggeration of the difficulties associated with procurement of a warrant. The Government argues that the traditional justifications for the warrant requirement are inapplicable in beeper cases, but to a large extent that argument is based upon the contention, rejected above, that the beeper constitutes only a minuscule intrusion on protected privacy interests. The primary reason for the warrant requirement is to interpose a "neutral and detached magistrate" between the citizen and "the officer engaged in the often competitive enterprise of ferreting out crime." *Johnson v. United States*,

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> 333 U.S. 10, 14, 68 S. Ct. 367, 369, 92 L. Ed. 436 (1948). Those suspected of drug offenses are no less entitled to that protection than those suspected of nondrug offenses. Requiring a warrant will have the salutary effect of ensuring that use of beepers is not abused, by imposing upon agents the requirement that they demonstrate in advance their justification for the desired search.

Id. at 717.

Similar reasoning lay behind the MJ's refusal to grant a § 2703(d) order. In the issue before us, which is whether the MJ may require a warrant with its underlying probable cause standard before issuing a § 2703(d) order, we are stymied by the failure of Congress to make its intention clear. A review of the statutory language suggests that the Government can proceed to obtain records pertaining to a subscriber by several routes, one being a warrant with its underlying requirement of probable cause, and the second being an order under § 2703(d). There is an inherent contradiction in the statute or at least an underlying omission. A warrant requires probable cause, but there is no such explicit requirement for securing a § 2703(d) order. We respectfully suggest that if Congress intended to circumscribe the discretion it gave to magistrates under § 2703(d) then Congress, as the representative of the people, would have so provided. Congress would, of course, be aware that such a statute mandating the issuance of a § 2703(d) order without requiring probable cause and based only on the Government's word may evoke protests by cell phone users concerned about their privacy. The considerations for and against such a requirement would be for Congress to balance. A court is not the appropriate forum for such balancing, and we decline to take a step as to which Congress is silent.

Because the statute as presently written gives the MJ the option to require a warrant showing probable cause, we are unwilling to remove that option although it is an option to be used sparingly because Congress also included the option of a § 2703(d) order. However, should the MJ conclude that a warrant

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is required rather than a § 2703(d) order, on remand it is imperative that the MJ make fact findings and give a full explanation that balances the Government's need (not merely desire) for the information with the privacy interests of cell phone users.

We again note that although the Government argues that it need not offer more than "specific and articulable facts showing that there are reasonable grounds to believe that the . . . information sought . . . [is] relevant and material to an ongoing criminal investigation," 18 U.S.C. § 2703(d), the MJ never analyzed whether the Government made such a showing. We leave that issue for the MJ on remand.

V.

For the reasons set forth, we will vacate the MJ's order denying the Government's application, and remand for further proceedings consistent with this opinion.

TASHIMA, Circuit Judge, concurring:

I concur in the result and in most of the reasoning of the majority opinion. I write separately, however, because I find the majority's interpretation of the discretion granted to a magistrate judge by 18 U.S.C. § 2703(d) troubling.

The majority begins its analysis of § 2703(d) correctly:

> In sum, we hold that CSLI from cell phone calls is obtainable under a § 2703(d) order and that such an order does not require the traditional probable cause determination. Instead, the standard is governed by the text of § 2703(d), i.e., "specific and articulable facts showing that there are reasonable grounds to believe that the contents of a wire or electronic communication, or the record or other information sought, are relevant."

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Maj. Op. at 16-17 (quoting § 2703(d)). But the majority then appears to contradict its own holding later in its opinion, when it states "[b]ecause the statute as presently written gives the MJ the option to require a warrant showing probable cause, we are unwilling to remove that option although it is an option to be used sparingly because Congress also included the option of a § 2703(d) order." *Id.* at 28. Thus, the majority suggests that Congress did not intend to circumscribe a magistrate's discretion in determining whether or not to issue a court order, while at the same time acknowledging that "[o]rders of a magistrate judge must be supported by reasons that are consistent with the standard applicable under the statute at issue." *Id.* at 24. I do not believe that these contradictory signals give either magistrate judges or prosecutors any standards by which to judge whether an application for a § 2703(d) order is or is not legally sufficient.

Granting a court unlimited discretion to deny an application for a court order, even after the government has met statutory requirements, is contrary to the spirit of the statute. *Cf. Huddleston v. United States*, 485 U.S. 681, 688 (1988) (noting, in interpreting Federal Rule of Evidence 404(b), that the word "may" does not vest with the trial judge arbitrary discretion over the admissibility of evidence); The Federalist No. 78, p. 529 (J. Cooke ed. 1961) ("'To avoid an arbitrary discretion in the courts, it is indispensable that they should be bound down by strict rules and precedents, which serve to define and point out their duty in every particular case that comes before them.'").

As the majority notes, "a magistrate judge does not have arbitrary discretion. Indeed, no judge in the federal courts has arbitrary discretion to issue an order." Maj. Op. at 24. I respectfully suggest, however, that the majority's interpretation of the statute, because it provides *no* standards for the approval or disapproval of an application for an order under § 2703(d), does just that – vests magistrate judges with arbitrary and uncabined discretion to grant or deny issuance of § 2703(d)

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orders at the whim of the magistrate,[9] even when the conditions of the statute are met.

I would cabin the magistrate's discretion by holding that the magistrate may refuse to issue the § 2703(d) order here only if she finds that the government failed to present specific and articulable facts sufficient to meet the standard under § 2703(d) or, alternatively, finds that the order would violate the Fourth Amendment absent a showing of probable cause because it allows police access to information which reveals a cell phone user's location within the interior or curtilage of his home.[10] *See Kyllo v. United States*, 533 U.S. 27, 35-36 (2001); *United States v. Pineda-Moreno*, 2010 WL 3169573 (9th Cir. 2010) (Kozinski, C.J., dissenting from denial of rehearing en banc).

With this caveat as to the magistrate's duty and the scope of her discretion on remand, I concur in the majority opinion and in the judgment.[11]

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[9] Unless the admonition that the magistrate's naked power should "be used sparingly," Maj. Op. at 28, is accepted as a meaningful and objectively enforceable guideline.

[10] Alternatively, the magistrate may condition her order by requiring minimization to exclude those portions which disclose location information protected by the Fourth Amendment, *i.e.*, within the home and its curtilage.

[11] I am also troubled by the majority's assumption, without any support in the record, that "[a] cell phone customer has not 'voluntarily' shared his location information with a cellular provider in any meaningful way." Maj. Op. at 25. In *Smith v. Maryland*, 442 U.S. 735 (1979), the Supreme Court held that "a person has no legitimate expectation of privacy in information he voluntarily turns over to third parties." *Id.* at 743-44. Subsequent cases in this fast-changing technological era have found that this is a fact-intensive inquiry. *Compare United States v. Maynard*, 2010 WL 3063788 (D.C. Cir. 2010) (holding that there is an expectation of privacy in long-term GPS surveillance records), *with U.S. Telecom Ass'n v. FCC*, 227 F.3d 450, 459 (D.C. Cir. 2000) (finding no legitimate expectation of privacy in information, including cell

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site location information, conveyed to the phone company in order to complete calls); *United States v. Forrester*, 512 F.3d 500, 510 (9th Cir. 2008) ("[E]-mail and Internet users have no expectation of privacy in the to/from addresses of their messages or the IP addresses of the websites they visit because they should know that this information is provided to and used by Internet service providers for the specific purpose of directing the routing of information.").

Like the magistrate's failure to find whether the government made a sufficient showing under § 2703(d), *see* Maj. Op. at 28 ("the MJ never analyzed whether the Government made such a showing"), I would also "leave [the expectation of privacy] issue for the MJ on remand," *id.* at 29, in the first instance, if determination of that issue becomes relevant.

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HEREIN IS UNCLASSIFIED
DATE 10-05-2012 BY 65179 DMH/MJS

[redacted]

From: [redacted]
Sent: Thursday, September 30, 2010 2:24 PM
To: [redacted]
Cc:

Subject: [redacted]

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From: [redacted]
Sent: Thursday, September 30, 2010 11:02 AM
To: [redacted]
Cc:
Subject: [redacted]

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Just wanted to follow up to see if there is any update to the handling of [redacted]

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DATE 10-05-2012 BY 65179 DMH/MJS

GPS tracking

U.S. v. Maynard, 2010 WL 3063788 (D.C. Cir.). In this tracking device appeal, the government (acting without a warrant) installed a GPS tracking device on the defendant's jeep and thereby tracked his public movements for a period of four weeks. On appeal, the D.C. Circuit reversed the defendant's conviction, holding that this "long-term" GPS tracking violated the defendant's reasonable expectation of privacy and therefore required a warrant. In reaching this conclusion, the D.C. Circuit attempted to distinguish Seventh, Eighth, and Ninth Circuit precedent by claiming that these circuits relied on an overly broad interpretation of the Supreme Court's decision in *Knotts*. In the D.C. Circuit's view, *Knotts* addressed a limited issue – the use of a tracking device during a "discrete journey" – and "specifically reserved the question whether a warrant would be required in a case involving 'twenty-four hour surveillance.'" The D.C. Circuit then concluded that the extended use of a tracking device in this case was unconstitutional because the defendant had a reasonable expectation of privacy in "the totality of [his] movements," even if all of those movements occurred in public. The court offered two principal rationales for this conclusion. First, the defendant's movements over the course of a month were not "actually exposed to the public" because there was effectively no chance that anyone would observe all of his movements, even though they occurred in public. In reaching this conclusion, the court said that the relevant issue is not what the government could have done (e.g., a month of physical/visual surveillance), but rather "what a reasonable person expects another might actually do." Second, the court found that even if all of the defendant's individual movements were exposed to the public, the "whole of his movements" were not exposed, based on a "mosaic" theory that the "whole reveals more . . . than does the sum of its parts." According to the court, "prolonged surveillance of a person's movements may reveal an intimate picture of his life," including his routines and habits, and a reasonable person expects these movements to remain "disconnected and anonymous" – i.e., private. (Ellickson)

U.S. v. Pineda-Moreno, 2010 WL 3169573 (9th Cir.). In this tracking device appeal, the Ninth Circuit denied the defendant's petition for rehearing en banc, less than a week after the D.C. Circuit issued its controversial opinion in *Maynard*, which had criticized the panel decision in *Pineda-Moreno*. Five judges dissented from the denial of the en banc petition, including Judges Kozinski and Reinhardt, who wrote dissenting opinions (with Kozinski citing *Maynard* in passing). The panel decision in the case, issued in January 2010, found that the government did not violate the defendant's Fourth Amendment rights by attaching a warrantless tracking device to his car on seven occasions, including two occasions when the car was parked in the defendant's driveway. The panel also found that the government did not violate the defendant's Fourth Amendment rights when it used the tracking devices to "continuously monitor" the location of the defendant's car. (Ellickson)

CELL-OTD 013251

CELLSITE-18094

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HEREIN IS UNCLASSIFIED
DATE 10-05-2012 BY 65179 DMH/MJS

[redacted]

From: [redacted]
Sent: Monday, September 10, 2007 5:42 PM
To: [redacted]
Cc:
Subject:

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

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The WITT briefing for 9/12-13 are attached for your review and comment.

Thanks,

[redacted]

[redacted].WITT Briefing.ppt

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CELL-OTD 013259

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DATE 10-22-2012 BY 65179 DMH/MJS

CELL/OTD 013270

Wireless Intercept Tracking Team

WITT Capabilities Briefing

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WITT
Wireless Intercept and Tracking Team

In Overview

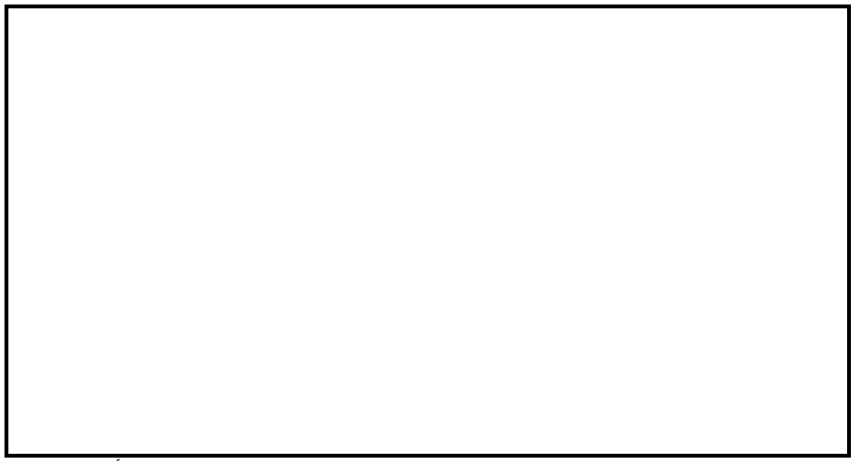
- The WITT Team
- The WITT's Mission
- WITT's Mission Capabilities
- WITT [redacted]
- WITT Case Resolutions

b3
b7E

CELL/OTD 013271

WITT
Wireless Intercept and Tracking Team

WITT Team Members



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CELL/OTD 01322/2

WITT
Wireless Intercept and Tracking Team

Questions or Comments

CELLSITE 012590

WITT
Wireless Intercept and Tracking Team

CELLSITE-18116

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-05-2012 BY 65179 DMH/MJS

[redacted]

From: [redacted]
Sent: Thursday, November 16, 2006 2:49 PM
To: [redacted]
Cc:
Subject: FW: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

The below interpretation from our Administrative Law Unit is consistent with what we spoke about this morning-- [redacted]

[redacted]

As noted, we could draft a delegation request to DOJ seeking approval for [redacted] the arguments that you and CID have offered. Since we have a pending request to DOJ to consider rescinding the AG order, we could wait or go back to them with this as an alternative request.

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

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b7E

[redacted]
Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135
[redacted]

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From: [redacted]
Sent: Thursday, November 16, 2006 1:51 PM
To: [redacted]
Cc:
Subject: RE: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

While the redelegation language is somewhat ambiguous, I don't think there is a basis to conclude that [redacted]

[redacted]

CELL/OTD 013291

-----Original Message-----
From:
Sent: Thursday, November 16, 2006 11:53 AM
To:
Subject: FW:
Importance: High

UNCLASSIFIED
NON-RECORD

Can you help with the below question.

Given the AG Order language, do we need to ask DOJ what they meant by (view the entire order at

Thanks

-----Original Message-----
From:
Sent: Monday, November 13, 2006 6:24 AM
To:
Subject: FW:
Importance: High

UNCLASSIFIED
NON-RECORD

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Please way in on this legal matter.. And advise.

SSA
Unit Chief

-----Original Message-----
From:
Sent: Thursday, November 09, 2006 3:50 PM
To:
Cc:
Subject:

UNCLASSIFIED
NON-RECORD

the information below was cut and pasted directly from email.

Under the AG Order as applied to it provides :

CELL/OTD 013292

~~SECRET~~

DATE: 10-10-2012
CLASSIFIED BY 65179 DMH/MJS
REASON: 1.4 (c, d, g)
DECLASSIFY ON: 10-10-2037

[redacted]

From: [redacted]
Sent: Wednesday, February 25, 2009 11:11 AM
To: [redacted]
Cc:

Subject: [redacted]

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WHERE SHOWN OTHERWISE

~~SECRET//NOFORN~~
RECORD [redacted]

Thanks [redacted] That tracks the instructions the Director provided to me also. We are still interested in asking if [redacted]

(S) [redacted]

From: [redacted]
Sent: Tuesday, February 24, 2009 1:52 PM
To: [redacted]
Cc:

Subject: [redacted]

~~SECRET//NOFORN~~
RECORD [redacted]

First, no problem keeping everyone in the loop. From my meeting is morning, a few more bits of information for all interested.

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(S) [redacted]

[redacted]

From: [redacted]
Sent: Friday, February 20, 2009 2:41 PM
To: [redacted]

~~SECRET~~

1 CELL/OTD 013300

~~SECRET~~

Cc:

Subject:

~~SECRET//NOFORN~~
RECORD

Oops, I forgot is actually sitting in with the

. Can you make sure team is kept up to speed on any

My bad.

From:
Sent: Friday, February 20, 2009 10:35 AM
To:
Cc:

Subject:

~~SECRET//NOFORN~~
RECORD

(et al),

(S)

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Thoughts?

From:
Sent: Thursday, February 19, 2009 2:43 PM
To:
Cc:

Subject:

~~SECRET//NOFORN~~
RECORD

All, ~~SECRET~~

CELL/OTD 013301
CELLSITE-18121

~~SECRET~~

I just completed my 1:30 meeting with the folks on this end. There was quite a bit of additional information available that may have the effect of limiting some of our options.

(S)

The [redacted] has indicated that he will have no problem contacting and speaking with [redacted] for additional details. We have been asked by the management here to hold off on any action or questions until [redacted] is briefed on Tuesday at 0900. I will attend that briefing as well.

If there are additional questions, don't hesitate to bring them up.

[redacted]

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From: [redacted]
Sent: Wednesday, February 18, 2009 12:13 PM
To: [redacted]
Cc: [redacted]
Subject: [redacted]

~~SECRET//NOFORN~~
RECORD [redacted]

(S) [redacted]

From: [redacted]
Sent: Wednesday, February 18, 2009 10:33 AM
To: [redacted]
Cc: [redacted]
Subject: [redacted]

~~SECRET//NOFORN~~
RECORD [redacted]

~~SECRET~~

CELL-OTD 013302
CELLSITE-18122

~~SECRET~~

(S)

From:
Sent: Wednesday, February 18, 2009 8:35 AM
To:
Cc:
Subject:

~~SECRET//NOFORN~~
RECORD

(S)

(S)

Ideas anyone?

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From:
Sent: Tuesday, February 17, 2009 4:08 PM
To:
Cc:
Subject:

~~SECRET//NOFORN~~
RECORD

Some very interesting information from this side of the world regarding this I'll deal first with the

(S)

CELL/OTD 013503

~~SECRET~~

~~SECRET~~

To:
Cc:
Subject:

~~SECRET//NOFORN~~
RECORD

Roger that. I am coordinating this with so all are in the loop..

SSA
Unit Chief

From:
Sent: Thursday, February 12, 2009 6:44 PM
To:
Subject:

~~SECRET//NOFORN~~
RECORD

Thanks At this point, I (for the boss) simply need rough estimates of cost and probable schedules for three scenarios. Don't kill yourself on precision, just estimates:

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(S)

From:
Sent: Thursday, February 12, 2009 1:49 PM
To:
Subject:

~~SECRET//NOFORN~~
RECORD

(S)

SSA
Unit Chief

From: ~~SECRET~~

CELL-OTD 013305

CELLSITE-18125

DECLASSIFICATION EXEMPTION 1
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DATE 10-05-2012 BY 65179 DMH/MJS

[redacted]

From: [redacted]
Sent: Monday, February 26, 2007 10:07 AM
To: [redacted]
Subject: RE: Significant Guidance Document Data Call - Deadline March 16th

UNCLASSIFIED
NON-RECORD

[redacted]

We disseminated a WITT policy EC to the field a few years ago, outlining do's and don'ts for use of WITT equipment. Attached is a copy of the EC (I forgot I had a copy)

[redacted]

WITT POL.wpd

SSA [redacted]
Special Assistant to the Assistant Director
Operational Technology Division
[redacted]

-----Original Message-----
From: [redacted]
Sent: Monday, February 26, 2007 9:18 AM
To: [redacted]
Subject: RE: Significant Guidance Document Data Call - Deadline March 16th

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UNCLASSIFIED
NON-RECORD

Which policy are your referring to.

SSA [redacted]
Unit Chief
[redacted]

-----Original Message-----
From: [redacted]
Sent: Monday, February 26, 2007 8:39 AM
To: [redacted]
Cc: [redacted]
Subject: FW: Significant Guidance Document Data Call - Deadline March 16th

UNCLASSIFIED
NON-RECORD

[redacted]

Do you think the WITT policy document we produced a few years ago falls under these guidelines? Note the bullet for "purely internal agency policies." Just a thought.

[redacted]

CELL/OTD 013351 CELLSITE-18128

[redacted]
As former UC of [redacted] and in my current capacity as SAAD, I have no input.
[redacted]

SSA [redacted]
Special Assistant to the Assistant Director
Operational Technology Division
[redacted]

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b7C

-----Original Message-----
From: [redacted]
Sent: Friday, February 23, 2007 4:30 PM
To: [redacted]

Subject: Significant Guidance Document Data Call - Deadline March 16th

UNCLASSIFIED
NON-RECORD

Good Afternoon,

The revised Executive Order 12866 - Regulatory Planning and Review, signed January 18, 2007, requires Executive Branch agencies to provide copies of all "significant guidance documents" currently being circulated. Further, to provide a list of guidance documents whose determination of "significant" is uncertain and provide a recommendation as to whether the document should be so designated.

There are two hurdles a document must meet in order to be a "significant guidance document."

The first hurdle states that the "guidance document" is an agency statement of general applicability and future effect, other than a regulatory action, that sets forth a policy on a statutory, regulatory, or technical issue or an interpretation of a statutory or regulatory issue.

The second hurdle establishes the definition of a "significant guidance document" to be a guidance document disseminated to **regulated entities** or the **general public** that may reasonably be anticipated to:

(i) lead to an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

(ii) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(iii) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs, or the rights and obligations of recipients thereof; or

(iv) raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in Executive Order 12866, as further amended.

CELL/OTD 013352

CELLSITE-18129

Items which are specifically excluded as "significant guidance documents" are:

- legal advisory opinions for internal Executive Branch use and not for release (such as DOJ Legal Counsel opinions);
- briefs and other positions taken by agencies in investigations, pre-litigation, litigation, or other enforcement proceedings;
- speeches;
- editorials;
- media interviews;
- press materials;
- Congressional correspondence;
- guidance documents that pertain to military or foreign affairs function of the United States; (other than guidance on procurement or the import or export of non-defense articles and services);
- grant solicitations;
- warning letters;
- case or investigatory letters responding to complaints involving fact-specific determination;
- purely internal agency policies;
- guidance documents that pertain to the use, operation or control of a government facility;
- internal guidance documents directed solely to other Federal agencies; and
- any other category of significant guidance documents exempted by an agency head in consultation with the OIRA Administrator.

It is the belief of the Office of General Counsel (OGC) and the Corporate Policy Office (CPO) that "significant guidance documents" are more than likely never issued by the FBI or possibly in a rare occasion done by a specific program within the FBI. Therefore, in order to insure that we had fully complied with the request it was determined that FBI would request all FBIHQ divisions to make the determination as to whether "significant guidance documents" had been released. For example a guidance document was produced, for the telephone industry, with regards to complying with the specifications of CALEA.

By 3/16/2007, please provide to back to me a list and copy of all guidance documents. Negative responses are also required. The list should contain a description of each document, date, title, brief synopsis of the document and why the it was determined the document meets the threshold of "significant guidance document" or why the document is exempt from inclusion.

Thank you

Chief,

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CELL-OTD 07555

CELLSITE-18130

UNCLASSIFIED

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DATE 10-05-2012 BY 65179 DMH/MJS

[redacted]

From: [redacted]
Sent: Monday, April 02, 2007 4:54 PM
To: [redacted]
Subject: Policy ec

UNCLASSIFIED
NON-RECORD

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WITT POLicy
04-05-07.wpd

This is a second draft I'm awaiting input from [redacted] and [redacted]

[redacted]

Wireless Intercept Tracking Team (WITT),

[redacted]

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-05-2012 BY 65179 DMH/MJS

[redacted]

From: [redacted]
Sent: Tuesday, April 10, 2007 4:14 PM
To: [redacted]
Cc:
Subject: RE: authorities outline

UNCLASSIFIED
NON-RECORD

[redacted]

I revised the summary of the WITT Authorities outline [redacted]

WITT Authority
Summary 2007041..

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[redacted]
Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135
[redacted]

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SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From: [redacted]
Sent: Monday, April 02, 2007 11:09 AM
To: [redacted]
Cc:
Subject: RE: authorities outline

UNCLASSIFIED
NON-RECORD

Thanks [redacted]

In your WITT authority write up could you please expound on the [redacted]

[redacted]

<< File: WITT POLicy 04-05-07.wpd >>

[redacted]

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Wireless Intercept Tracking Team (WITT),

[redacted]

-----Original Message-----
From: [redacted]
Sent: Monday, April 02, 2007 9:04 AM
To: [redacted]
Subject: RE: authorities outline

UNCLASSIFIED
NON-RECORD

<< Message: RE: WITT approvals >> << Message: WITT authorities outline >>

-----Original Message-----
From: [redacted]
Sent: Friday, March 30, 2007 5:28 PM
To: [redacted]
Subject:

UNCLASSIFIED
NON-RECORD

Hey [redacted] do you have a soft copy of the WITT authorities you have posted on the web page not in PDF. thanks

[redacted]

Wireless Intercept Tracking Team (WITT),

[redacted]

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CELL/OTD 013374
CELLSITE-18147

~~SECRET~~

DATE: 10-09-2012
CLASSIFIED BY 65179 DMH/MJS
REASON: 1.4 (c, g)
DECLASSIFY ON: 10-09-2037

From:
Sent: Wednesday, January 23, 2008 5:32 PM
To:
Cc:
Subject:

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~~SECRET//NOFORN~~
RECORD 268-HQ-1068430

Just an update.

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(S)

DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations
DECLASSIFY ON: 20180123
~~SECRET~~//NOFORN

~~SECRET~~

CELLSITE-18154

CELLSITE-18154

~~SECRET~~

DATE: 10-05-2012
CLASSIFIED BY 65179 DMH/MJS
REASON: 1.4 (c)
DECLASSIFY ON: 10-05-2037

[redacted]

From: [redacted]
Sent: Tuesday, June 12, 2007 9:41 PM
To: [redacted]
Cc:
Subject: RE: ODNI 100 Day Plan Survey

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

~~SECRET~~
RECORD ODNI

[redacted]

Attached is my response to the ODNI survey. It's the best I could do at such short notice, and I hope I answered the questions appropriatly. Perhaps [redacted] can take a shot at it afterwards if this is not what they are looking for. Two of the questions I could not answer, and I marked them with an N/A.

[redacted]

Please call my cell phone and leave a message as I'll be locked in a SCIF all day for most of the week. [redacted] has the lead on all admin matters (writing duties). [redacted] can handle operational issues if they come up.

(S)

ODNI Survey
WITT.doc

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-----Original Message-----
From: [redacted]
Sent: Tuesday, June 12, 2007 4:34 PM
To: [redacted]
Subject: FW: ODNI 100 Day Plan Survey
Importance: High

~~SECRET~~
RECORD ODNI

[redacted] Can you please handle this one from the WITT perspective..

[redacted] Please set a tickler for the day before for completion.

SSA [redacted]
Unit Chief

[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, June 12, 2007 4:29 PM
To: [redacted]
Cc:
Subject: ODNI 100 Day Plan Survey

~~SECRET~~
RECORD ODNI
~~SECRET~~

CELL/OTD 013461
CELLSITE-18155

(S) [redacted] **FBI)** questions (A - H) beginning on page three (respond to those questions that pertain to your unit/program). Within [redacted] prepare your responses relative to the [redacted] Within [redacted] prepare your responses relative to [redacted] WITT.

Pls prepare your response using MS Word, Courier New 12 font. Deadline COB 6/13/2007.

[redacted]
Chief [redacted]

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<< File: ODNI.pdf >>

DERIVED FROM: ~~G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence~~ Investigations
DECLASSIFICATION EXEMPTION 1
SECRET

DERIVED FROM: ~~G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence~~ Investigations
DECLASSIFICATION EXEMPTION 1
SECRET

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CELL/OTD 013462
CELLSITE-18156

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DATE 10-05-2012 BY 65179 DMH/MJS

[redacted]

From: [redacted]
Sent: Monday, July 09, 2007 2:14 PM
To: [redacted]
Cc:
Subject: [redacted]

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NON-RECORD

Yes. [redacted]

[redacted]

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[redacted]
Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135

[redacted]

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

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-----Original Message-----
From: [redacted]
Sent: Monday, July 09, 2007 8:48 AM
To: [redacted]
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted] Is the below an accurate accounting of the legal policy?

SSA [redacted]
Unit Chief

[redacted]

-----Original Message-----
From: [redacted]
Sent: Monday, July 09, 2007 7:59 AM
To: [redacted]
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

CELL/OTD 013466
CELLSITE-18160

Did you see this? I am going to look into it some more, but wanted to pass it along.

[redacted]

SSA [redacted]
Unit Chief
[redacted]

-----Original Message-----
From: [redacted]
Sent: Thursday, July 05, 2007 9:27 AM
To: [redacted]
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

FYI -
Not sure if you all saw this. Thought it of most concern regarding the [redacted]

[redacted]

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UNCLASSIFIED

CELL/OTD 013469

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-05-2012 BY 65179 DMH/MJS

[redacted]

From: [redacted]
Sent: Thursday, July 26, 2007 12:13 PM
To: [redacted]
Cc:
Subject: WITT CDC Presentation

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

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Attached is the portion of the CDC presentation that WITT personnel will handle. We would like all other items (slides) that were addressed in the original presentation to be handled by OGC. After the demonstration would be the best time to pick questions and issues concerning the [redacted]

Please contact [redacted] and we will coordinate accordingly for a run-through of the material.

Please note that our personnel will not be available on Friday for meetings as we will be off-site.

[redacted]

cdc august 2 2007_edit.ppt

SENSITIVE BUT UNCLASSIFIED

WITT: Wireless Intercept & Tracking Team

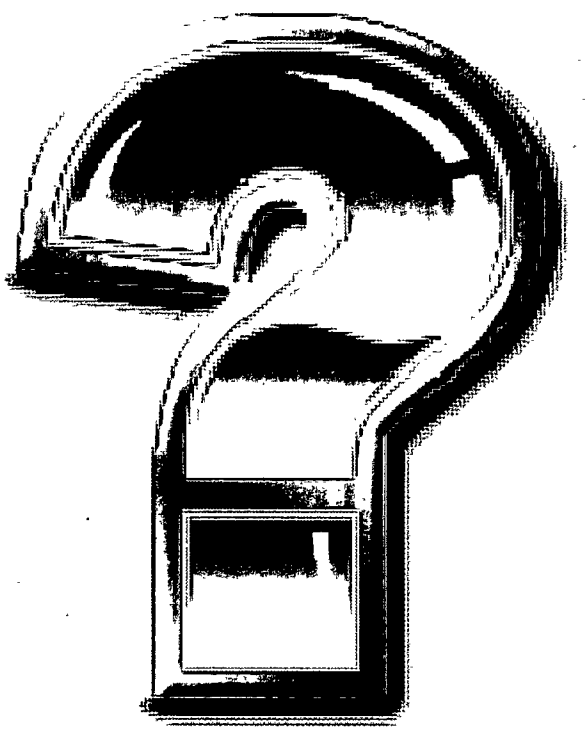
A Cell Site Simulator

CELL/OTD 013488

WITT Demonstration

CELL/OID 015495

QUESTIONS?



CELL/OTD 013490

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-05-2012 BY 65179 DMH/MJS

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[redacted]

From: [redacted]
Sent: Tuesday, July 31, 2007 10:10 AM
To: [redacted]

UNCLASSIFIED
NON-RECORD

WITT POL2.wpd

UNCLASSIFIED

CELL/OTD 013497

CELLSITE-18187

DATE: 10-05-2012
CLASSIFIED BY 65179 DMH/MJS
REASON: 1.4 (c, d, g)
DECLASSIFY ON: 10-05-2037

[redacted]

From: [redacted]
Sent: Thursday, December 18, 2008 3:50 PM
To: [redacted]
Subject: RE: Letter

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~//NOFORN
RECORD 268-HQ-1068430

FYI - please forward as necessary.

(S) [redacted]

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From: [redacted]
Sent: Thursday, December 18, 2008 1:36 PM
To: [redacted]
Subject: FW: Letter

~~SECRET~~//NOFORN
RECORD 268-HQ-1068430

SSA [redacted]
Unit Chief
[redacted]

From: [redacted]
Sent: Tuesday, December 16, 2008 7:25 AM
To: [redacted]
Subject: FW: Letter

~~SECRET~~//NOFORN
RECORD 268-HQ-1068430

CELLSITE [redacted]

All,

(S) See below letter signed out by the DD yesterday reiterating our objection to the release of [redacted]

If we hear anything back from the [redacted] I will get you guys a copy.

Thanks,

[redacted]

From: [redacted]
Sent: Monday, December 15, 2008 5:50 PM
To: [redacted]
Subject: Letter

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RECORD 268-HQ-1068430

<< File: DRAFT Letter from FBI to [redacted]

[redacted]
Administrative Assistant
Executive Assistant Director - Science & Technology
FBIHQ - Room 7125
[redacted]

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CELL/DTD 013523

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FOI/PA
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DECLASSIFIED BY 65179 DMH/rs
ON 10-04-2012

From:
Sent: Wednesday, November 12, 2008 11:40 AM
To:
Subject: FW: Proposals and Summaries for October 29

~~SECRET~~
RECORD 319O9-HQ-A1487622-OTD

I am sending this message in response to your request for from the last Board (October 29 I assume). There were a number of files in the below message. Can I help you narrow your search?

From:
Sent: Friday, October 24, 2008 3:32 PM
To:
Cc:
Subject: Proposals and Summaries for October 29

~~SECRET~~
RECORD 319O9-HQ-A1487622-OTD

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The first meeting for FY09 is scheduled for Wednesday, October 29 at 1:00 in the ERF Main Conference Room. b3
members include the Assistant Section Chiefs or designated representatives b5
Proposals reviewed at this meeting will be competing for the funding provided by the b6
and come from only two units, b7C

I am sending you the draft agenda showing the proposals to be reviewed. I am also including summaries of the b7E
6 proposals and the entire proposal text for 5. One proposal was partially funded in FY08 from the and was required to provide only a quad-chart summary with its request for FY09 second-increment funding.

I will also be providing the summaries to subject matter experts listed on the agenda. Feel free to have me add names to the list if there are others whom you wish to have participate in the October 29 meeting.

Thank you!

CELL-OTD 013528

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~~SECRET~~

From:
Sent: Friday, November 14, 2008 7:26 AM
To:

Subject: FW: Draft for your review (S)
Attachments:

~~SECRET~~
RECORD

(U) (S) Pls see the attached proposed draft This will most likely be brought up in the briefing session this morning.

b1
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From:
Sent: Thursday, November 06, 2008 2:53 PM
To:
Cc:
Subject: Draft for your review

~~SECRET~~
RECORD Draft

~~SECRET~~

CELL/OTD 013777

CELLSITE-3846

[redacted]

Attached is a draft of the upcoming [redacted] Please review the entire document for accuracy and let us have your comments by COB next Wednesday, November 12.

Note: the discussion regarding the [redacted] appears toward the end of the attached document.

-- Because of problems with [redacted] on our end, please send me an e-mail confirming that you received the attached draft.

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Thanks

[redacted]

[redacted]

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are addressed. If you have received this email in error please notify

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DECLASSIFICATION EXEMPTION 1
SECRET

CELL/OTD 01B778

DECLASSIFIED BY 65179 DMH/rs
ON 10-09-2012

[redacted]

From: [redacted]
Sent: Friday, November 14, 2008 8:08 AM
To: [redacted]
Subject: FW: Draft for your review

~~SECRET~~
~~RECORD~~ Draft [redacted]

[redacted]

From: [redacted]
Sent: Thursday, November 06, 2008 3:15 PM
To: [redacted]
Subject: FW: Draft for your review

~~SECRET~~
~~RECORD~~ Draft [redacted]

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Guys please look at the second e-mail from [redacted] attached, not yesterday's, because there have been modifications! I will re read it myself tonight. They want to get this to [redacted] ASAP. They we by COB tomorrow either sign off on this to [redacted] or provide our objections. I think they did a nice good for us.

[redacted] are on for the [redacted] you discussed last week. You will have ten minutes.

Thanks

[redacted]
Assistant General Counsel
[redacted]
Office of General Counsel FBI
[redacted]

From: [redacted]
Sent: Thursday, November 06, 2008 2:53 PM
To: [redacted]
Cc:
Subject: Draft for your review

~~SECRET~~
~~RECORD~~ Draft [redacted]

CELL/OTD 013793

[redacted]

Attached is a draft of the upcoming [redacted] Please review the entire document for accuracy and let us have your comments by COB next Wednesday, November 12.

Note: the discussion regarding the expanded [redacted] appears toward the end of the attached document.

-- Because of problems with [redacted] on our end, please send me an e-mail confirming that you received the attached draft.

Thanks,

[redacted]

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[redacted]

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DATE 10-09-2012 BY 65179 DMH/rs

From:
Sent: Friday, November 14, 2008 4:41 PM
To:
Cc:
(U) **Subject:** FW: Draft for your review (S)
Attachments:

~~SECRET//NOFORN~~
RECORD 319

Pls review the attached revised language for technical accuracy. Deadline 11am on Monday 11/17.
Thanks,

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From:
Sent: Friday, November 14, 2008 2:14 PM
To:
Cc:
(U) **Subject:** RE: Draft for your review (S)

~~SECRET//NOFORN~~
RECORD 319

Sorry attachment fell off earlier e-mail

Assistant General Counsel
Office of General Counsel FBI

From:
Sent: Friday, November 14, 2008 1:44 PM
To:
Cc:
(U) **Subject:** RE: Draft for your review (S)

~~SECRET~~

~~SECRET//NOFORN~~
RECORD 319

Reviewed changes and rejected on number of them. See attached.

[redacted]

[redacted]
Assistant General Counsel
[redacted]
Office of General Counsel FBI
[redacted]

(S) [redacted]

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From [redacted]
Sent: Thursday, November 06, 2008 2:53 PM
To [redacted]
Cc
Subject: Draft for your review

~~SECRET~~
RECORD Draft [redacted]

[redacted]
Attached is a draft of the upcoming [redacted] Please review the entire document for accuracy and let us have your comments by COB next Wednesday, November 12.

~~SECRET~~

CELL/OTD 013860

CELLSITE-3929

~~SECRET~~

Note: the discussion regarding the expanded [redacted] appears toward the end of the attached document.

-- Because of problems with [redacted] on our end, please send me an e-mail confirming that you received the attached draft.

Thanks,

[redacted]

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[redacted]

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DERIVED FROM: Multiple Sources
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CELL/OTD 013861
CELLSITE-3930

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DATE 10-10-2012 BY 65179 DMH/rs

IT Acquisition Form

Section 7 Attachment

Requirements Analysis

[redacted]

The Wireless Intercept and Tracking Team (WITT), in support [redacted]

[redacted] efforts undertaken by WITT have determined [redacted]

[redacted] WITT has identified an essential and critical need for upgrades as specified in requisition [redacted]

Analysis of Alternatives

[redacted]

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b7E

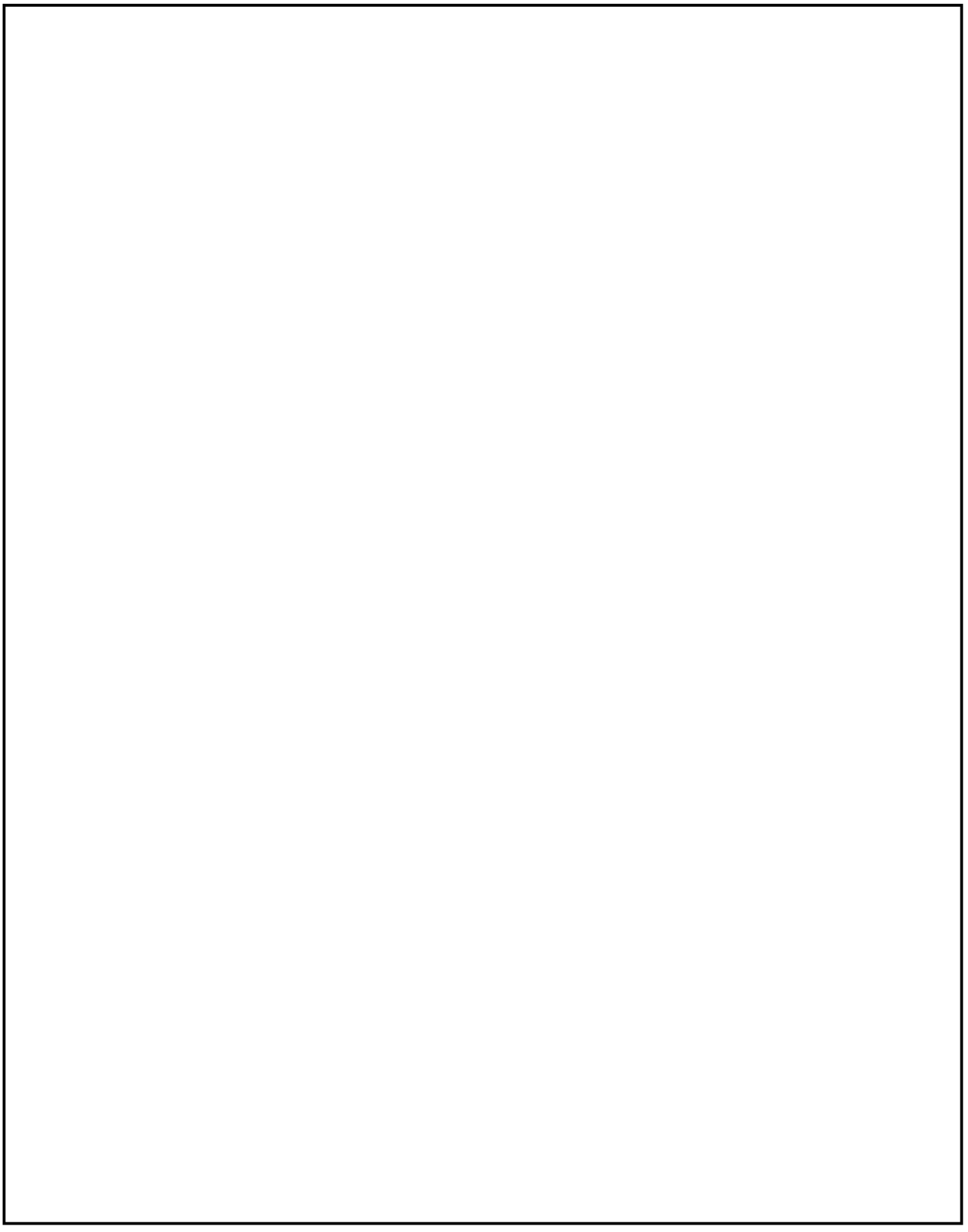
Section 508 Statement

[redacted] Wireless Intercept and Tracking Team conducted an evaluation of the systems and have submitted the following comments regarding compliance of Section 508 requirements.

[redacted]

Subpart B -- Technical Standards

[redacted]



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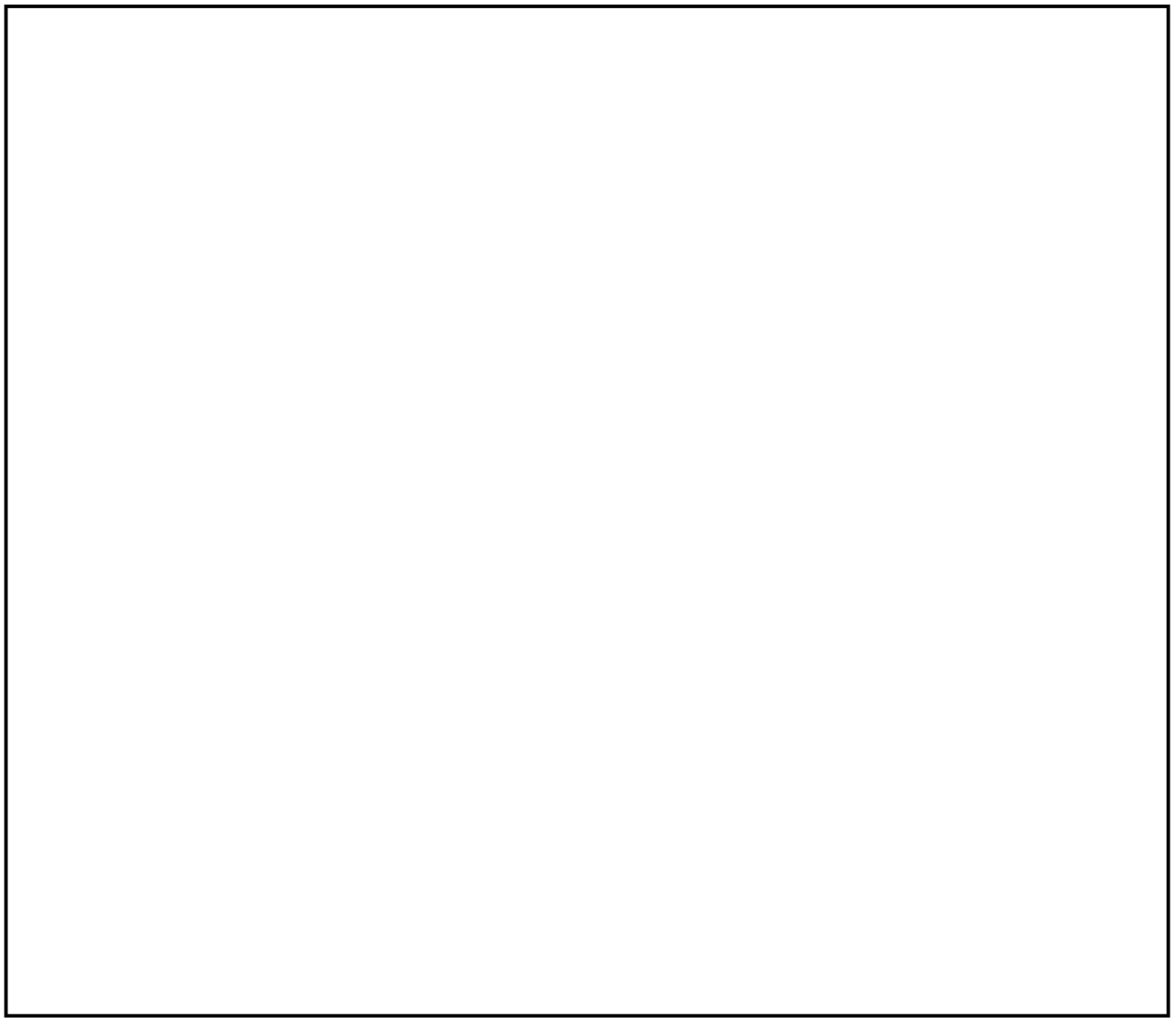
Subpart C – Functional Performance Criteria



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Subpart D – Information, Documentation, and Support

(a) Documentation is offered in hardcopy (paper) as well as softcopy (CD) at no additional charge.
(b) End users are instructed in the product features, visually or through instruction verbally at request, at no additional charge.
(c) Support services accommodate the communication needs of end-users with disabilities.

System Security Plan

A System Security Plan has been completed and in place for use of the [ ] [ ]EC dated 06/30/2004 from Security Division has been attached to requisition package [ ]

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DATE 10-10-2012 BY 65179 DMH/rs

REQ. #

5/15/2007
DATE

ORDERING OFFICE/COST CODE APPROVED BY

Page 1 OF 1

JULIAN DATE

Supply Technician:
Program Manger:
Funding Approved:
Requester:
Room# & Ext:

Fiscal Year 2007

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order#

CELLSITE-014725

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
			Recommend by: Unit Chief						
			Requested by/Deliver to: Federal Bureau of Investigation						
			ERF Building 27958A, Quantico, VA22135						
			Attn:					Total	

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SPECIAL INSTRUCTION:
Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:

See attached Statement of Need

CELLSITE-3980

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DATE 10-10-2012 BY 65179 DMH/rs

[redacted]

ACQUISITION PLANNING FORM

[redacted]

FEDERAL BUREAU OF INVESTIGATION

1. Unit/Section/Division: [redacted] OTD

2. Description of Requirement: [redacted] Wireless Intercept and Tracking Team (WITT)

b3
b7E

3. Estimated Cost: [redacted]

4. Term of Contract: 1 Year

5. Distribution of Dollars: FY- 07 (100%)
FY-_____ FY-_____
FY-_____ FY-_____

6. Subobject Class/Budget Item: [redacted]
Product or Service Code: _____

7. Market Research (state how performed & attach): Existing Contract

Commercial Item: ☐ Yes ☐ No Competitive: ☐ Yes ☐ No
If no to one or more above, explain: _____

8. Sources Considered:
☐ FBI Personnel ☐ Other Government Personnel ☐ Required Sources
☐ 100% Small Bus. ☐ 8a Setaside ☐ Disadvantaged (FAR Part 8)
☐ Hubzone ☐ Women-owned ☐ Other Federal Contracts
☐ A-76

9. If Information Technology: ☐ IRM Review ☐ AIS Approval

10. Type of Procurement:
☐ Brand Name Only ☐ Brand Name or Equal ☐ Performance-Based Service Contract
☐ Functional Specifications ☐ Commercial Item ☐ Compatibility

11. Contract Type:
☐ Firm-Fixed Price ☐ (IFB) ☐ RFP ☐ RFQ ☐ IDIQ Contract
☐ Firm-Fixed Price w/Economic Adj. ☐ Reimbursable Agreement ☐ Time & Material
☐ Cost-Reimbursement ☐ Incentive ☐ BOA ☐ Letter Contract (DOJ Approval)

12. Lease vs Purchase (if lease, analysis attached):

13. Environmentally Preferable Item: ☐ Yes ☐ No

14. Inherently Government Function (justified): ☐ Yes ☑ No

15. Lead Time Required: _____ To be filled in by Contracting Officer

Approval:

_____ Technical Staff Member/(date)

_____ Budget Staff Member/(date)

_____ Legal Review (If applicable)/(date)

_____ Contracting Officer or CCO/(date)

FBI/DOJ

CELLSITE-3985

CELL/OTD 014732

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-10-2012 BY 65179 DMH/rs

REQ. #

12/1/2006
DATE

ORDERING OFFICE/COST CODE APPROVED BY

JULIAN DATE

Supply Technician:
Program Manger:
Funding Approved:
Requester:
Room# & Ext:

Fiscal Year 2007

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order#

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
			Recommend by: Unit Chief						
			Requested by/Deliver to: Federal Bureau of Investigation						
			ERF Building 27958A, Quantico, VA22135					Total	
			Attn:						

SPECIAL INSTRUCTION:
Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:

See attached EC

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CELL/OTD 014733

CELLSITE-3986

(Rev. 01-31-2003)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-10-2012 BY 65179 DMH/rs

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 12/01/2006

To: Finance **Attn:**

From: Operational Technology

Contact:

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request that the

Enclosure(s): FD-369

Details:

Wireless Intercept and Tracking Team (WITT) supports the Bureau's

WITT continues

b3
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CELL/OTD 014738

CELLSITE-3991

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 12/01/2006

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

The Engineering Contracts Unit (ECU) is requested to approve funding for continued [redacted] Funding for this request is available using budget code [redacted] sub-object class [redacted]

CC: [redacted]

♦♦

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[redacted]

CELL/OTD 014740

CELLSITE-3993

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-10-2012 BY 65179 DMH/rs

[redacted]

ACQUISITION PLANNING FORM

[redacted]

FEDERAL BUREAU OF INVESTIGATION

1. Unit/Section/Division: [redacted] OTD

2. Description of Requirement: [redacted] Wireless Intercept and Tracking Team (WITT)

b3
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3. Estimated Cost: [redacted]

4. Term of Contract: 1 Year

5. Distribution of Dollars: FY- 07 (100%)
FY-_____ FY-_____
FY-_____ FY-_____

6. Subobject Class/Budget Item: [redacted]
Product or Service Code: _____

7. Market Research (state how performed & attach): Existing Contract

Commercial Item: ☐ Yes ☐ No Competitive: ☐ Yes ☐ No
If no to one or more above, explain: _____

8. Sources Considered: ☐ FBI Personnel ☐ Other Government Personnel ☐ Required Sources
☐ 100% Small Bus. ☐ 8a Setaside ☐ Disadvantaged (FAR Part 8)
☐ Hubzone ☐ Women-owned ☐ Other Federal Contracts
☐ A-76

9. If Information Technology: ☐ IRM Review ☐ AIS Approval

10. Type of Procurement: ☐ Brand Name or Equal ☐ Performance-Based Service Contract
☐ Brand Name Only ☐ Functional Specifications ☐ Commercial Item ☐ Compatibility

11. Contract Type: ☐ Firm-Fixed Price ☐ (IFB) ☐ RFP ☐ RFQ ☐ IDIQ Contract
☐ Firm-Fixed Price w/Economic Adj. ☐ Reimbursable Agreement ☐ Time & Material
☐ Cost-Reimbursement ☐ Incentive ☐ BOA ☐ Letter Contract (DOJ Approval)

12. Lease vs Purchase (if lease, analysis attached):

13. Environmentally Preferable Item: ☐ Yes ☐ No

14. Inherently Government Function (justified): ☐ Yes ☑ No

15. Lead Time Required: _____ To be filled in by Contracting Officer

Approval: _____
Technical Staff Member/(date)

_____
Budget Staff Member/(date)

_____
Legal Review (If applicable)/(date)

_____
Contracting Officer or CCO/(date)

CELL/OTD 014741

CELLSITE-3994

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-10-2012 BY 65179 DMH/rs

REQ. #

2/1/2007
DATE

ORDERING OFFICE/COST CODE APPROVED BY

JULIAN DATE

Supply Technician:
Program Manger:
Funding Approved:
Requester:
Room# & Ext:

Fiscal Year 2007

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order#

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
			Recommend by: Unit Chief						
			Requested by/Deliver to: Federal Bureau of Investigation						
			ERF Building 27958A, Quantico, VA22135						
			Attn					Total	

SPECIAL INSTRUCTION:
Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:

See attached EC

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CELLSITE-3995

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-10-2012 BY 65179 DMH/rs

ACQUISITION PLAN

[redacted]

FEDERAL BUREAU OF INVESTIGATION

1. Unit/Section/Division: [redacted] /OTD

2. Description of Requirement: [redacted]

[redacted]

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b7E

3. Estimated Cost: ( ) [redacted]

4. Term of Contract: 1 Year

5. Distribution of Dollars: FY- 07 [redacted]
FY- _____ FY- _____
FY- _____ FY- _____

6. Subobject Class/Budget Item: [redacted]
Product or Service Code: n/a

7. Market Research (state how performed & attach): _____

Commercial Item: ☐ Yes ☐ No Competitive: ☐ Yes ☐ No
If no to one or more above, explain: [redacted]

8. Sources Considered:
- ☒ FBI Personnel
- ☐ Other Government Personnel
- ☐ Required Sources (FAR Part 8)
- ☐ 100% Small Bus.
- ☐ 8a Set aside
- ☐ Disadvantaged (FAR Part 8)
- ☐ Hubzone
- ☐ Women-owned
- ☒ Other Federal Contracts
- ☐ A-76

9. If Information Technology: ☐ IRM Review ☐ AIS Approval

10. Type of Procurement:
- ☐ Brand Name Only
- ☐ Commercial Item
- ☐ Functional Specifications
- ☐ Brand Name or Equal
- ☐ Compatibility
- ☐ Performance-Based Service Contract

11. Contract Type:
- ☐ BOA
- ☐ IDIQ Contract
- ☐ Reimbursable Agreement
- ☒ Cost-Reimbursement
- ☐ (IFB)
- ☐ RFP
- ☐ Firm-Fixed Price
- ☐ Incentive
- ☐ RFQ
- ☐ Firm-Fixed Price w/Economic Adj.
- ☐ Letter Contract (DOJ Approval)
- ☐ Time and Material

12. Lease vs Purchase (if lease, analysis attached): No

13. Environmentally Preferable Item: ☐ Yes ☒ No

14. Inherently Government Function (justified): ☐ Yes ☒ No

15. Lead Time Required: _____ To be filled in by Contracting Officer.

Approval: _____ _____
Technical Staff Member/(date) Budget Staff Member/(date)

_____ _____
Legal Review (If applicable)/(date) Contracting Officer or CCO/(date)

CELL/OTD 014743

CELLSITE-3996

(Rev. 01-31-2003)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-10-2012 BY 65179 DMH/rs

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 2/01/2007

To: Finance **Attn:**

From: Operational Technology

Contact:

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request that the Engineering Contracts Unit (ECU) approve funding to

Enclosure(s): FD-369,

Details:

Wireless Intercept and Tracking Team (WITT) supports the Bureau's

WITT continues

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To: Finance From: Operational Technology
Re: 268-HQ-1068430, 2/01/2007

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

The Engineering Contracts Unit (ECU) is requested to approve funding for [redacted] Funding of [redacted] for this request is available using budget code [redacted], sub-object class [redacted]

CC: [redacted]

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[redacted]

CELL/010 014750

CELLSITE-4003

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-10-2012 BY 65179 DMH/rs

Statement of Work

[redacted] Wireless Intercept and Tracking Team Program

1.0 Introduction

1.1 Organization

This Statement of Work is for the provision of services to the U.S. Department of Justice, Federal Bureau of Investigation (FBI), Operational Technology Division (OTD)

1.1.1 Identification and Address

United State Department of Justice
Federal Bureau of Investigation
Engineering Research Facility, Building 27958A
Quantico, VA 22135

1.2 Scope

The scope of this requirement includes [redacted] b3 b7E

[redacted]

1.3 Background

[redacted]

2.0 Task

2.1 This is an Indefinite Delivery/Infinite Quantity (IDIQ) Contract, anticipated to be awarded as an FBI Contract consisting of one base year, and two option years. The value of this contract will [redacted]

2.2 Procurement of Equipment and Services

Contractor will provide [redacted] The customer will initiate procurement requests via delivery tasking, and contractor invoicing will be accomplished through FBI Contracting Office personnel.

3.0 Administrative Considerations

3.1 Contact Persons

The FBI's Contracting Officer (CO), Contract Specialist (CS), and the Contracting Officer's Technical Representative (COTR) will perform the administration and monitoring of this Work. The COTR will provide all the technical assistance and clarification required, through completion of this Work. FBI contact persons for this Work are as follows:

3.1.1 FBI Contracting Officer (CO)

To be determined

3.1.2 FBI Contract Specialist (CS)

To be determined

3.1.3 Contracting Officer's Technical Representative (COTR)

(To be determined)
Contracting Officer's Technical Representative
Federal Bureau of Investigation (FBI)
Engineering Research Facility
Building # 27958A
Quantico, VA 22135

3.2 Period of Performance

The period of performance will commence from the date of task award to 12 months with one (2) 12-month options.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-11-2012 BY 65179 DMH/rs

CELL/OTD 014759

REQ. #

7/13/2006
DATE

ORDERING OFFICE/COST CODE APPROVED BY

JULIAN DATE

Supply Technician:
Program Manger:
Funding Approved:
COTR:
Room# & Ext:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order#

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
			Recommend by: Unit Chief						
			Requested by/Deliver to: Federal Bureau of Investigation						
			ERF Building 27958A, Quantico, VA22135						
			Attn:					Total	

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SPECIAL INSTRUCTION:
Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:

See Attached EC

CELLSITE-4012

(Rev. 01-31-2003)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-11-2012 BY 65179 DMH/rs

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 11/28/2006

To: Finance **Attn:**

Attn:

From: Operational Technology

Contact:

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request that the Engineering Contracts Unit (ECU) initiate payment for the enclosed requisition.

Enclosure(s): Price Estimates, FD-369 in the amount of

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Details:

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 11/28/2006

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

[redacted] requests that the ECU issue payment action against the attached FD-369 to [redacted] Funding for the amount of [redacted] is available using Budget Item [redacted] Subobject Class [redacted]

Set Lead 2: (Action)

[redacted]

AT WASHINGTON, DC

[redacted] requests that [redacted] approve the expenditure of funds for this effort. Funding for the amount of [redacted] is available using Budget Item [redacted] Subobject Class [redacted]

CC: [redacted]

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[redacted]

CELL/OTD 014789

CELLSITE-4033

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

DATE: 10-11-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 10-11-2037

Justification for Other Than Full and Open Competition In Accordance With 41 U.S.C. 253 (c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI) Operational Technology Division (OTD). The contracting activity is the Engineering Contracts Unit (ECU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(U) The proposed acquisition strategy is to award a non-competitive contract effort for

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

The FBI's Wireless Intercept and Tracking Team (WITT)

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(U) is requesting this sole source procurement with The proposed procurement is Requisition in the amount of has been submitted to fund the requirement.

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

~~SECRET~~

(S)

6. **DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE**

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would

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7. **DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE**

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. **A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED**

9. **ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION**

(U) See paragraph (5) above for facts

supporting the use of other then full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-11-2012 BY 65179 DMH/rs

CELL/OTD 014799

REQ. #

11/8/2006
DATE

ORDERING OFFICE/COST CODE APPROVED BY

Page 1 OF 1

JULIAN DATE

Supply Technician:
Program Manger:
Funding Approved:
COTR:
Room# & Ext:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order#

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
			Recommend by: Unit Chief						
			Requested by/Deliver to: Federal Bureau of Investigation						
			ERF Building 27958A, Quantico, VA22135						
			Attn:					Total	

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SPECIAL INSTRUCTION:
Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:

See Attached EC

CELLSITE-4043

(Rev. 01-31-2003)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-11-2012 BY 65179 DMH/rs

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY **Date:** 11/08/2006

To: Finance **Attn:**

Operational Technology **Attn:**

From: Operational Technology

Contact:

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: Wireless Intercept and Tracking Team requests finance division initiate procurement action for

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Enclosure(s): FD-369 in the amount of

Details: The Wireless Intercept and Tracking Team (WITT)

WITT

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 11/08/2006

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

[redacted] Wireless Intercept and Tracking Team requests finance division initiate procurement action [redacted]

[redacted]

CC: [redacted]

♦♦

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[redacted]

CELL/OTD [redacted] CELLSITE-4046

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-11-2012 BY 65179 DMH/rs

ACQUISITION SECURITY REQUEST

Request Date:	Anticipated Procurement Date:

VENDOR INFORMATION

☐ **Reseller With Access to FBI Facilities** ☑ **Reseller With No Access to FBI Facilities**

Vendor Name:	
Vendor Address:	

☐ **Manufacturer** ☐ **Hardware** ☐ **Software** ☐ **Maintenance**

Vendor Name:	
Vendor Address:	

☐ **Contractor Providing Classified Services** ☐ **DD Form 254 Required**

Vendor Name:	
Vendor Address:	

PRODUCT/SERVICES INFORMATION

☐ **FISMA System** ☐ **Critical Asset System** ☐ **Telecommunications** ☐ **Audiovisual**

1. Products being procured (list the specific hardware / software / services in detail)	
2. What entity will be purchasing and using the product (Location, Division, Section, Unit, and Program)?	
4. Highest Classification / Security Requirements (i.e. Top Secret, Top Secret SCI, Secret, SBU, LES, etc.)	Unclassified
5. Who is installing and maintaining the equipment/software (FBI personnel, vendor, other)?	N/A – Vendor Provided Service
6. Will the vendor require access to classified information/systems?	No access required

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PROCUREMENT INFORMATION

Contracting Officer Name/ Phone:	
FBI COTR Name/Phone:	
Program Manager/Technical POC:	
Requisition Number:	
Purchase Order Number:	
Contract Number:	

DOCUMENTATION ATTACHED

☐ Answers to the Acquisition Risk Questions (the replacement for the SF-328)
☐ Key Management Personnel Listing (KMPL)
☐ FD-369 Requisition for Supplies and/or Equipment
☐ Statement of Work (SOW) – Required if a classified contract

PRIORITY

All requests will be handled by date received by ASU unless specific issues affecting the priority, i.e. Director's Priority, are specifically provided in writing by the Contracting Officer.

Comments:

CELL/OTD 014804

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 10-11-2012
CLASSIFIED BY 65179 DMH/ra
REASON: 1.4 (c, g)
DECLASSIFY ON: 10-11-2037

Justification for Other Than Full and Open Competition In Accordance With 41 U.S.C. 253 (c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI), [redacted] Operational Technology Division (OTD). The contracting activity is the Finance Division, Engineering Contracts Unit (ECU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(U) The proposed acquisition strategy is to award a non-competitive contract effort for [redacted]

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(S) [redacted]

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(U) [redacted] is requesting this sole source procurement with [redacted] for the procurement of annual [redacted] The proposed procurement is [redacted]

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

(S)

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6. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would

7. DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED

[redacted]

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b7E

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

(U) [redacted] See paragraph (5) above for facts supporting the use of other then full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[ ] Contracting Officer's Technical Representative (Date)

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(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

_____

, Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

_____

, Supervisory Contracting Officer (Date)

_____

_____

, FBI Chief Contracting Officer (Date)

_____

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-11-2012 BY 65179 DMH/rs

STATEMENT OF NEED

REQUISITION for Goods or Service

Date: March 6, 2012

Drafted by:

Requisition Title:

Requisition Amount

Justification of Need: (*Provide brief overview*)

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b7E

Description of Requirements: (*Provide brief description*):

Is this requisition for the current fiscal year? ☒ **Yes or** ☐ **No**

Is this requisition for:

Please identify the type of goods/services being acquired:

Is this a new or existing requirement? ☐ **New or** ☒ **Existing**

Is the current contract/order expiring? ☐ **Yes or** ☒ **No** ***Contract #***

Are additional divisions coordinating on this requirement? ☐ **Yes or** ☒ **No**

Is a sole source or limited competition requested? ☒ **Yes or** ☐ **No**

Do you have a task order number? ☐ **Yes or** ☒ **No**

CELLSITE-4057

CELL/OTD 014829

Is this a classified acquisition? ☒ **Yes or** ☐ **No** ***Classification:* FOUO//LES**

Was market research conducted? ☒ **Yes or** ☐ **No**

Is this requirement a bona fide need? ☒ **Yes or** ☐ **No**

Is this requirement on your spend plan? ☒ **Yes or** ☐ **No**

CELLSITE-4058

CELL/OTD 014830

DECLASSIFIED BY 65179 DMH/rs
ON 10-11-2012

STATEMENT OF NEED

REQUISITION for Goods or Service

Date: April 12, 2012

Drafted by:

Requisition Title:

Requisition Amount:

(U) **Justification of Need:** (*Provide brief overview*): **(SECRET//NOFORN/FOUO)**

(U) **Description of Requirements:** (*Provide brief description*): **(SECRET//NOFORN/FOUO)**

b3
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Is this requisition for the current fiscal year? ☒ **Yes or** ☐ **No**

Is this requisition for:

Please identify the type of goods/services being acquired

Is this a new or existing requirement? ☐ **New or** ☒ **Existing**

Is the current contract/order expiring? ☐ **Yes or** ☒ **No** ***Contract #:***

Are additional divisions coordinating on this requirement? ☐ **Yes or** ☒ **No**

Is a sole source or limited competition requested? ☒ **Yes or** ☐ **No**

Do you have a task order number? ☐ Yes or ☒ No

Is this a classified acquisition? ☒ Yes or ☐ No *Classification: ~~SECRET//NOFORN/FOUO~~

Was market research conducted? ☒ Yes or ☐ No

Is this requirement a bona fide need? ☒ Yes or ☐ No

Is this requirement on your spend plan? ☒ Yes or ☐ No

CELL/OTD 014832

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-11-2012 BY 65179 DMH/rs

STATEMENT OF NEED

REQUISITION for Goods or Service

Date: March 6, 2012

Drafted by:

Requisition Title:

Requisition Amount:

Justification of Need: (*Provide brief overview*):

Description of Requirements: (*Provide brief description*):

b3
b6
b7C
b7E

Is this requisition for the current fiscal year? ☒ **Yes or** ☐ **No**

Is this requisition for

Please identify the type of goods/services being acquired

operation

Is this a new or existing requirement? ☐ **New or** ☒ **Existing**

Is the current contract/order expiring? ☐ **Yes or** ☒ **No** ***Contract***

Are additional divisions coordinating on this requirement? ☐ **Yes or** ☒ **No**

Is a sole source or limited competition requested? ☒ Yes or ☐ No

Do you have a task order number? ☐ Yes or ☒ No

Is this a classified acquisition? ☒ Yes or ☐ No ***Classification:* FOUO//LES**

Was market research conducted? ☒ Yes or ☐ No

Is this requirement a bona fide need? ☒ Yes or ☐ No

Is this requirement on your spend plan? ☒ Yes or ☐ No

CELL/OTD 014834

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DATE: 10-11-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 10-11-2037

Justification for Other Than Full and Open Competition
In Accordance With 41 U.S.C. 253 (c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI) [redacted] Operational Technology Division (OTD). The contracting activity is the FBI Finance Division (FD) and Engineering Contracts Unit (ECU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(U) The proposed acquisition strategy is to award a non-competitive contract effort for [redacted]

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(S) [redacted]

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4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory

authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

(S)

6. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would

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7. DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED

[redacted]

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b7E

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

[redacted] See paragraph (5) above for facts supporting the use of other then full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Contracting Officer's Technical Representative (Date)

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

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b7C

[redacted] Contracting Officer (Date)

Is a sole source or limited competition requested? ☒ Yes or ☐ No

Do you have a task order number? ☐ Yes or ☒ No

Is this a classified acquisition? ☒ Yes or ☐ No **Classification:* ~~Secret//NOFORN~~

Was market research conducted? ☐ Yes or ☒ No

Is this requirement a bona fide need? ☒ Yes or ☐ No

Is this requirement on your spend plan? ☒ Yes or ☐ No

ALL INFORMATION CONTAINED
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DATE 10-11-2012 BY 65179 DMH/rs

ACQUISITION SECURITY REQUEST

Request Date:	Anticipated Procurement Date:

VENDOR INFORMATION

☐ **Reseller With Access to FBI Facilities** ☐ **Reseller With No Access to FBI Facilities**

Vendor Name:	
Vendor Address:	

☐ **Manufacturer** ☐ **Hardware** ☐ **Software** ☐ **Maintenance**

Vendor Name:	
Vendor Address:	

☐ **Contractor Providing Classified Services** ☐ **DD Form 254 Required**

Vendor Name:	
Vendor Address:	

PRODUCT/SERVICES INFORMATION

☐ **FISMA System** ☐ **Critical Asset System** ☐ **Telecommunications** ☐ **Audiovisual**

1. Products being procured (list the specific hardware / software / services in detail)	
2. What entity will be purchasing and using the product (Location, Division, Section, Unit, and Program)?	OTD
4. Highest Classification / Security Requirements (i.e. Top Secret, Top Secret SCI, Secret, SBU, LES, etc.)	Unclass
5. Who is installing and maintaining the equipment/software (FBI personnel, vendor, other)?	FBI Personnel
6. Will the vendor require access to classified information/systems?	no

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PROCUREMENT INFORMATION

Contracting Officer Name/ Phone:	
FBI COTR Name/Phone:	
Program Manager/Technical POC:	
Requisition Number:	
Purchase Order Number:	
Contract Number:	

DOCUMENTATION ATTACHED

☐ Answers to the Acquisition Risk Questions (the replacement for the SF-328)
☐ Key Management Personnel Listing (KMPL)
☐ FD-369 Requisition for Supplies and/or Equipment
☐ Statement of Work (SOW) – Required if a classified contract

PRIORITY

All requests will be handled by date received by ASU unless specific issues affecting the priority, i.e. Director's Priority, are specifically provided in writing by the Contracting Officer.

Comments:

CELL/OTD 014843

Revised 07/01/08

Return to Acquisition Security Unit, PA-555
Unclassified Fax

CELLSITE-4071

(U) Questions

(U) Any other questions or specific technical detail questions should be directed towards point of contact listed above.

Derived From : FBI NSISCG-20090615
Declassify On: 20370105

Is this a new or existing requirement? ☐ New or ☒ Existing

Is the current contract/order expiring? ☐ Yes or ☒ No *Contract #:

b3
b7E

Are additional divisions coordinating on this requirement? ☐ Yes or ☒ No

Is a sole source or limited competition requested? ☒ Yes or ☐ No

Do you have a task order number? ☐ Yes or ☒ No

Is this a classified acquisition? ☐ Yes or ☒ No *Classification: ~~Secret//NOFORN~~

Was market research conducted? ☐ Yes or ☒ No

Is this requirement a bona fide need? ☒ Yes or ☐ No

Is this requirement on your spend plan? ☒ Yes or ☐ No

To: Finance From: Operational Technology Division
Re: (U) 268-HQ-1068430, 01/17/2012

(S) [redacted]

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b7C

(U) Contracting Officer Technical Representative (COTR) for this effort is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

(U) Contracting Officers are responsible for ensuring that [redacted]

To: Finance From: Operational Technology Division
Re: (U) 268-HQ-1068430, 01/17/2012

LEAD(s):

Set Lead 1: (Info)

FINANCE

AT WASHINGTON, DC

(U) for information only.

CC: [redacted] b6 b7C

♦♦

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-11-2012 BY 65179 DMH/rs

ACQUISITION SECURITY REQUEST

Request Date:	Anticipated Procurement Date:

VENDOR INFORMATION

☐ **Reseller With Access to FBI Facilities** ☐ **Reseller With No Access to FBI Facilities**

Vendor Name:	
Vendor Address:	

☐ **Manufacturer** ☐ **Hardware** ☐ **Software** ☐ **Maintenance**

Vendor Name:	
Vendor Address:	

▪**Contractor Providing Classified Services** ☐ **DD Form 254 Required**

Vendor Name:	
Vendor Address:	

PRODUCT/SERVICES INFORMATION

☐ **FISMA System** ☐ **Critical Asset System** ☐ **Telecommunications** ☐ **Audiovisual**

1. Products being procured (list the specific hardware / software / services in detail)	
2. What entity will be purchasing and using the product (Location, Division, Section, Unit, and Program)?	OTD
4. Highest Classification / Security Requirements (i.e. Top Secret, Top Secret SCI, Secret, SBU, LES, etc.)	secret
5. Who is installing and maintaining the equipment/software (FBI personnel, vendor, other)?	FBI Personnel
6. Will the vendor require access to classified information/systems?	No

b3
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PROCUREMENT INFORMATION

Contracting Officer Name/ Phone:	
FBI COTR Name/Phone:	
Program Manager/Technical POC:	
Requisition Number:	
Purchase Order Number:	
Contract Number:	

DOCUMENTATION ATTACHED

☐ Answers to the Acquisition Risk Questions (the replacement for the SF-328)
☐ Key Management Personnel Listing (KMPL)
☐ FD-369 Requisition for Supplies and/or Equipment
☐ Statement of Work (SOW) – Required if a classified contract

PRIORITY

All requests will be handled by date received by ASU unless specific issues affecting the priority, i.e. Director's Priority, are specifically provided in writing by the Contracting Officer.

Comments:

CELL/OTD 014857

Return to Acquisition Security Unit, PA-555
Unclassified Fax:

CELLSITE-4084

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WHERE SHOWN OTHERWISE

DATE: 10-11-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 10-11-2037

~~SECRET//NOFORN~~

(U) (S//NF) ADDENDUM TO STATEMENT OF WORK, SYSTEM DEVELOPMENT & ENGINEERING SERVICES, CONTRACT [redacted]

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(U) FEDERAL BUREAU OF INVESTIGATION

Classified by F24M89K85
Derived From: NSISCG-20090615
Declassify On: 20370206

~~SECRET//NOFORN~~

CELL/OID 014859
CELLSITE-4086

(U) (S//NF) FEDERAL BUREAU OF INVESTIGATION
ADDENDUM TO STATEMENT OF WORK
FOR CONTRACT [redacted]

1. (U) SYSTEM [redacted] FOR OPTION YEAR

(U) (S//NF) The following headings shall provide detailed description of the [redacted] requirements to the SYSTEM in the option year that FBI shall exercise based on the contract [redacted]

1.1 (U) BACKGROUND FROM STATEMENT OF WORK

(S//NF) [redacted]

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2. (U) DESCRIPTION AND REQUIREMENTS

(U//FOUO/LES) The following headings shall provide a description of the [redacted] as well as [redacted] to be developed and delivered to the FBI that shall satisfy requirements as set forth in this addendum.

2.1 (U) SUPPORT SERVICES

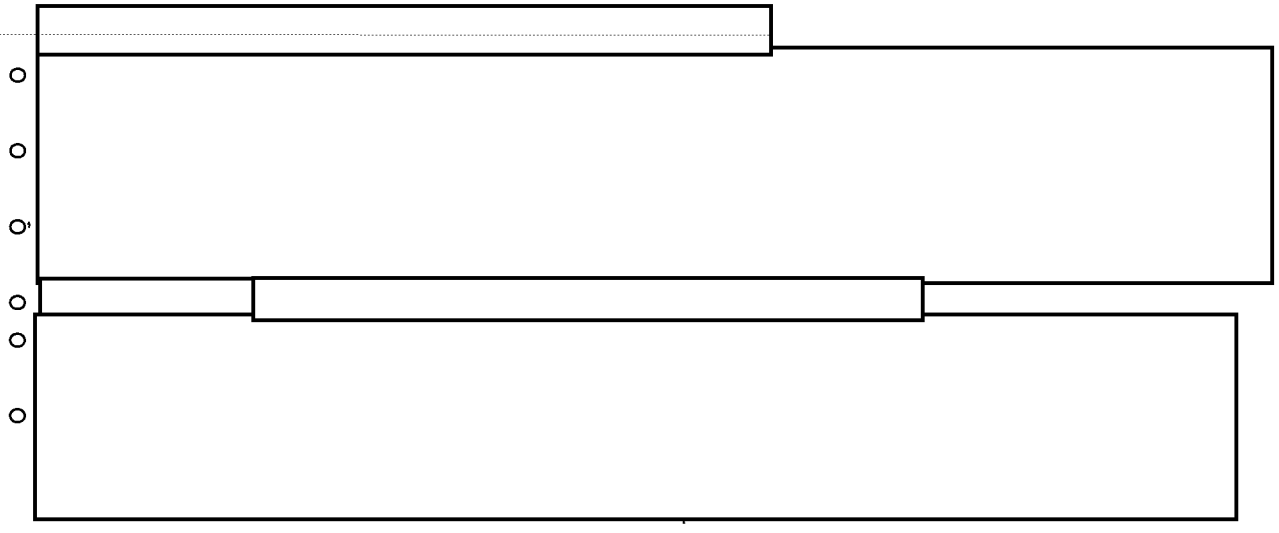
2.1.1 (U//FOUO/LES) The vendor shall provide FBI with the [redacted] document, which shall include the cost of following:

- 2.1.1.1 (U//FOUO/LES) [redacted] The vendor shall seek documented approval from the FBI on all items prior to purchase. Documented approval shall include an itemized list of all costs associated with the procurement. The FBI shall retain ownership of all items purchased under the contract.
- 2.1.1.2 (S//NF) [redacted]

CELL/OTD 014860

CELLSITE-4087

(S)



2.1.2 (U//FOUO/LES) The cost of of the SYSTEM during the period of performance.

2.2 (U) SYSTEM

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(U//FOUO/LES)

2.2.1 (U//FOUO/LES) IDENTIFICATION, DEVELOPMENT, AND INTEGRATION OF METHODS, AND TECHNIQUES

2.2.1.1 (S//NF)

(S)

3 (U) DELIVERABLES

(U) The following section provides for a delivery schedule as listed in Table 1 below, as well as details concerning each delivery requirement.

3.1 (U) DELIVERY SCHEDULE

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(U) ITEM	(U) Time Frame
(U//FOUO/LES) Monthly Project Status Reports	(U//FOUO/LES) NLT Five (5) Business Days of each new month upon award of OPTION YEAR
(U//FOUO/LES)	(U//FOUO/LES)
(U//FOUO/LES) Testing, Verification, and Demonstration	(U//FOUO/LES) Reoccurring -
(S//NF	(U//FOUO/LES) NLT 180 days upon award of OPTION YEAR.
(U)//FOUO/LES) Annual Operation and Maintenance Service Document	(U//FOUO/LES) NLT 180 days upon award of OPTION YEAR.
(U//FOUO/LES) Additional	(U//FOUO/LES) NLT 240 days upon award of OPTION YEAR
(U//FOUO/LES) FINAL Delivery	(U//FOUO/LES) NLT 330 days upon award of OPTION YEAR
(U//FOUO/LES) SYSTEM Training	(U//FOUO/LES) Ongoing - Final - NLT 330 days after award of OPTION YEAR

(S//NF) Table 1: Delivery Schedule

3.2 (U) DELIVERY ITEM DESCRIPTIONS

(U) The following provides further descriptions of items described above in Table 1.

CELL/OTD 014863

CELLSITE-4090

- 3.2.1 (U//FOUO/LES) MONTHLY STATUS REPORTING - The vendor shall provide monthly status reporting in electronic and documented format to the FBI, which consists of at minimum information related to labor hours, other direct costs; details of work performed or project status, as well as the identification of any issues that need to be communicated to the FBI. The vendor shall provide a reporting format to the FBI at project inception, and receive concurrence on appropriate format of monthly status reports. Monthly status reports shall describe and reflect that status of developments and deliverables, to include scheduling issues, to enable the FBI to intervene and provide any direction as necessary.

- 3.2.2 (U//FOUO/LES

- 3.2.3 (U//FOUO/LES) TESTING, VERIFICATION, AND DEMONSTRATION
  - 3.2.3.1 (U//FOUO/LES) The vendor shall provide "access", for the FBI, to for testing and verification of requirements and characteristics, throughout the development life cycle, at the VENDOR facilities.
  - 3.2.3.2 (U//FOUO/LES) The vendor shall provide the FBI a TEST plan, which may be executed during testing of
  - 3.2.3.3 (U//FOUO/LES) Upon FINAL Delivery, as specified below, the vendor shall provide a demonstration of the final SYSTEM at a site designated by the FBI, which demonstrates an Demonstration should also include system setup and use, and overview of manuals or documentation that may be provided.

- 3.2.4 (S//NF

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- 3.2.5 (U//FOUO/LES document – As described in section 2.1 of this document, the vendor shall deliver a documented plan to the FBI that details ongoing issues and costs associated with providing of the SYSTEM as is developed and delivered to the FBI at the end of the option year.

- 3.2.6 (U//FOUO/LES) [redacted] – As described in section 2.2.1 of this document, the vendor shall enable the [redacted] no later than eight (8) months upon the award of the option year.

- 3.2.7 (U//FOUO/LES) [redacted] DELIVERY – The vendor shall provide delivery of the [redacted] which includes the following:

  - [redacted]

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- 3.2.7 (U//FOUO/LES) SYSTEM TRAINING – The vendor shall provide training for [redacted] at vendor facility [redacted] Training shall be on-site at a location determined by the FBI for [redacted]

4. (U//FOUO/LES) OTHER REQUIREMENTS

(U) The following sections shall describe other requirements related to the development and delivery of the SYSTEM, to the FBI from the vendor, described in this STATEMENT OF WORK.

4.1 (U) PLACE OF PERFORMANCE

4.1.1 (U//FOUO/LES) Vendor development efforts will be conducted primarily within vendor business spaces. The Vendor shall be afforded access to FBI spaces for meetings, product

CELL/OTD 014865

CELLSITE-4092

demonstrations and general interaction with FBI personnel, pending proper passing of clearances and visit requests.

4.2 (U) GOVERNMENT FURNISHED EQUIPMENT

4.2.1 (U//FOUO/LES) Vendor shall provide the FBI with listing of required Government Furnished Equipment (GFE) in response to this SOW. GFE only is used to either levy costs associated with ODC, or provide access to FBI owned equipment that the vendor may not otherwise have access to. The FBI shall retain all ownership titles to GFE equipment, and the vendor shall provide accounting information during FBI inventory inspections. The FBI shall be afforded opportunities to provide an on-site inspection of GFE items, should the inspection process require visual inspection procedures.

4.3 (U) OTHER DIRECT COSTS (EQUIPMENT)

4.3.1 (U//FOUO/LES) The vendor shall be approved to purchase [redacted] to be delivered to the FBI. The vendor shall seek documented approval, from the FBI, on all [redacted] items prior to purchase. Documented approval shall include an itemized list of all costs associated with procurement of [redacted] The FBI shall retain ownership of all equipment purchases under ODC funds.

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CELL/OTD

CELL/OTD 014866

CELLSITE-4093

(Rev. 05-01-2008)

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DATE: 10-11-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 10-11-2037

~~SECRET//NOFORN~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 02/06/2012

To: Finance **Attn:**

From: Operational Technology Division

Contact:

Approved By:

Drafted By:

(U) **Case ID #:** (S//NF) 268-HQ-1068430

(U) **Title:** (S//NF)
TEAM

(U) **Synopsis:** (S//NF) To request finance division exercising option year on the current contract and apply

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Classified by: F24M89K85
Derived From: FBI NSISCG-20090615
Declassify On: 20370206

Enclosure(s): Statement of Work Addendum

Details: (S//NF)

~~SECRET//NOFORN~~

CELL/OTD 014867

CELLSITE-4094

To: Finance From: Operational Technology Division
(U) Re: (S//NF) 268-HQ-1068430, 02/06/2012

(S) [redacted]

(U//FOUO) It is requested that the Science and Technology Contract Unit exercise option year on the current contract, [redacted]

[redacted]

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(U//FOUO) The Contracting Officer Technical Representative for this procurement is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

(U//FOUO) Contracting Officers are responsible for ensuring that [redacted]

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

PSFO: For information only.

♦♦

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-11-2012 BY 65179 DMH/rs

[redacted]

Attention: [redacted]

Re: Contract [redacted]
[redacted] Request Approval - [redacted]

Dear [redacted]

The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) in place with the [redacted] and our execution of the NDA, meets the FBI's advance coordination requirement. Therefore, [redacted] b3 b6 b7C b7E

If there are any questions, please contact me.

Sincerely,

[redacted]
Operational Technology Division
Telephone [redacted]

cc: [redacted]

CELL/OTD 014871CELLSITE-4098

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-11-2012 BY 65179 DMH/rs

[redacted]

Attention: [redacted]

Re: Contract [redacted]
Request Approval - [redacted]

Dear [redacted]

The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) in place with the [redacted] and our execution of the NDA, meets the FBI's advance coordination requirement. Therefore, [redacted]

b3
b6
b7C
b7E

If there are any questions, please contact me.

Sincerely,

[redacted]
Operational Technology Division
Telephone [redacted]

cc: [redacted]

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

Total Deleted Page(s) = 39
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TRAINING COURSE #1

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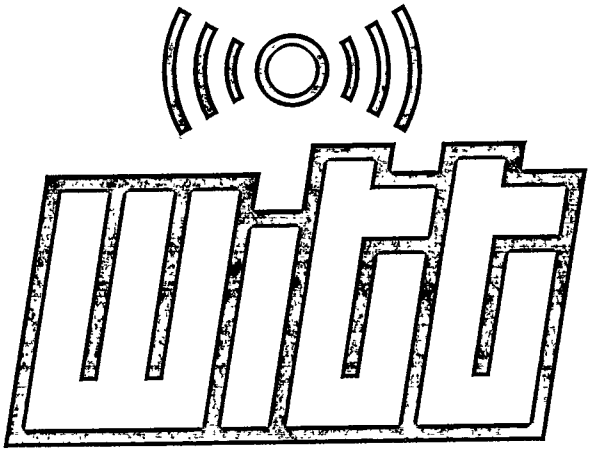

JANUARY 26 - 30, 2004
WASHINGTON, DC

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CELL/OTD 004213

[redacted] (FBI)

From: [redacted] (FBI)
Sent: Monday, September 20, 2004 10:37 AM
To: [redacted] (ITD) (FBI)
Cc: [redacted] (FBI); [redacted] (FBI)
Subject: RE: Information

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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Thanks for the info. Keep us posted. Something strange is happening.

[redacted]

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-----Original Message-----
From: [redacted] (ITD) (FBI)
Sent: Monday, September 20, 2004 9:42 AM
To: [redacted] (FBI)
Cc: [redacted] (ITD) (FBI)
Subject: Information

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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

the stingray [redacted]

[redacted]

[redacted]

-----Original Message-----
From: [redacted] (FBI)
Sent: Wednesday, September 15, 2004 4:11 PM
To: [redacted] (ITD) (FBI); [redacted] (ITD) (FBI); [redacted]

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(ITD) (FBI); [redacted] (ITD) (FBI); [redacted] ITD) (FBI) b6 b7C

Subject: Info from [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

CELL/OTD 004214

[redacted]

[redacted] WITT [redacted]

[redacted]

[redacted]

[redacted]

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SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

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(WITT)

WITT

Training Course #1

Washington DC

January 26 – 30, 2004

CELL/OTD 004217

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Introduction to

CELL/OTD 004254

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Internal Use Only

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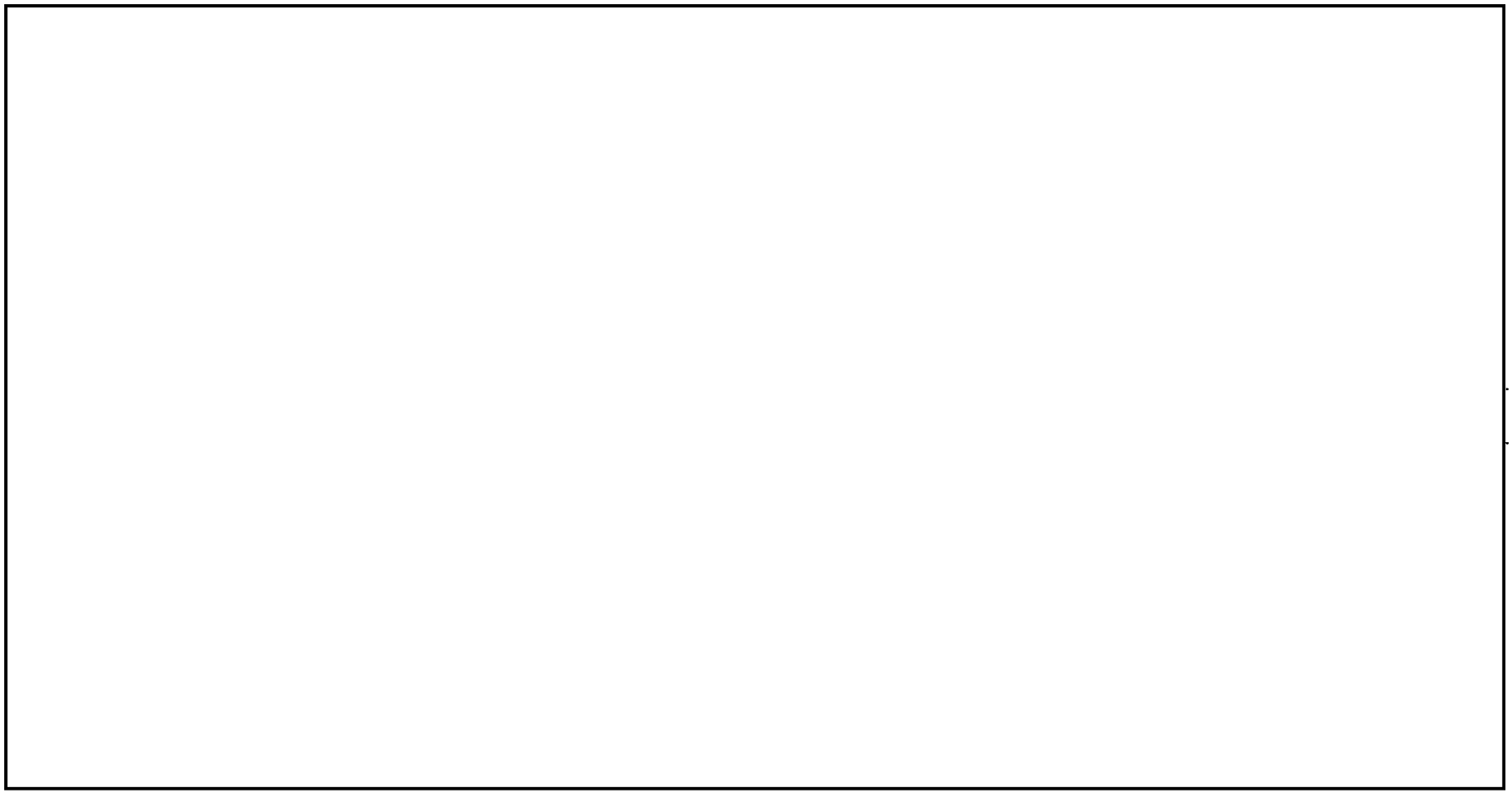

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CELL/OTD 004269

Quick Start Guides

CELL/OTD 00427

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CELL/OTD 004277

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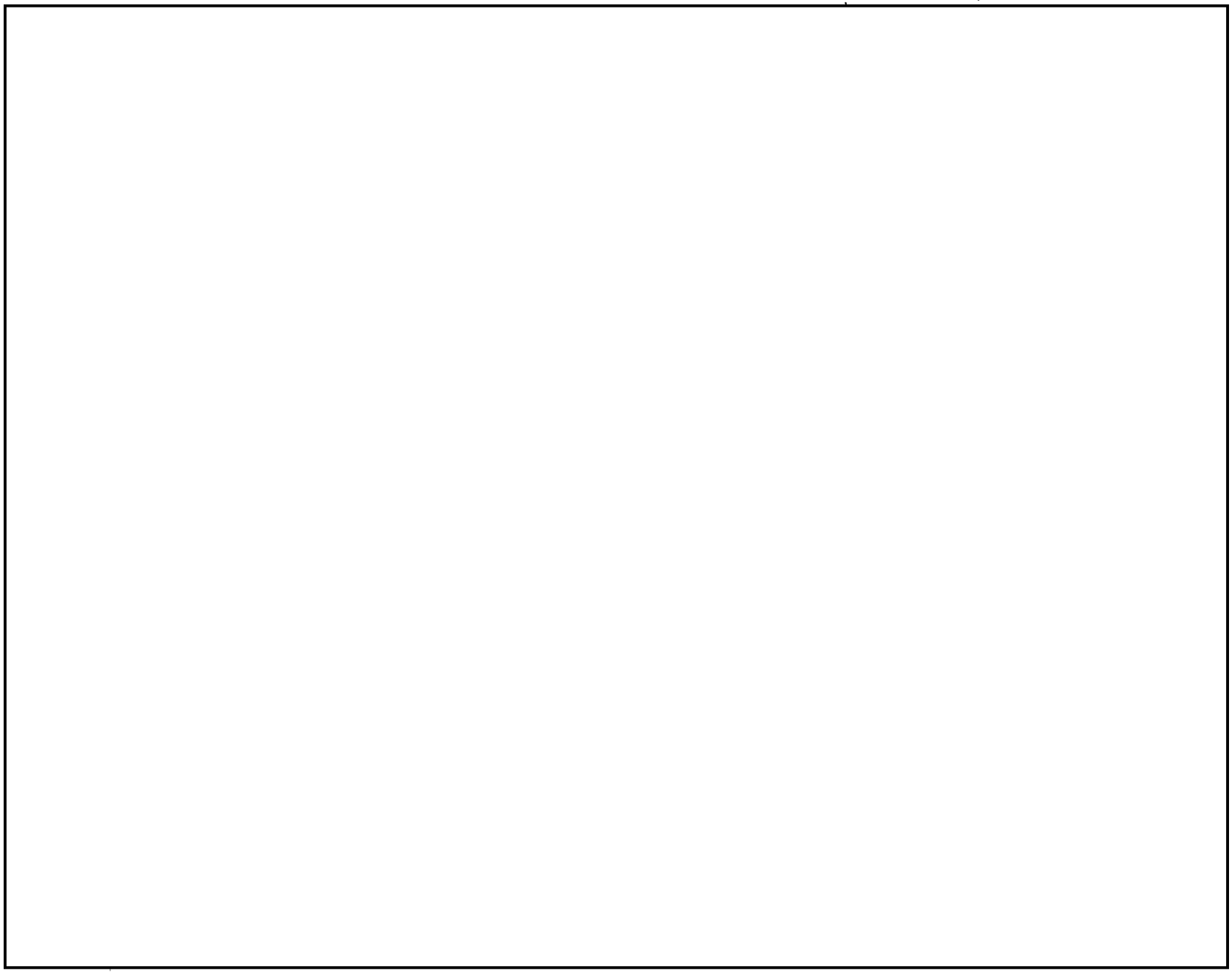

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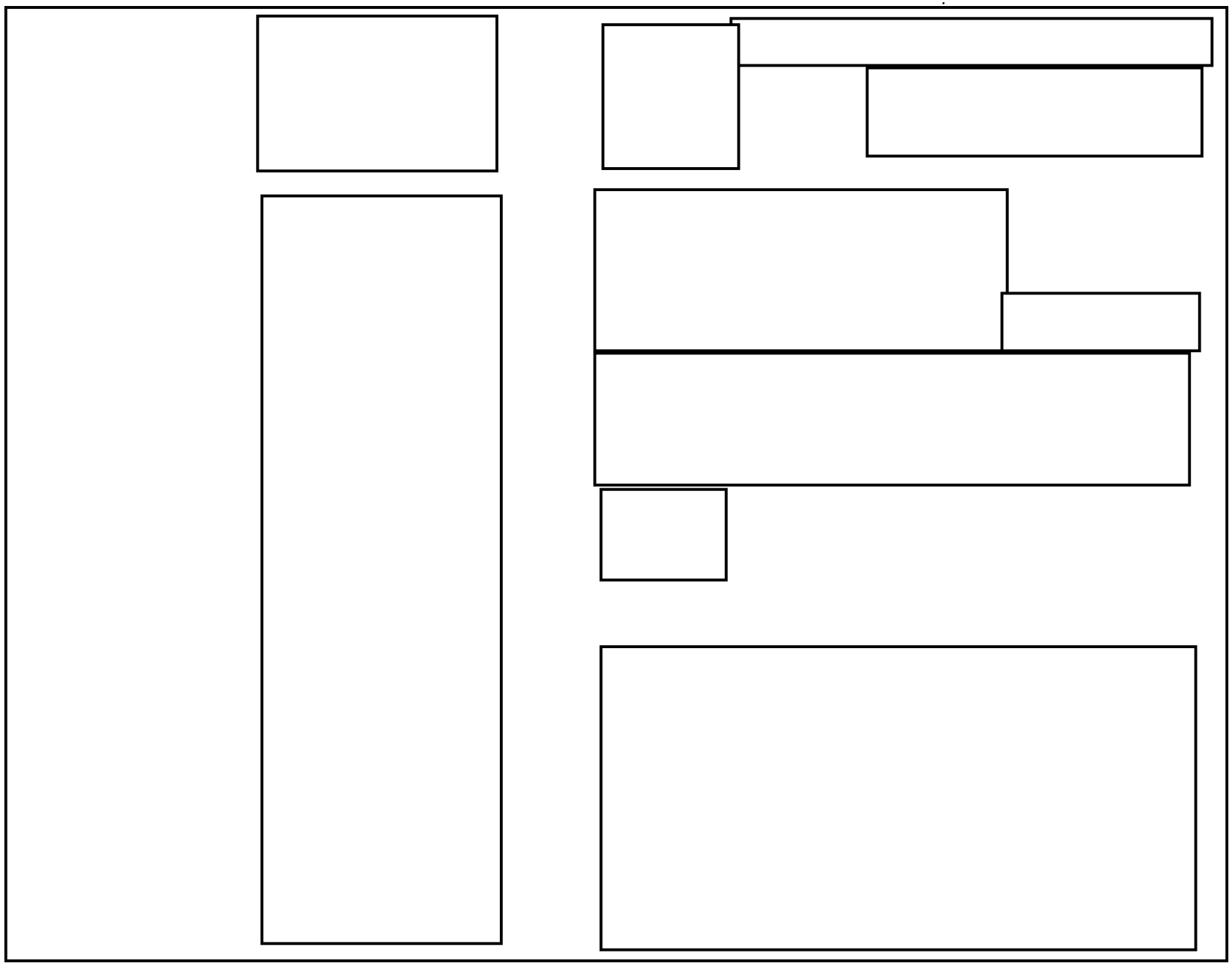

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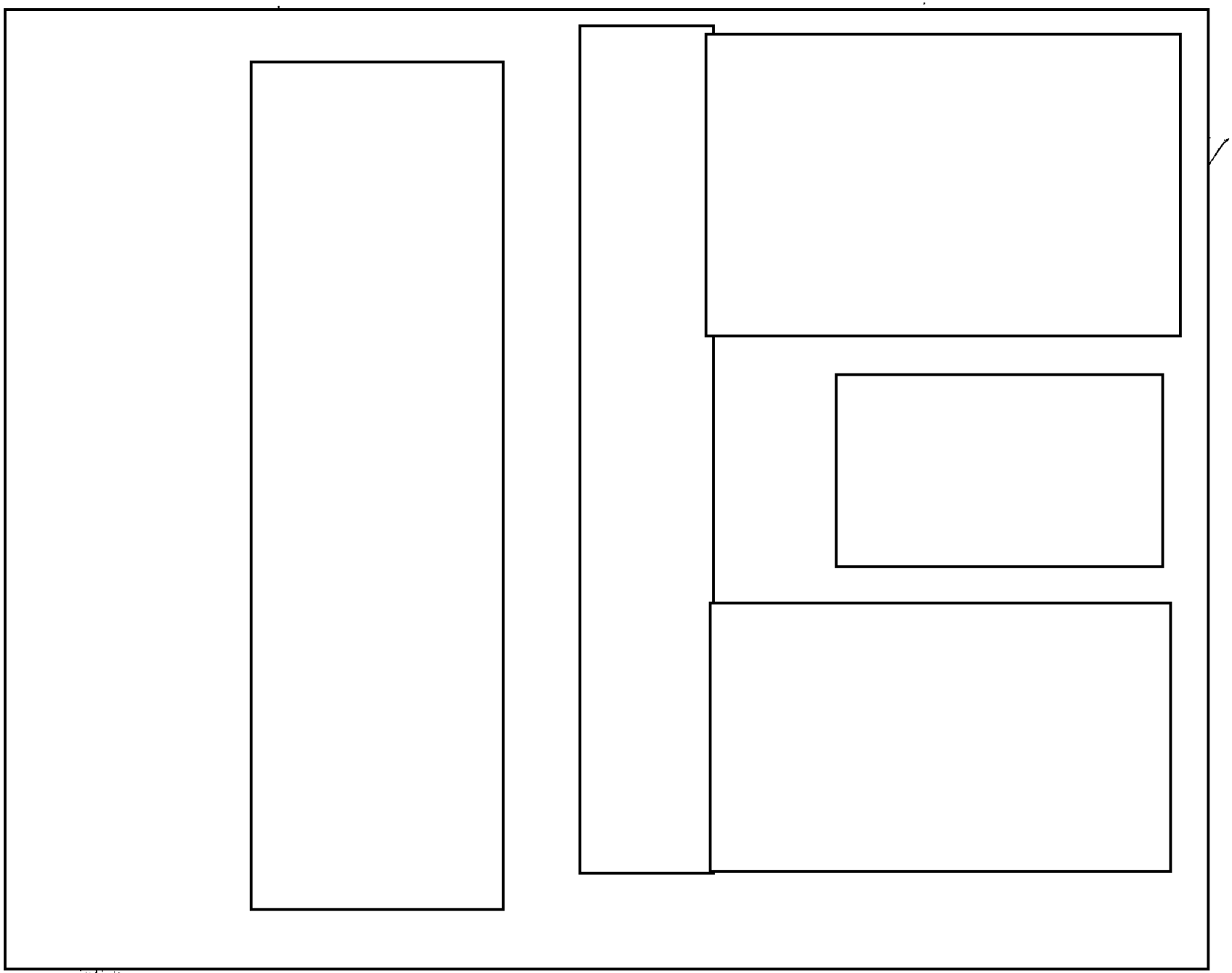

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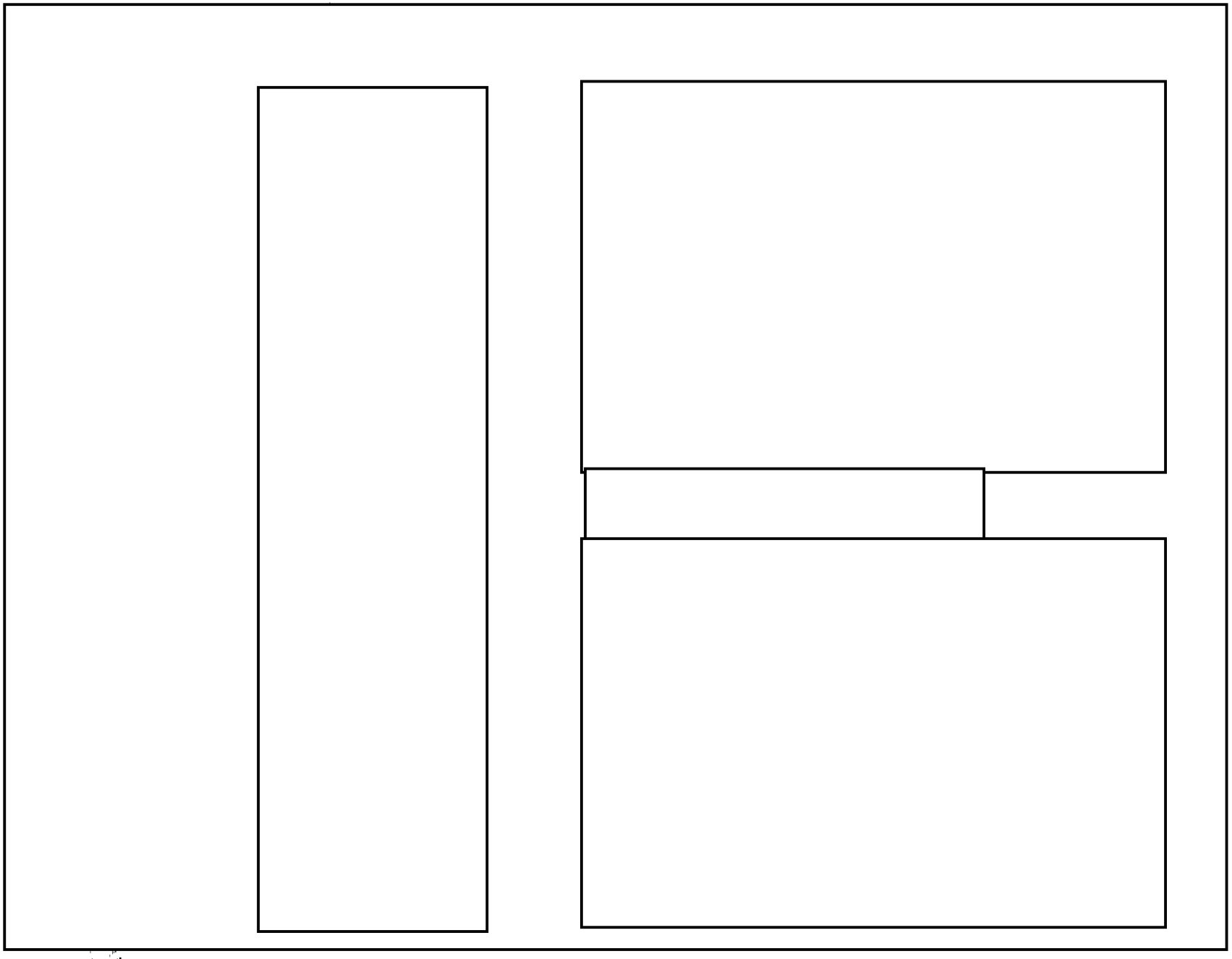

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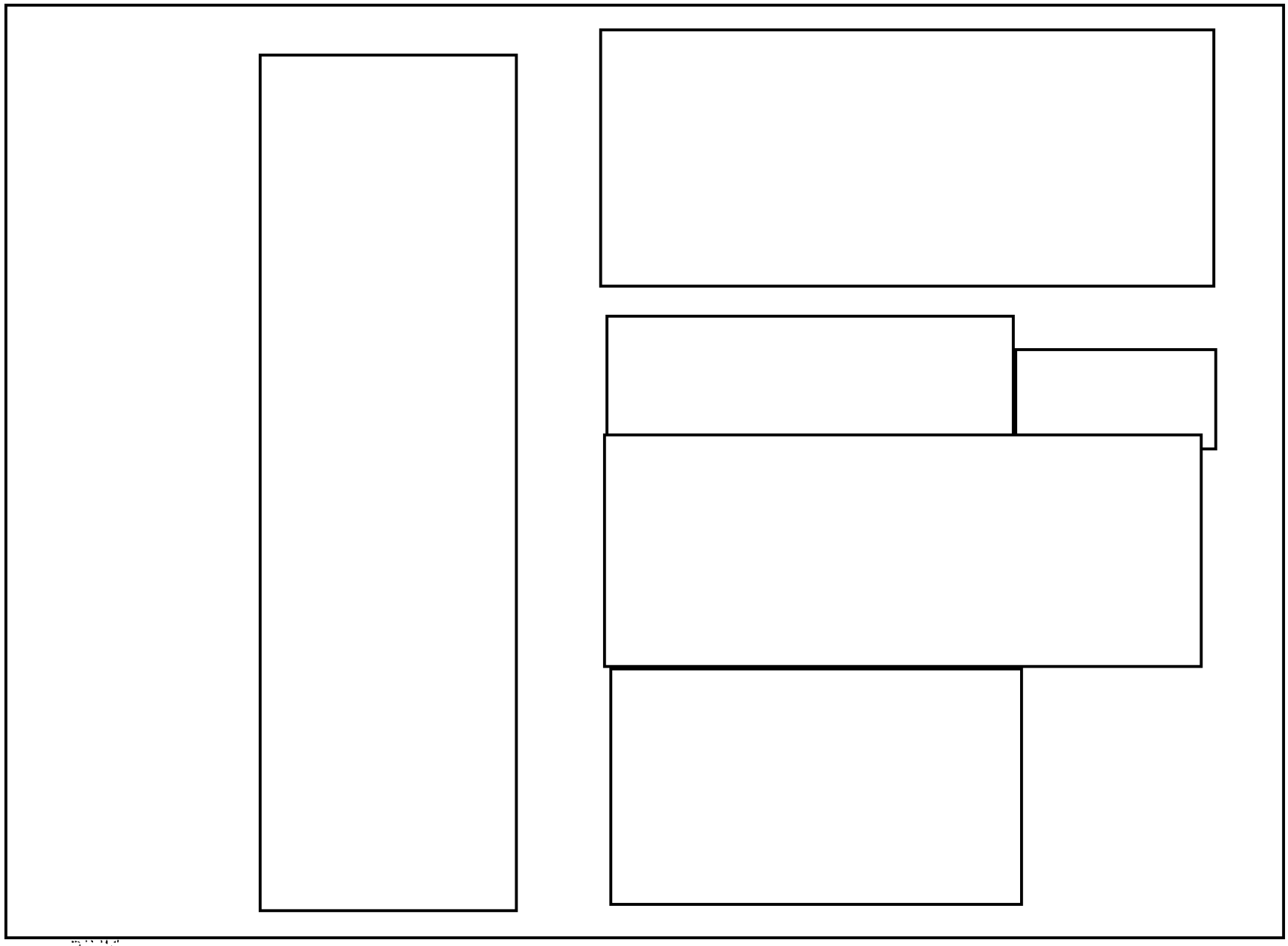

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Welcoming Remarks

[redacted] b7E

CELL/OTD 004267

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Agenda – Day 1

Activity	Time	Activity Length	Presenter(s)
Welcoming Remarks	8:30 – 8:45 am	15 min	
Introduction to WITT b7E	8:45 – 9:00 am	15 min	
Introduction to	9:00 – 9:10 am	10 min	
Introduction to	9:10 – 9:20 am	10 min	
Website Demo	9:20 – 9:35 am	15 min	
Introduction to CONOPS and Surveillance Techniques	9:35 – 10:00 am	25 min	
Break	10:00 – 10:15 am	15 min	
Introduction to Legal Issues	10:15 – 10:25 am	10 min	
Introduction to Wireless Industry	10:25 – 10:45 am	20 min	
Introduction to Mobile Phone System	10:45 – 11:20 am	35 min	
Lunch	11:20 – 12:50 pm	1 hr 30 min	
LoggerHead, and Triggerfish Overview	12:50 – 1:15 pm	25 min	
LoggerHead	1:15 – 2:45 pm	1 hr 30 min	
Break	2:45 – 3:00 pm	15 min	
Lab Exercises	3:00 – 5:00 pm	2 hrs	
Wrap-up and Feedback Forms	5:00 – 5:15 pm	15 min	

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Agenda – Day 2

Activity	Time	Activity Length	Presenter(s)
Day 1 Review (Question and comments)	8:30 – 8:40 am	10 min	
[redacted] b7E	8:40 – 9:00 am	20 min	
[redacted]	9:00 – 9:30 am	30 min	
[redacted] b3 b7E	9:30 – 12:00 pm	2 hrs 30 min	WITT b6 b7C b7E
Lunch	12:00 – 1:30 pm	1 hr 30 min	
[redacted]	1:30 – 6:00 pm	4 hrs 30 min	WITT
Wrap-up and Feedback Forms	6:00 – 6:15 pm	15 min	[redacted]

CELL/OTD 004289

Agenda – Day 3

Activity	Time	Activity Length	Presenter(s)
Day 2 Review (Questions and comments)	8:30 – 8:35 am	5 min	[redacted]
Introduction to [redacted] b7E	8:35 – 9:10 am	35 min	
StingRay Overview	9:10 – 10:10 am	1 hr	
StingRay [redacted]	10:10 – 12:00 pm	1 hr 50 min	
Lunch	12:00 – 1:30 pm	1 hr 30 min	
StingRay [redacted]	1:30 – 4:45 pm	3 hrs 15 min	WITT
Wrap-up and Feedback Forms	4:45 – 5:00 pm	15 min	[redacted]

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Agenda – Day 4

Activity	Time	Activity Length	Presenter(s)
Day 3 Review (Questions and comments)	8:30 – 8:40 am	10 min	[redacted]
StingRay [redacted]	8:40 – 11:30 am	2 hrs 50 min	
Lunch	11:30 – 1:00 pm	1 hr 30 min	
StingRay [redacted]	1:00 – 4:45 pm	3 hrs 45 min	WITT
Wrap-up and Feedback Forms	4:45 – 5:00 pm	15 min	[redacted]

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Agenda – Day 5

Activity	Time	Activity Length	Presenter(s)
Day 4 Review (Questions and comments)	8:00 – 8:10 am	10 min	
StingRay/	8:10 – 10:15 am	2 hrs 5 min	
Feedback Forms	10:15 – 10:30 am	15 min	
Lunch	10:30 – 1:00 pm	2 hrs 30 min	
Wrap-up, Closing Remarks, and Dismissal (Collect Badges, Ship Equipment)	1:00 – 4:00 pm	3 hrs	

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WITT Program Overview

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Organizational Chart

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WITT Program Theory

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Wireless technology is ingrained in our modern society.

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WITT Program Mission

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... AND YOUR INPUT & INVOLEMENT IS KEY!

CELLSITE 004294

Program Growth

- [redacted]
- 2004 – Wireless Intercept and Tracking Team (WITT)
  - [redacted]

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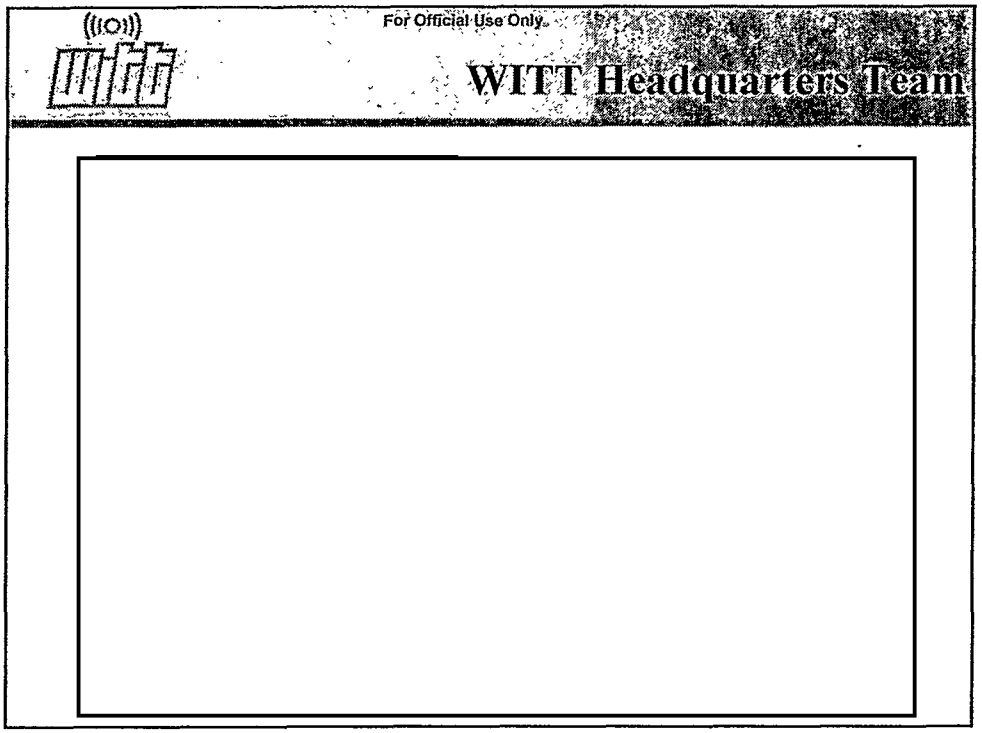

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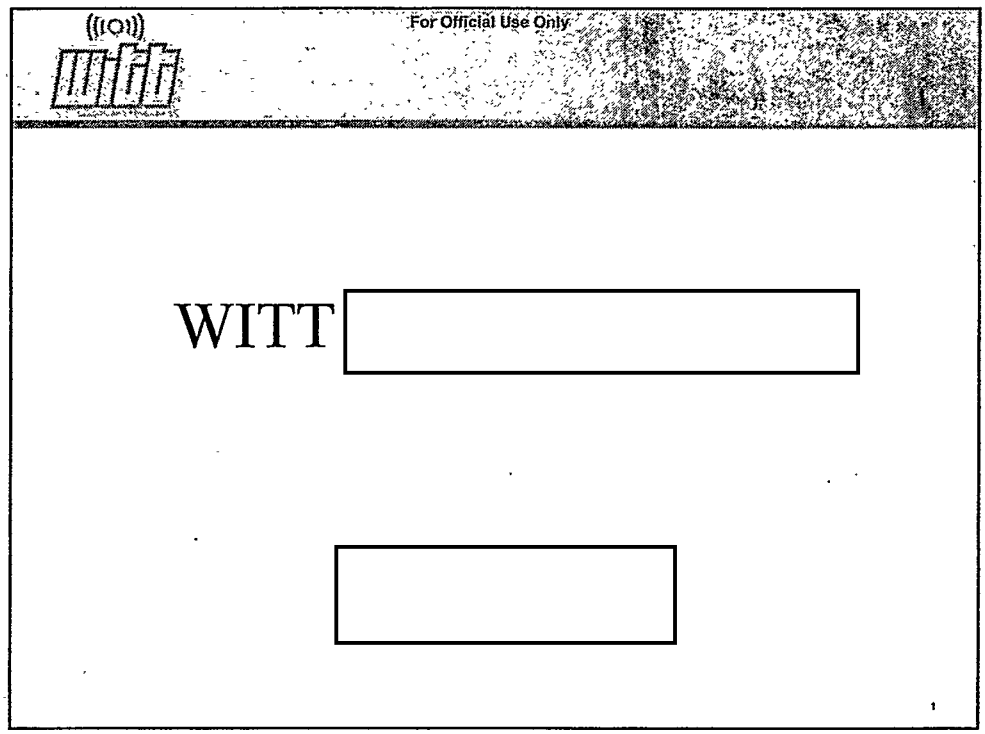
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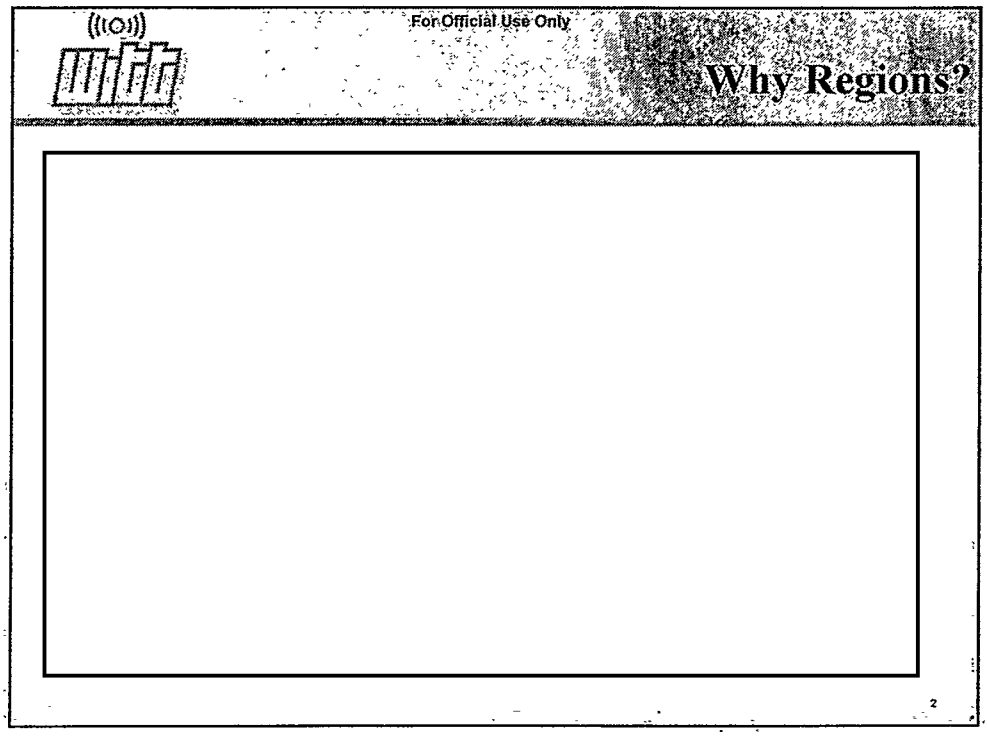
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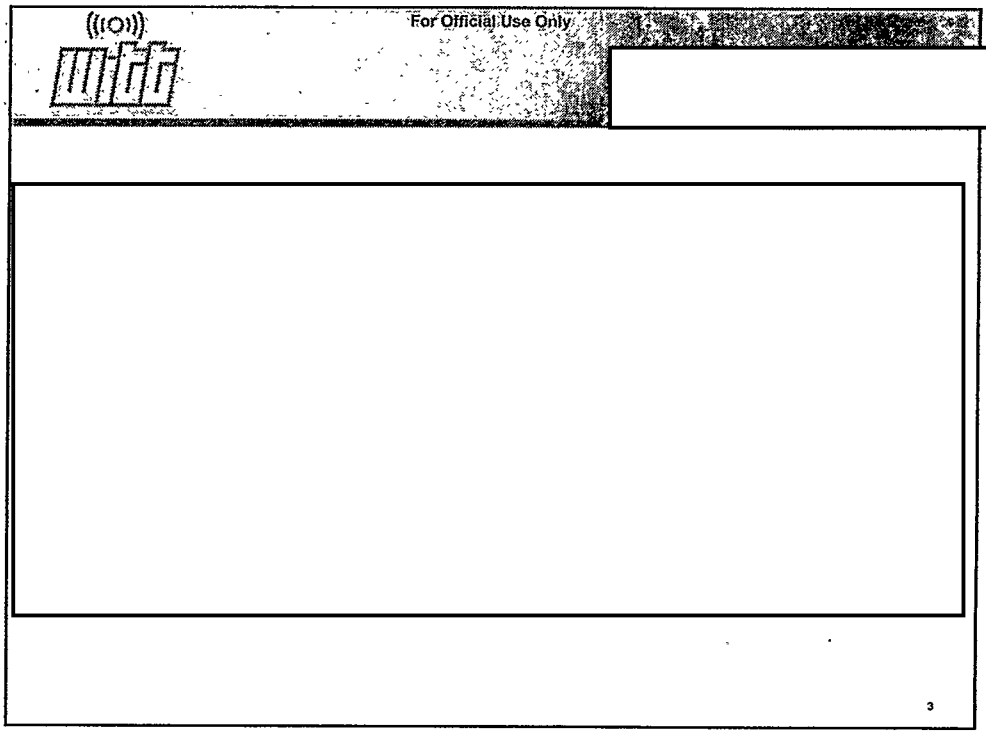

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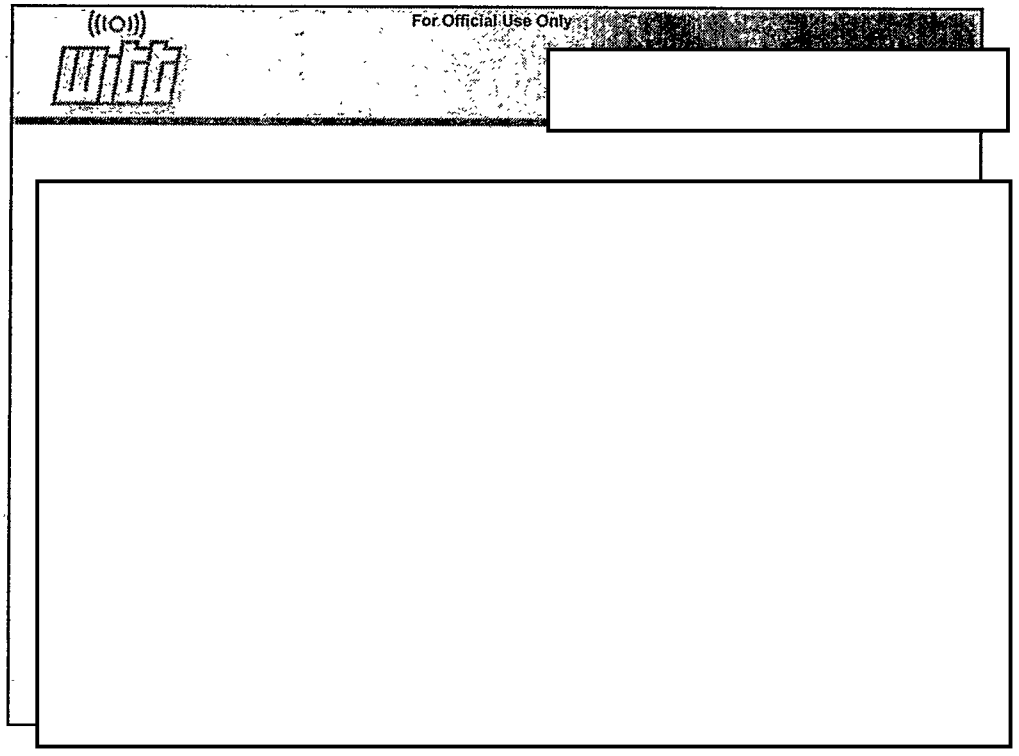

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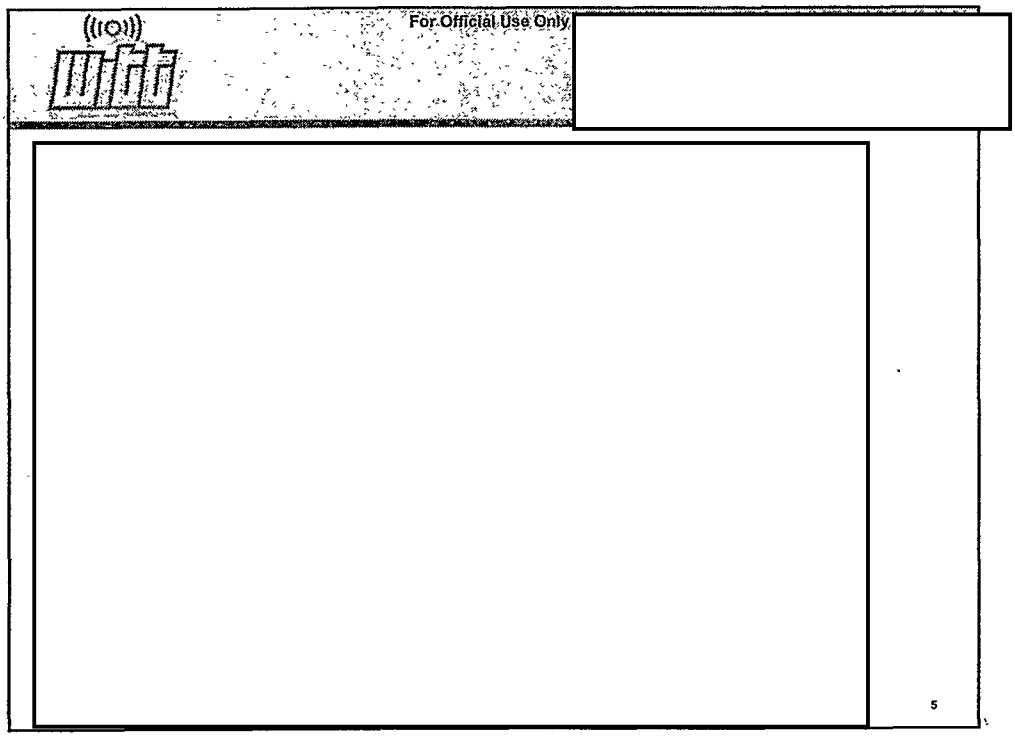

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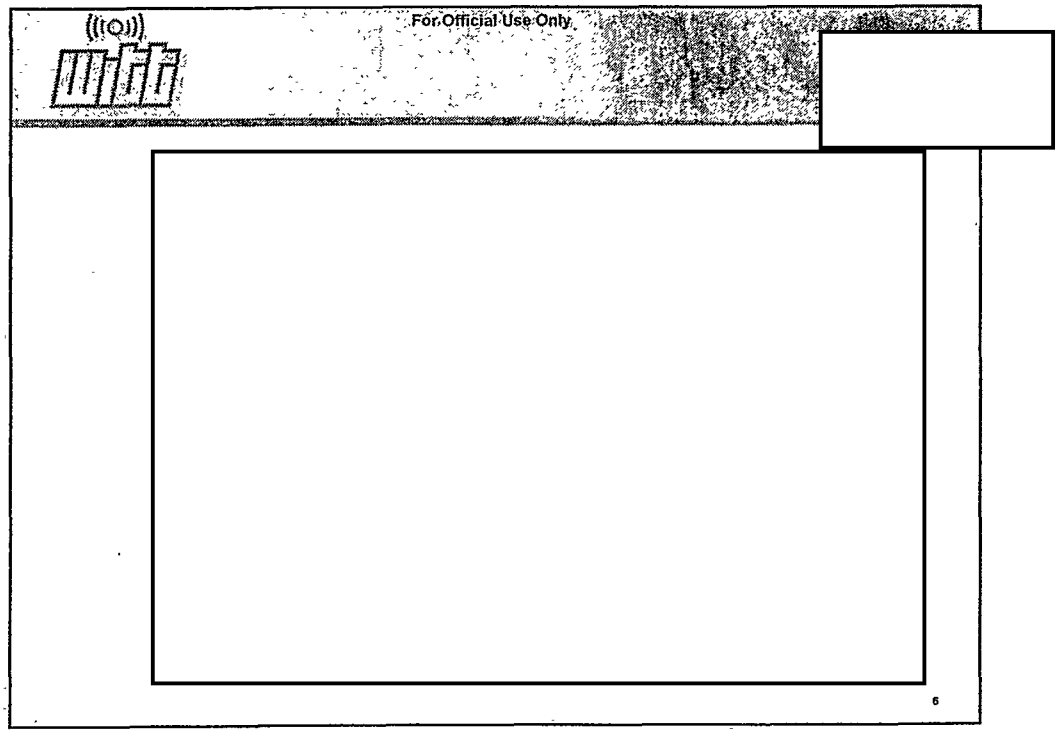

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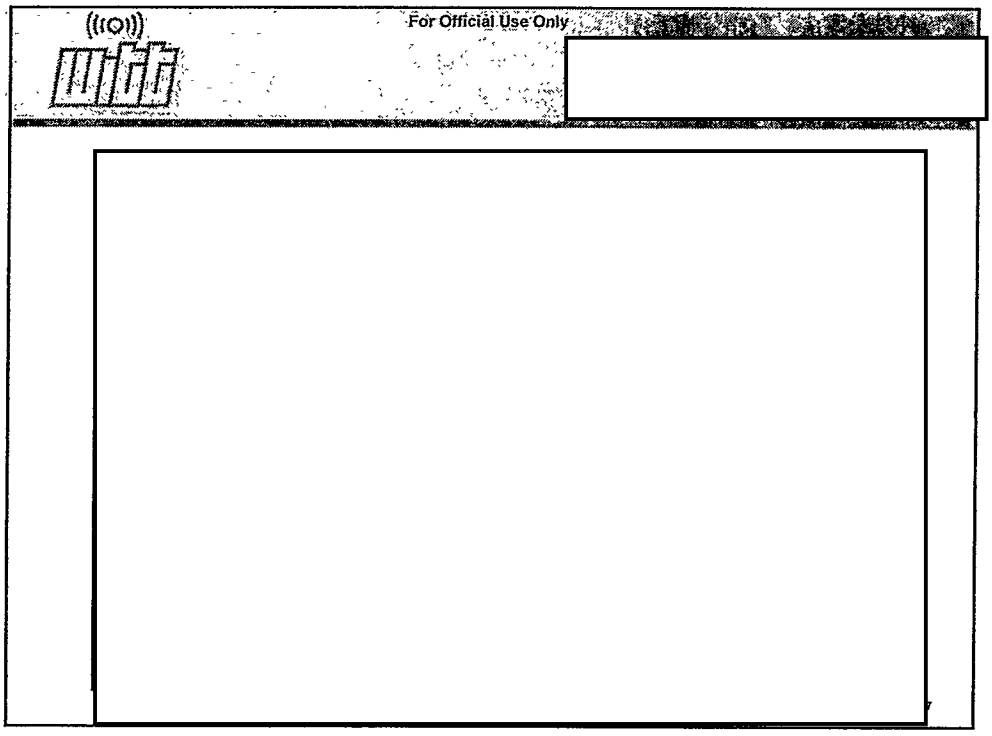

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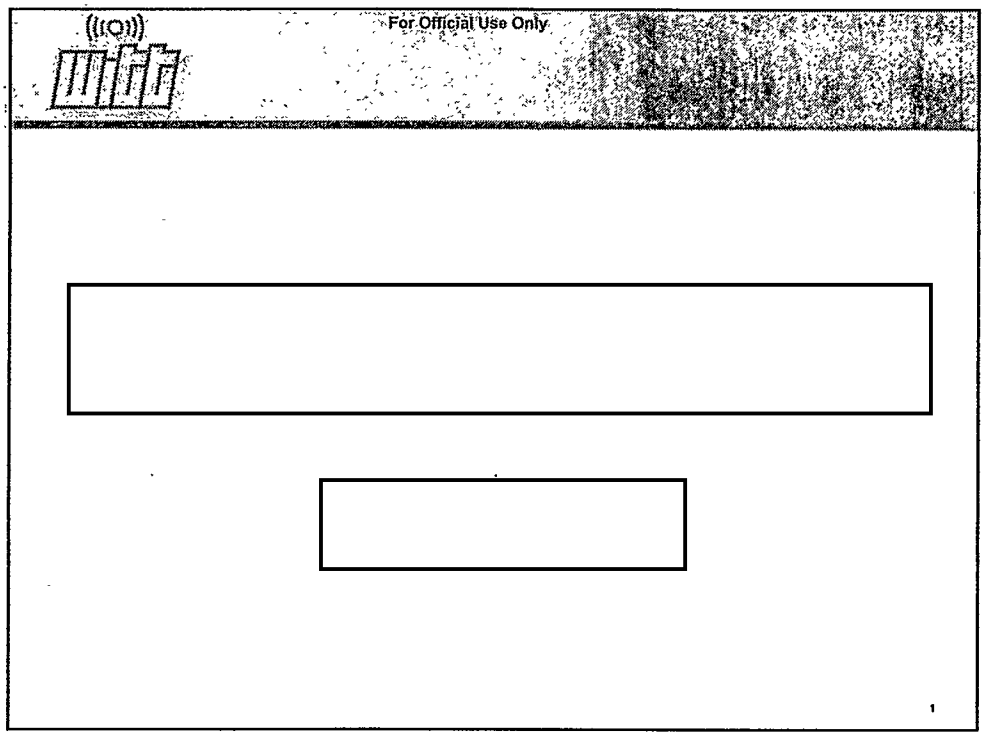

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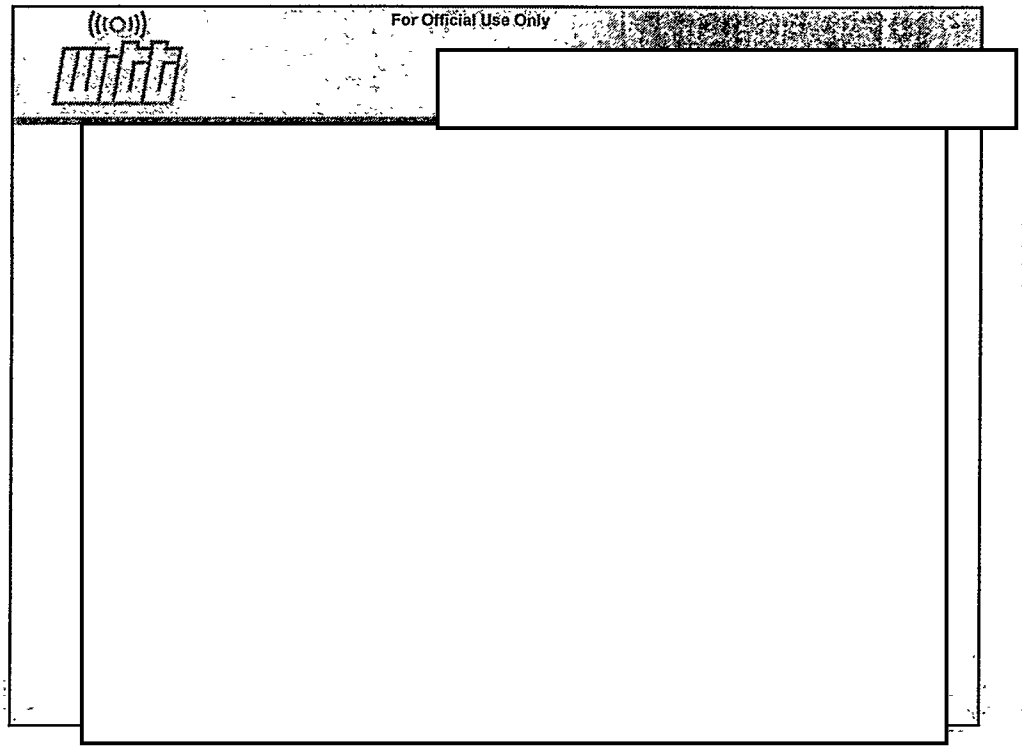

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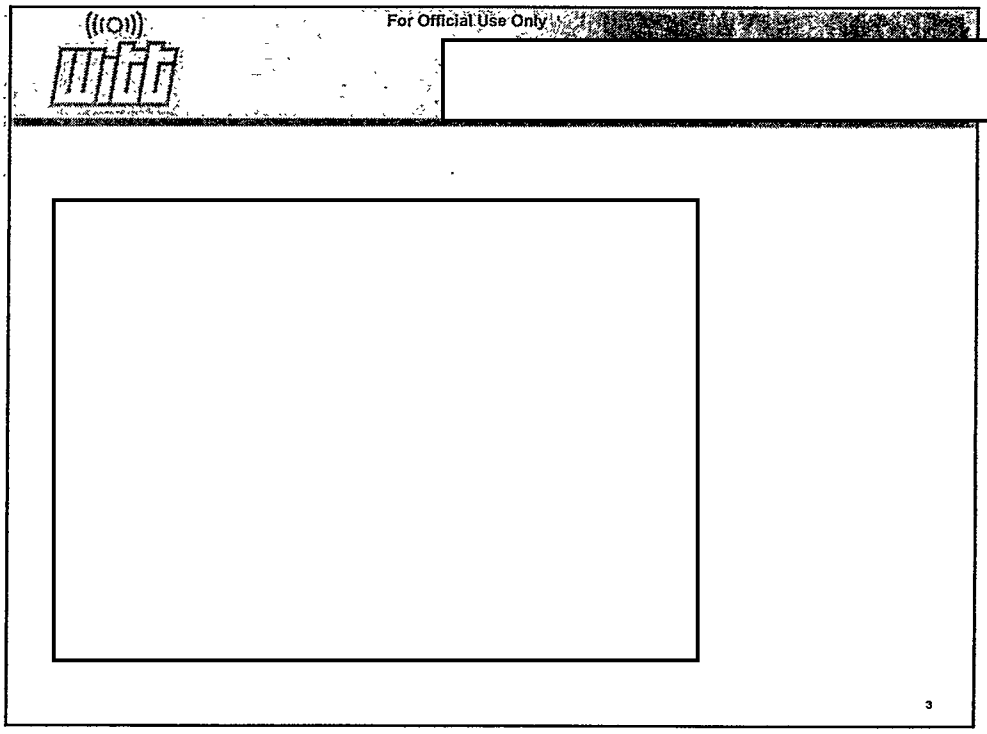

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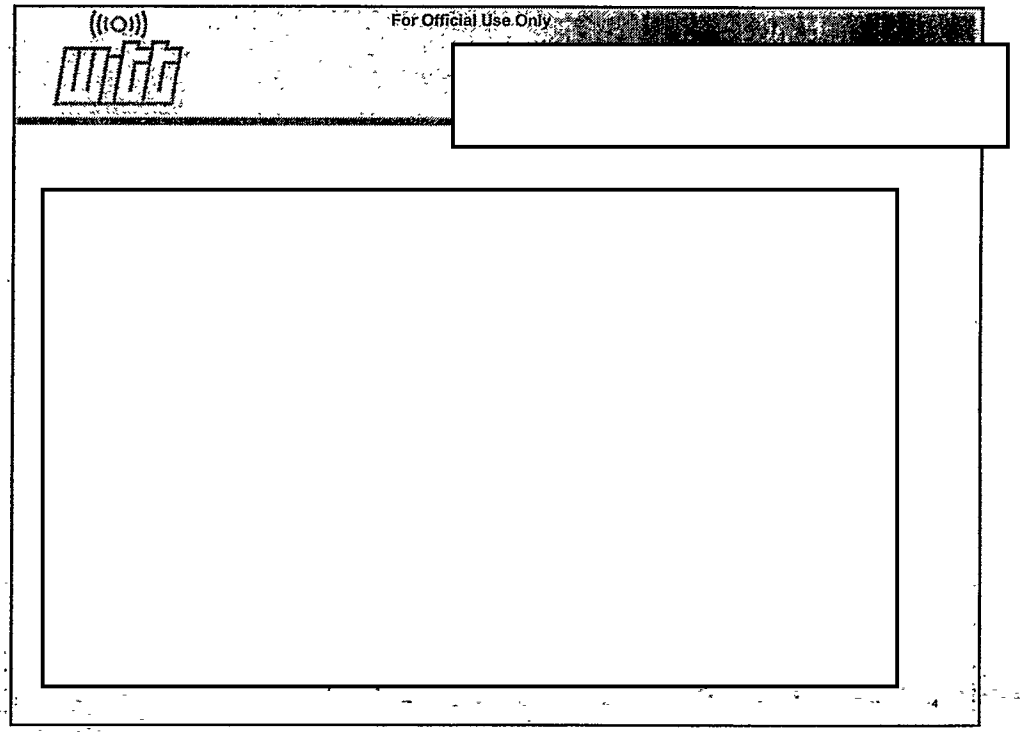

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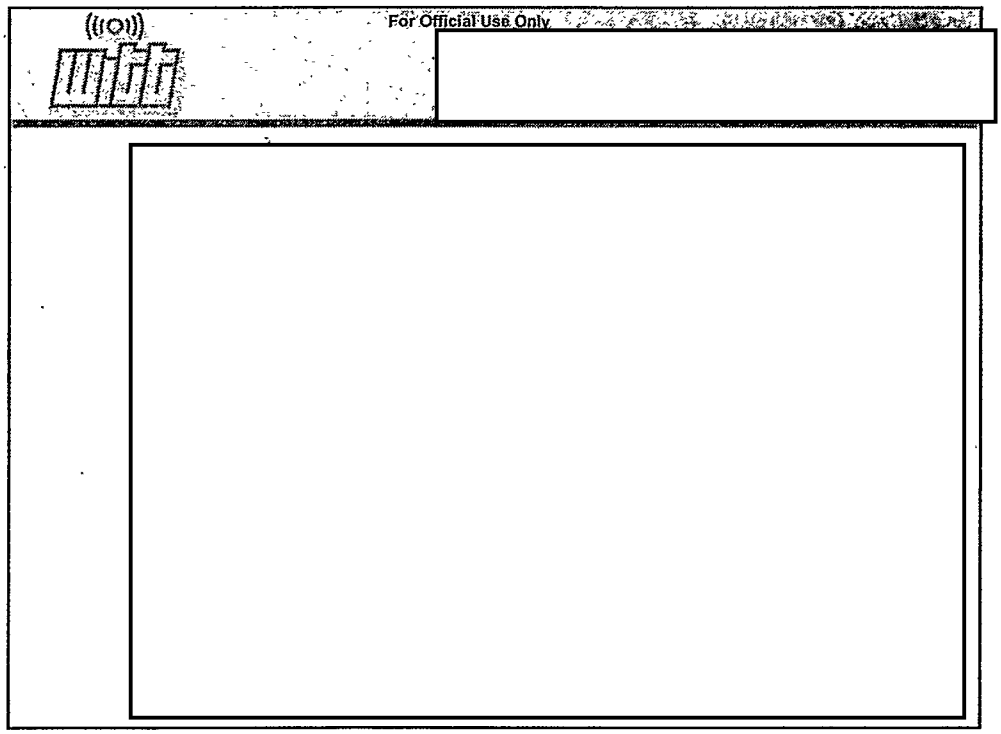

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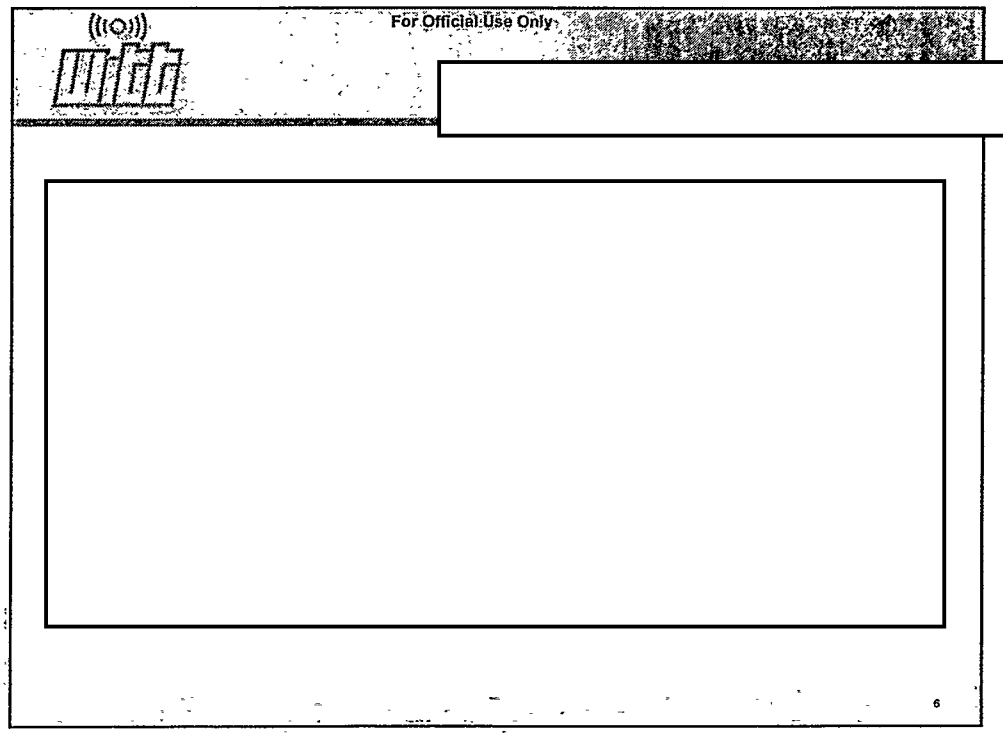

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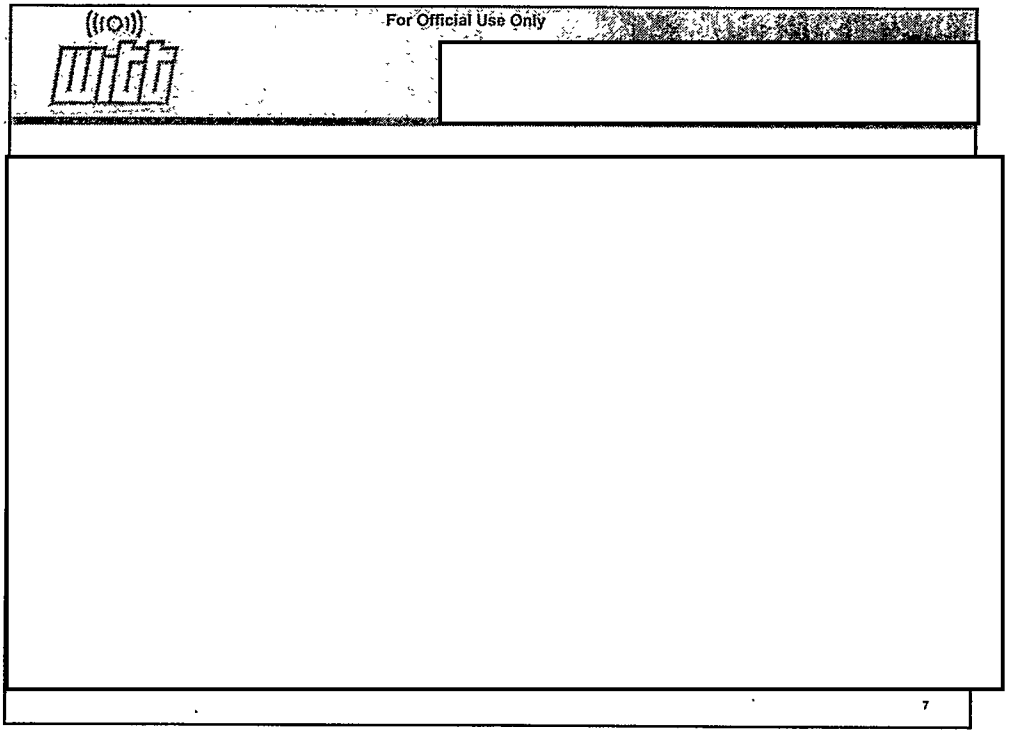

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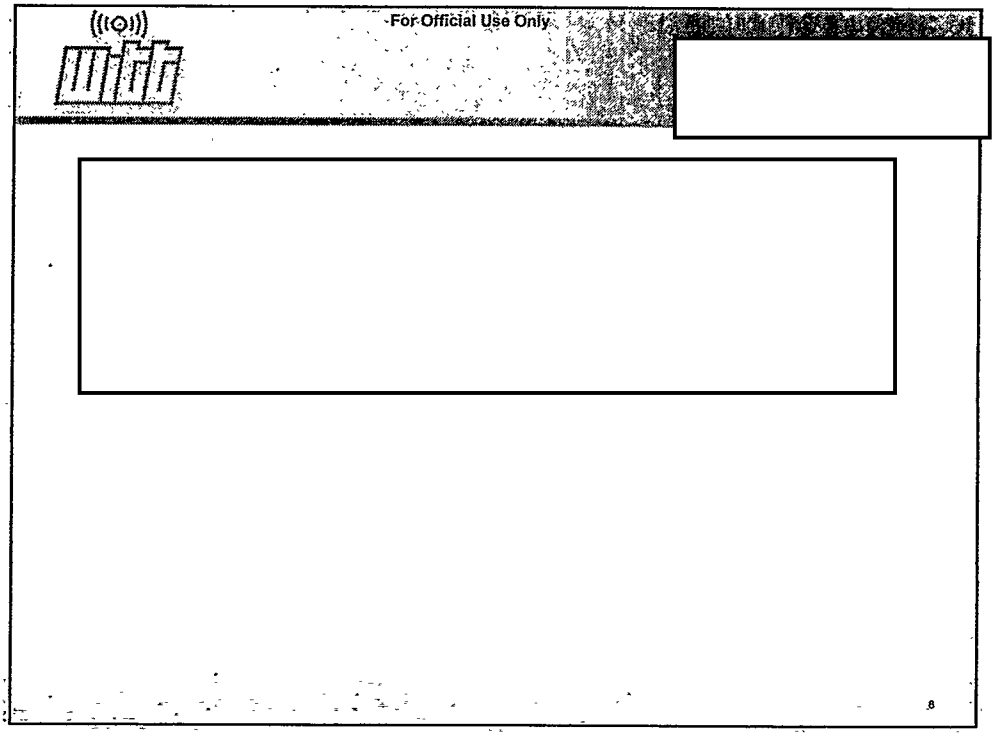

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WITT Website Demonstration

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Effective Tools – WITT Web Site

- PURPOSE: To provide information, interactive media, [redacted] WITT
- ACCESS: [redacted]
- URL: [redacted]
- NETWORK CLASSIFICATION: Secret

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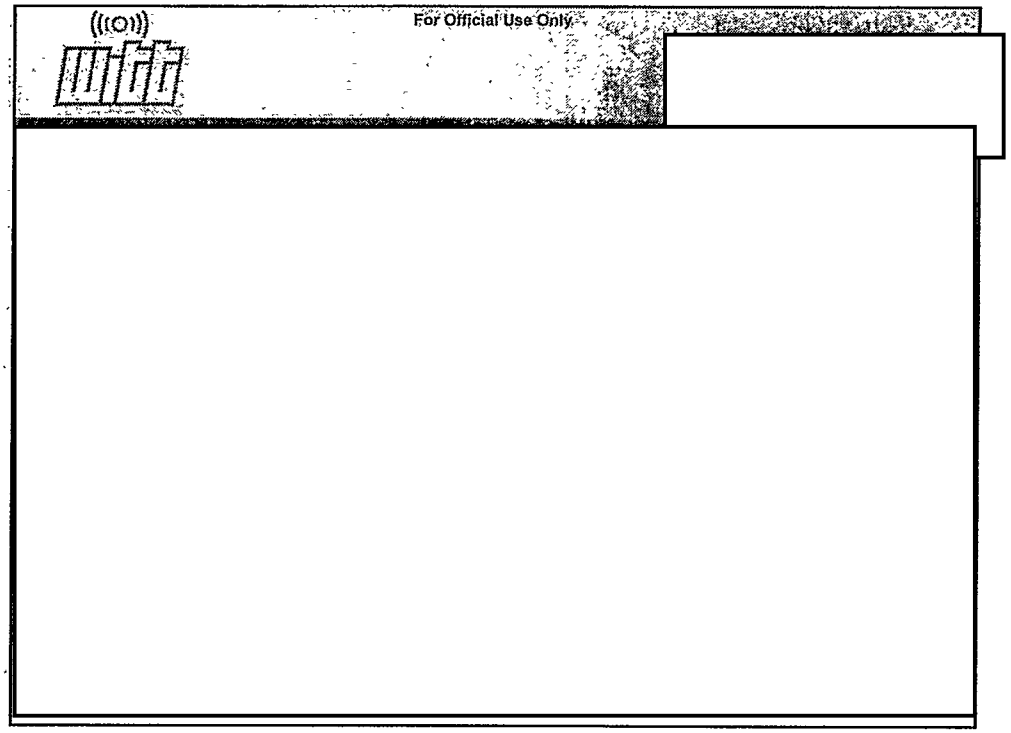

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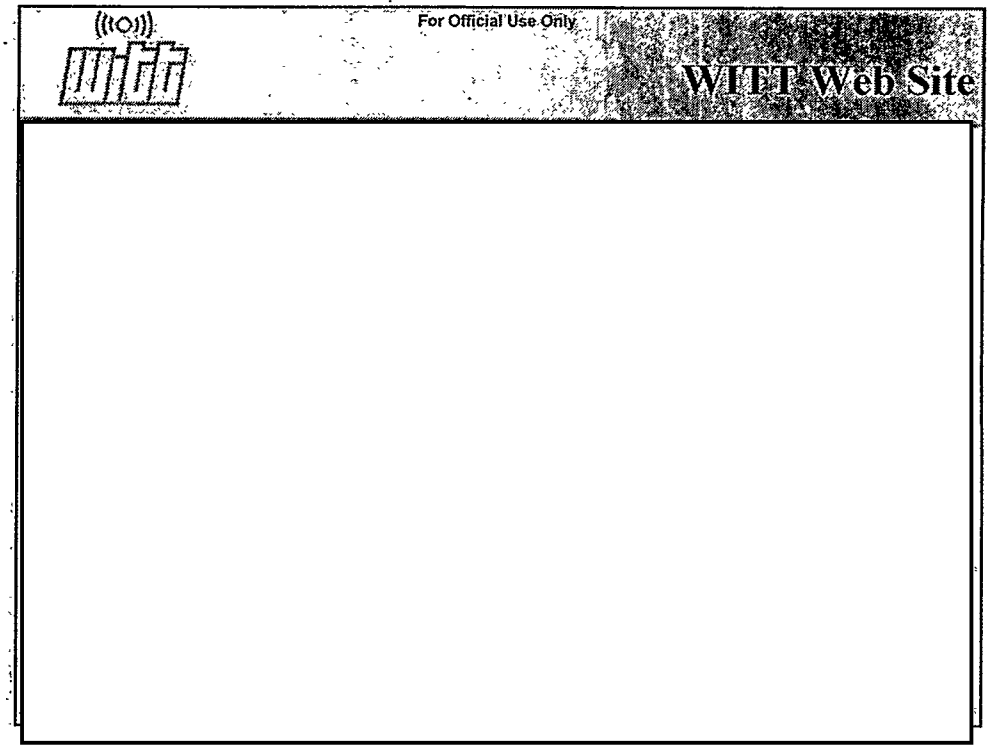

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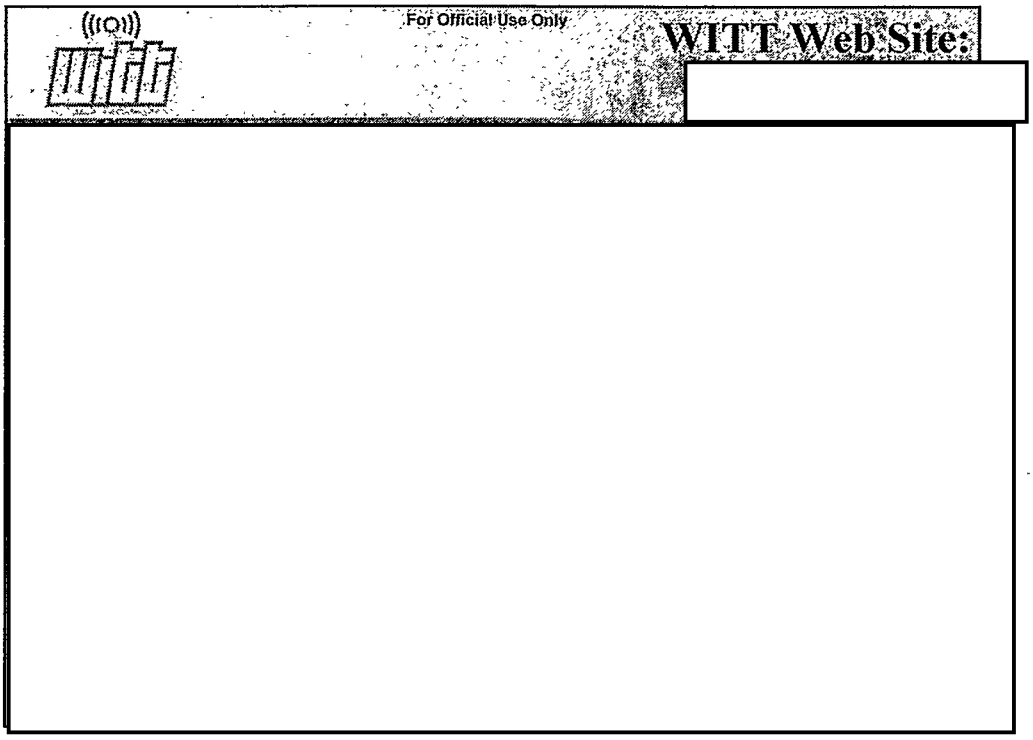

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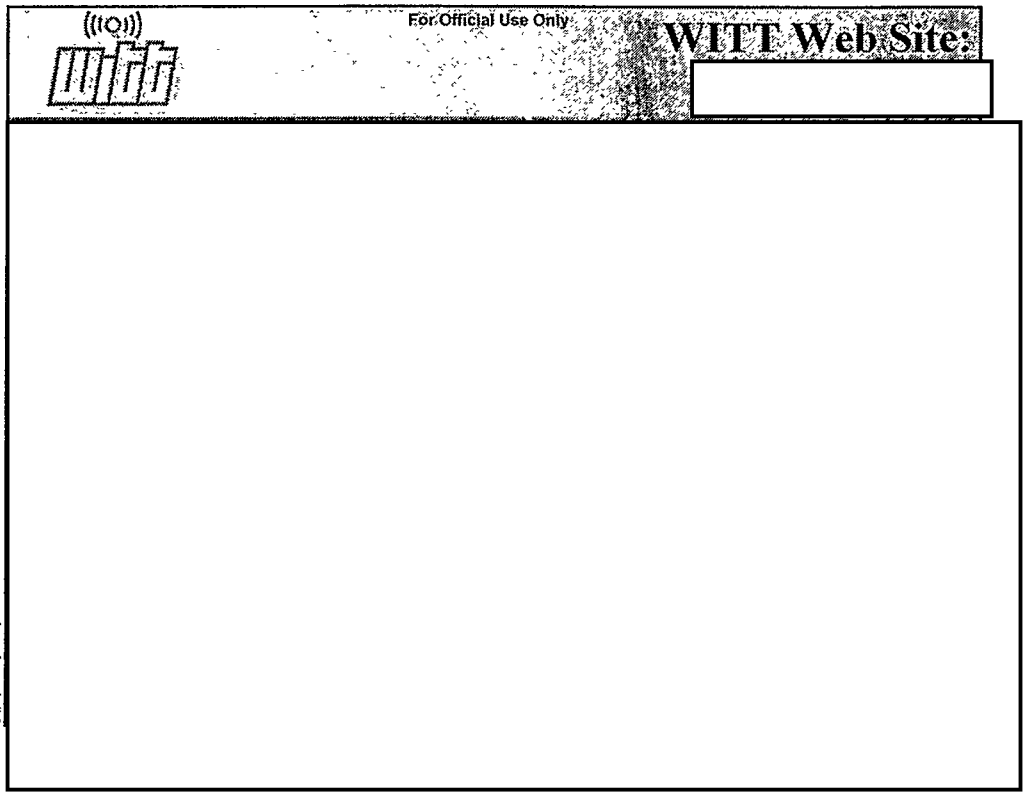

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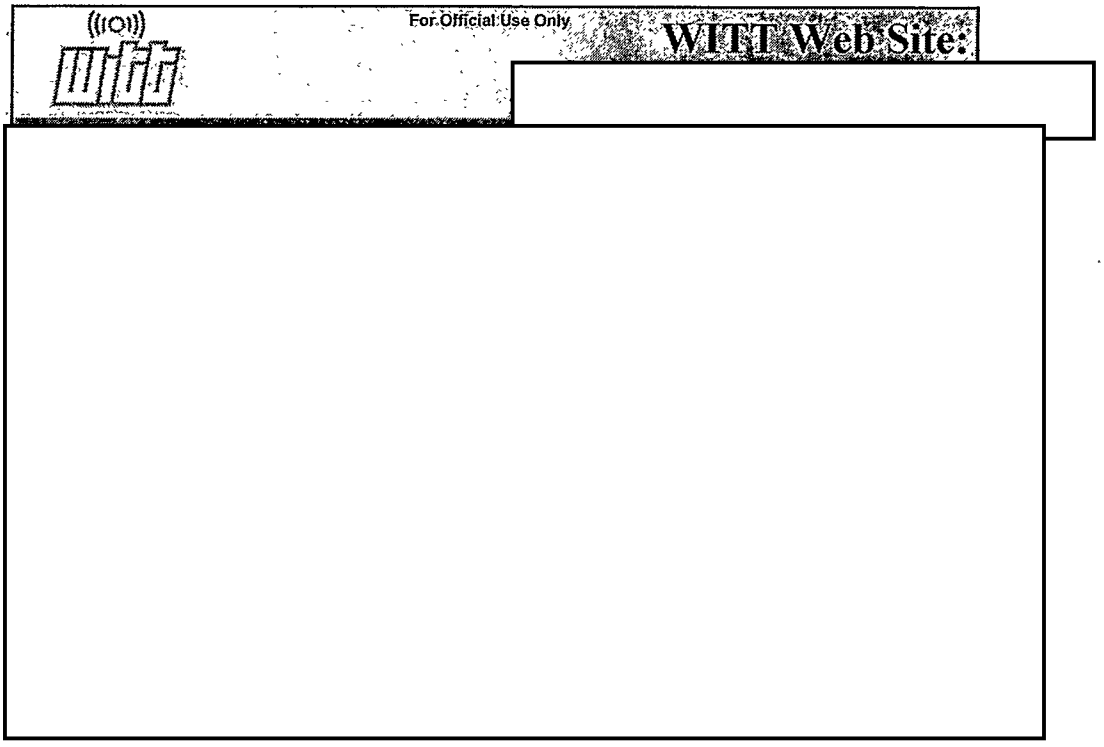

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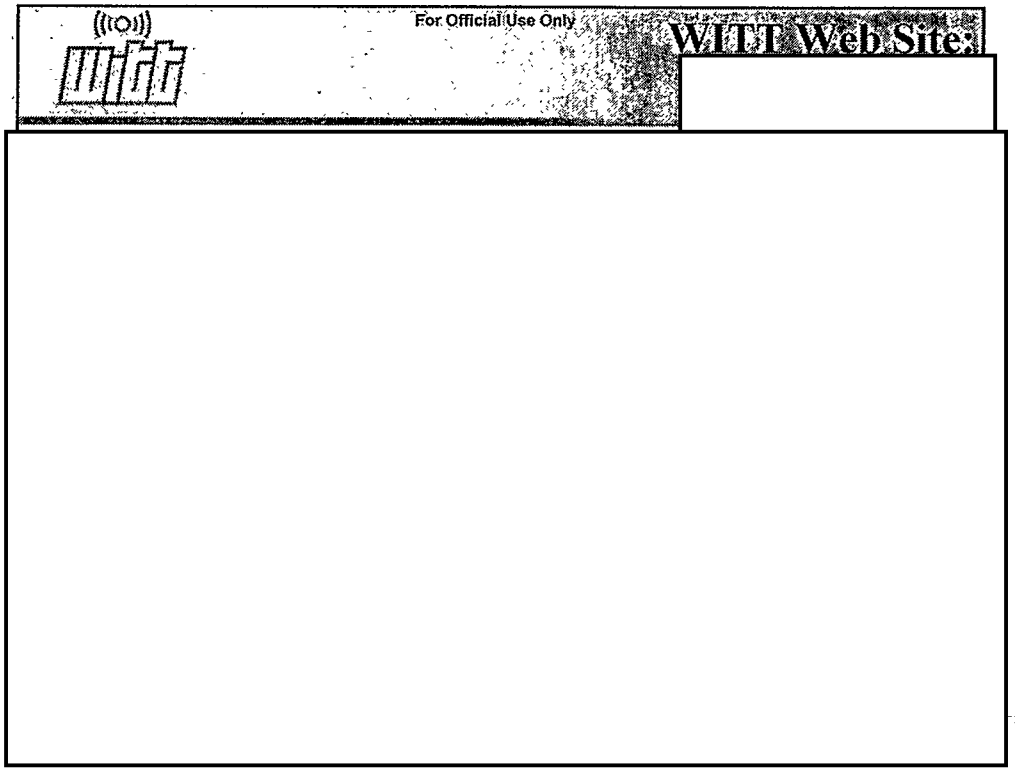

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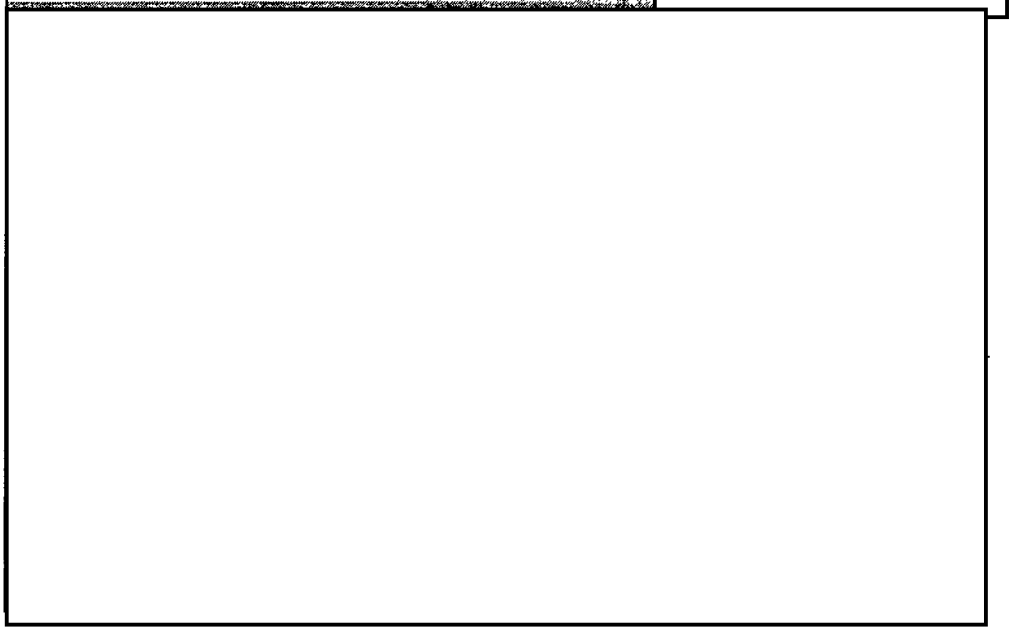
WITT Web Site:



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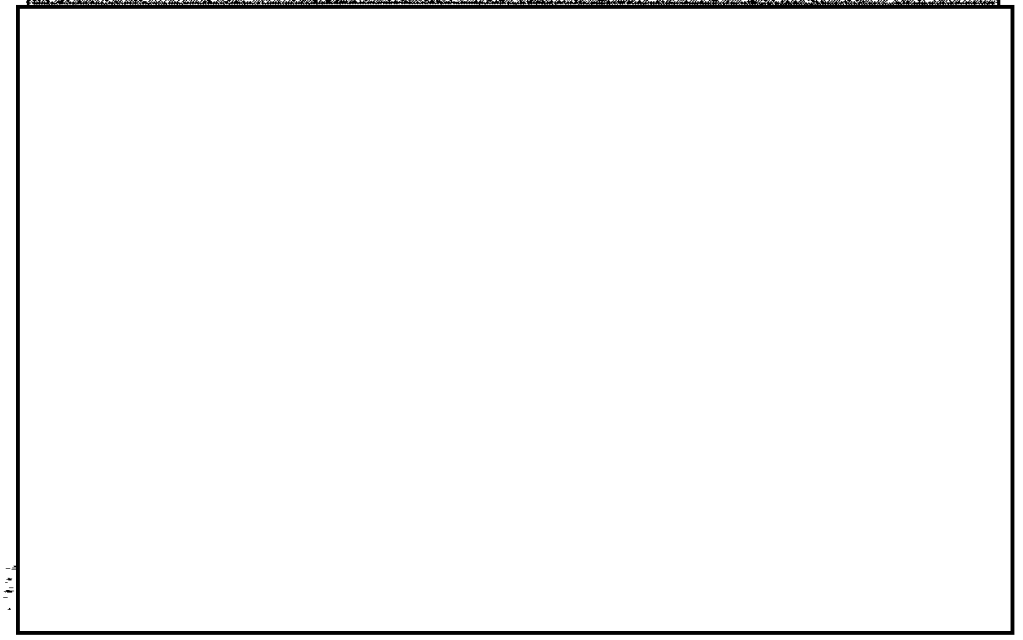
WITT Web Site: Legal Policy



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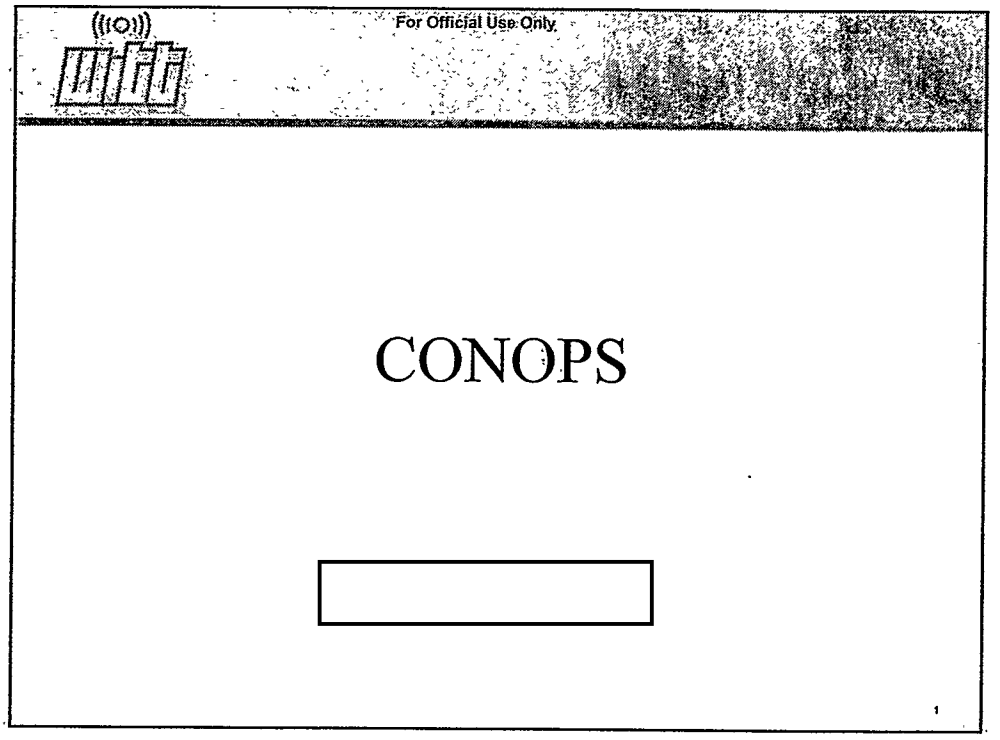
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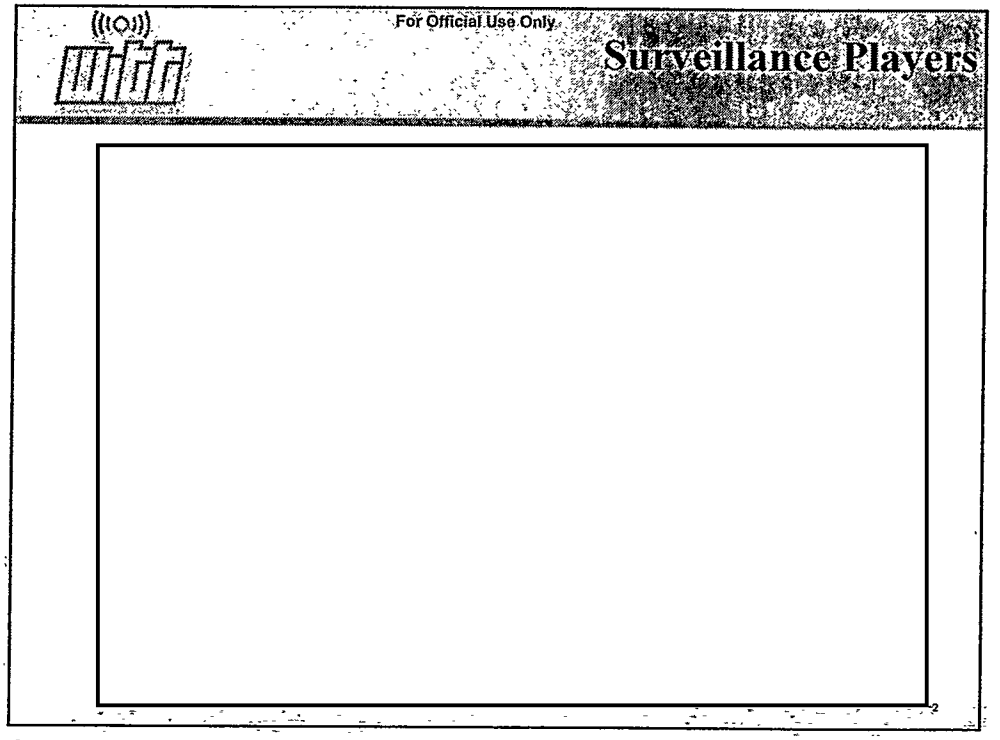
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Surveillance Players
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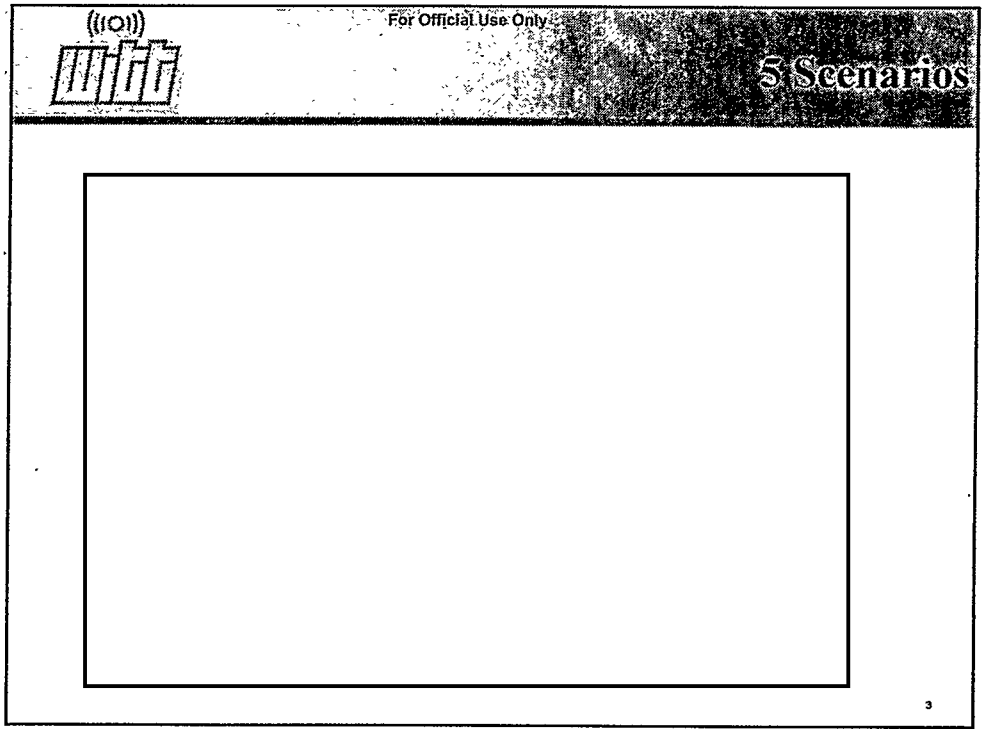
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5 Scenarios
3

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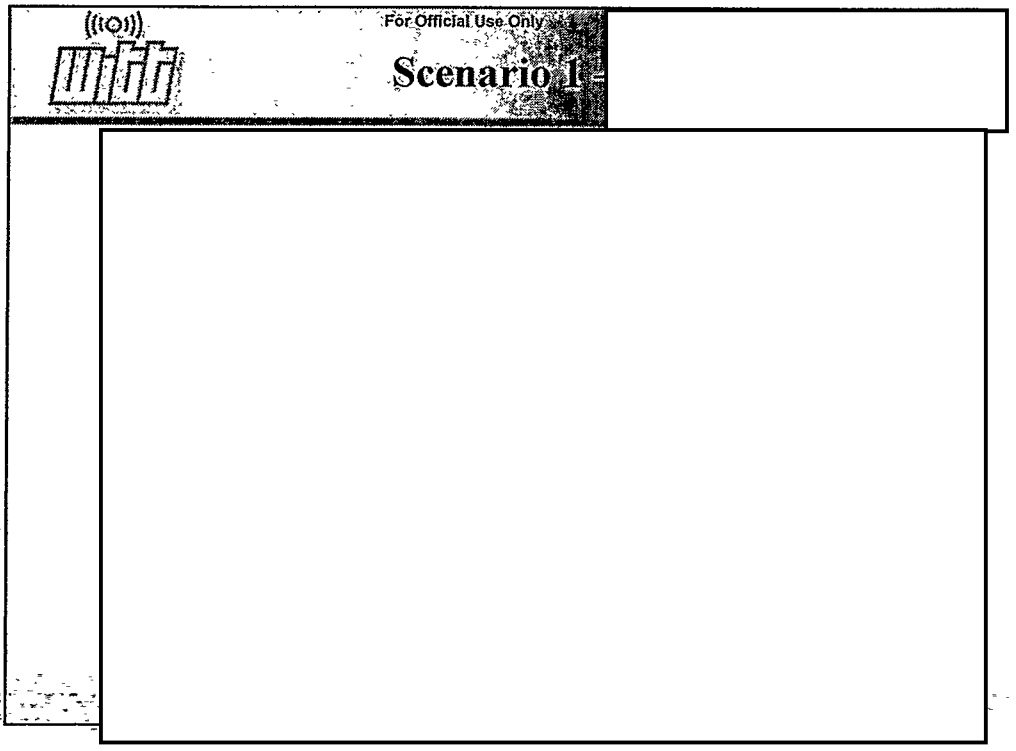
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Scenario 1

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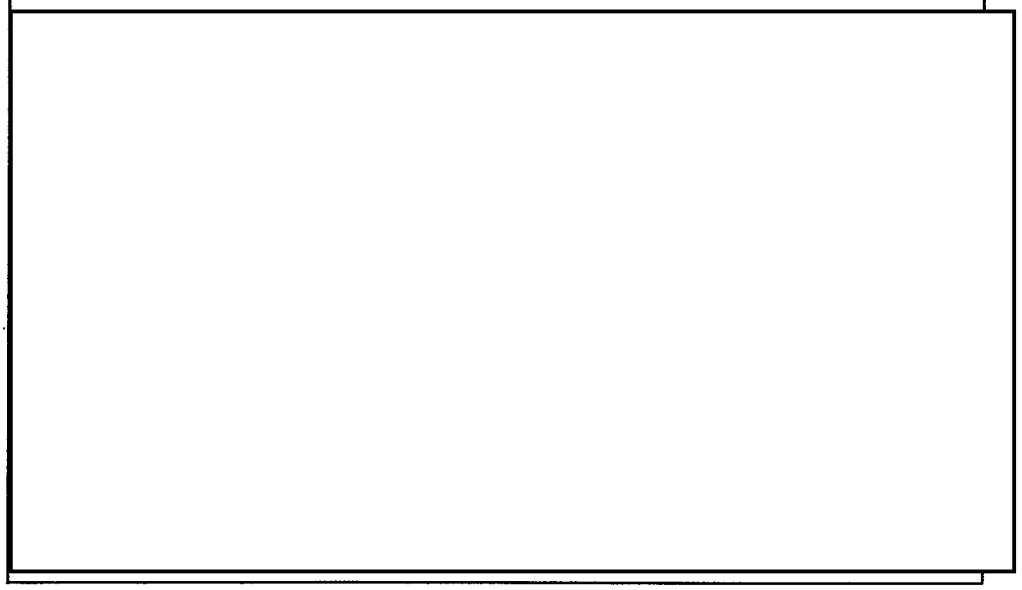
Scenario 1



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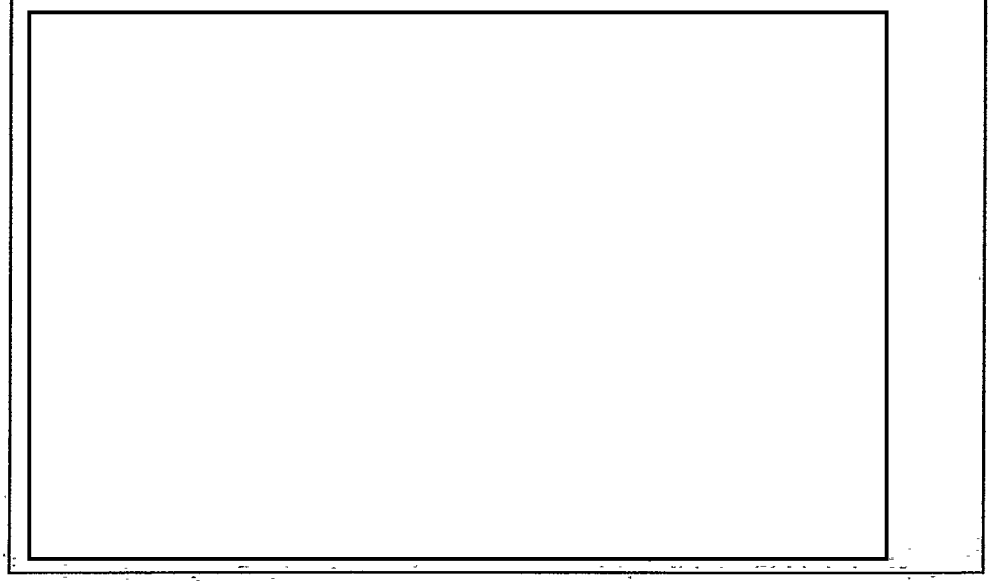

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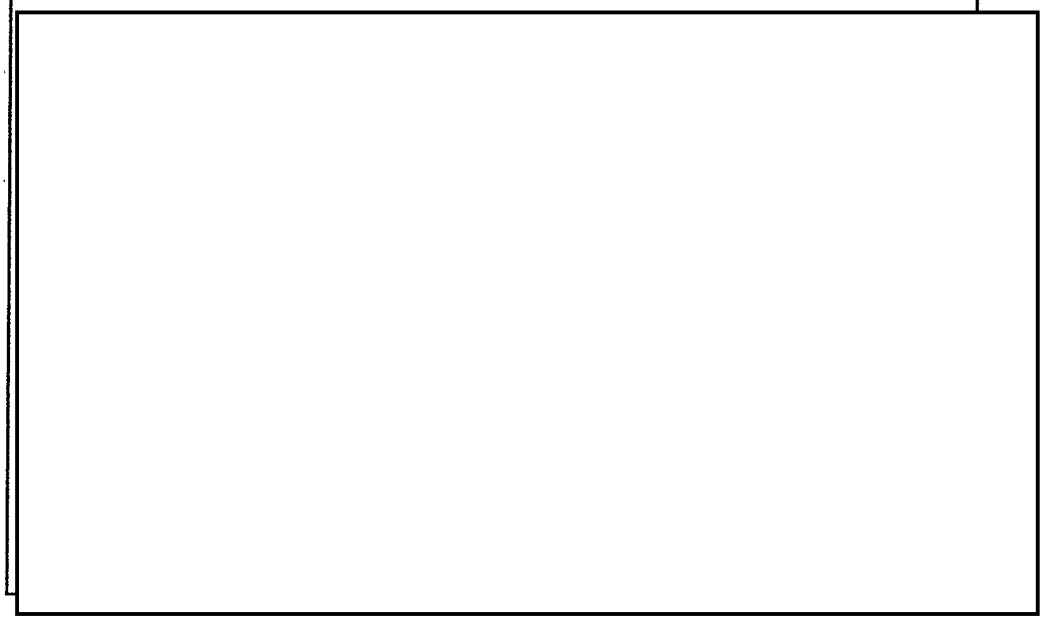

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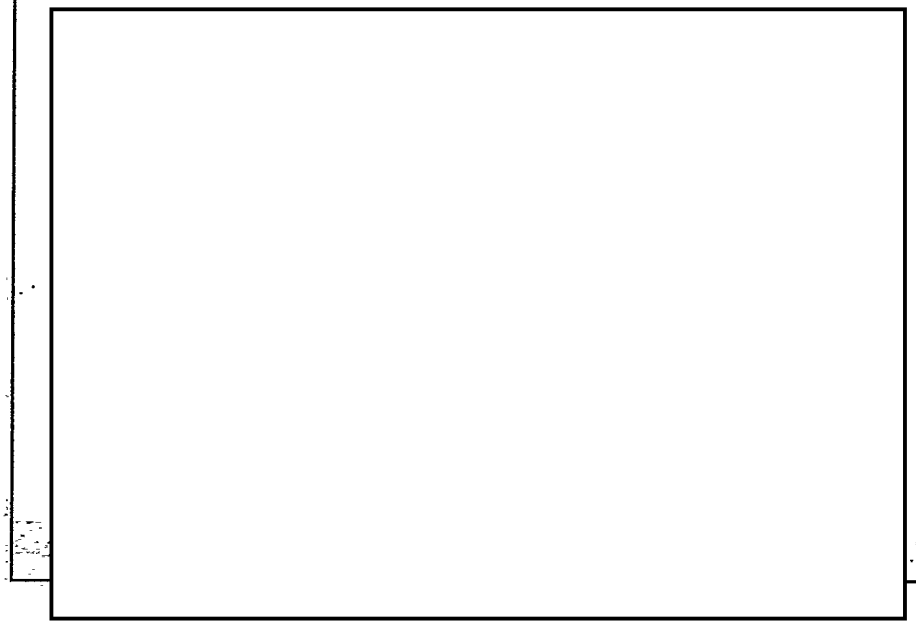

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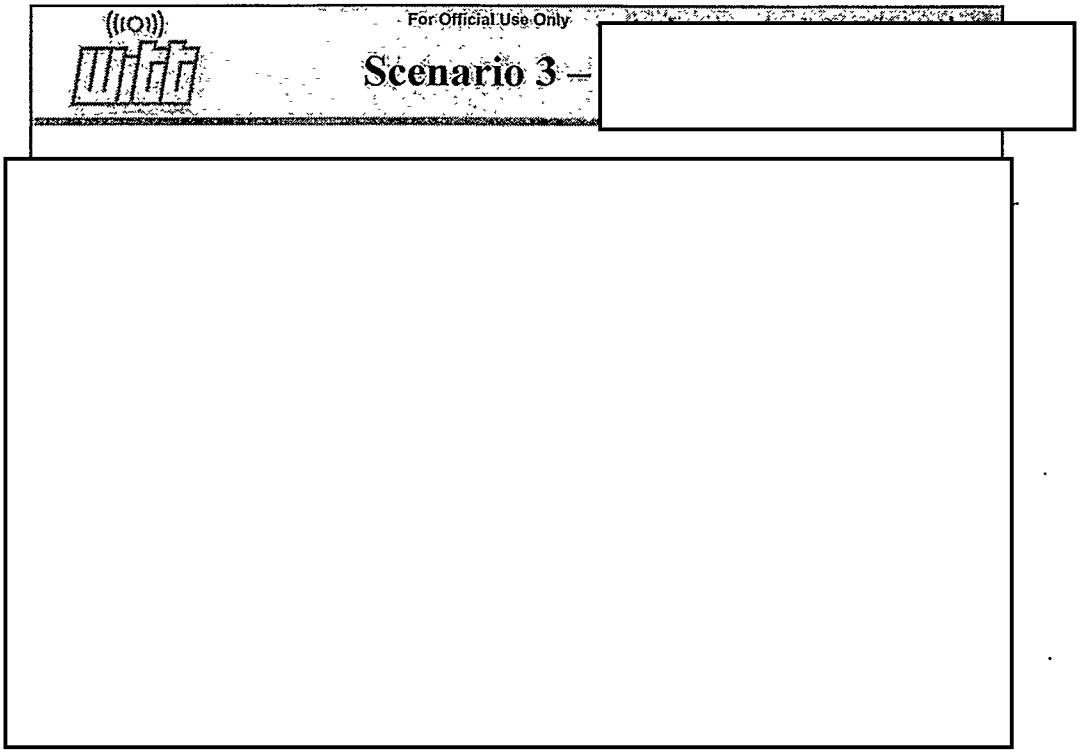
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Scenario 3 –

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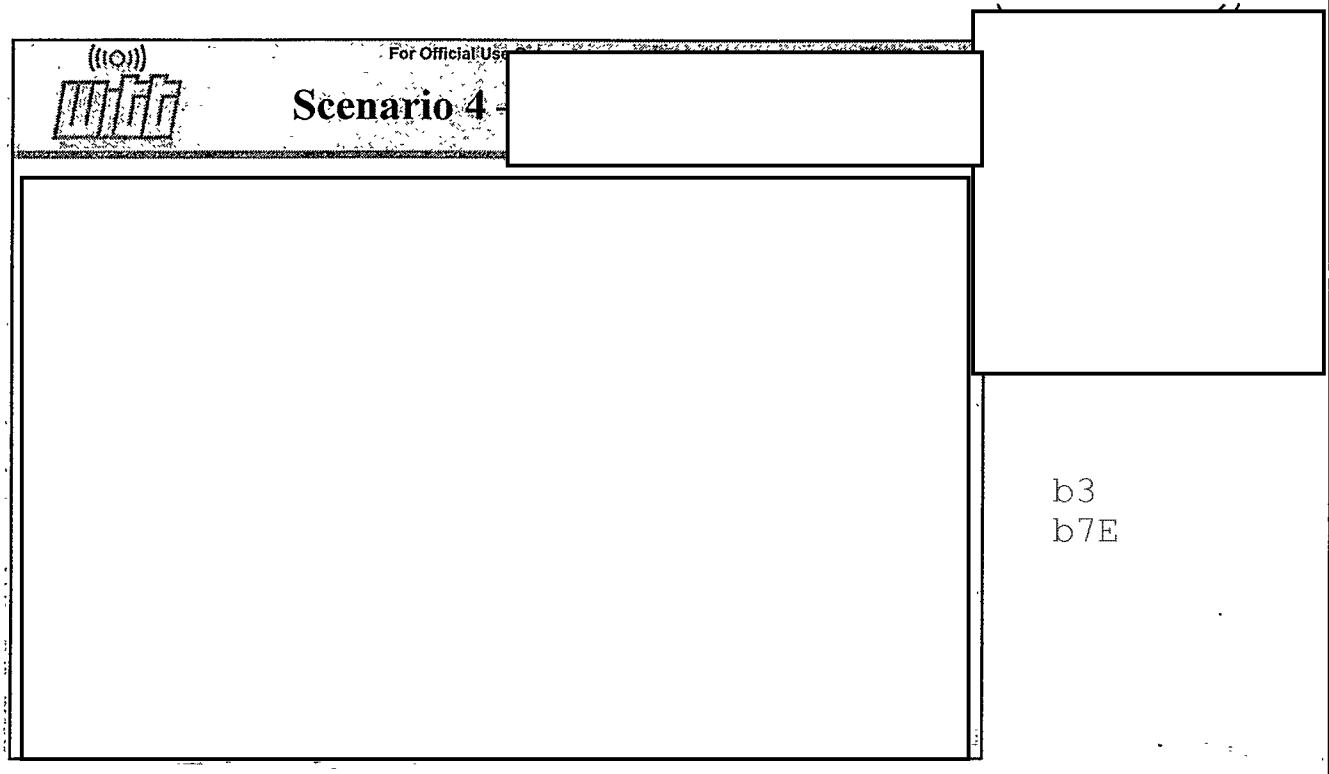
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Scenario 4 –

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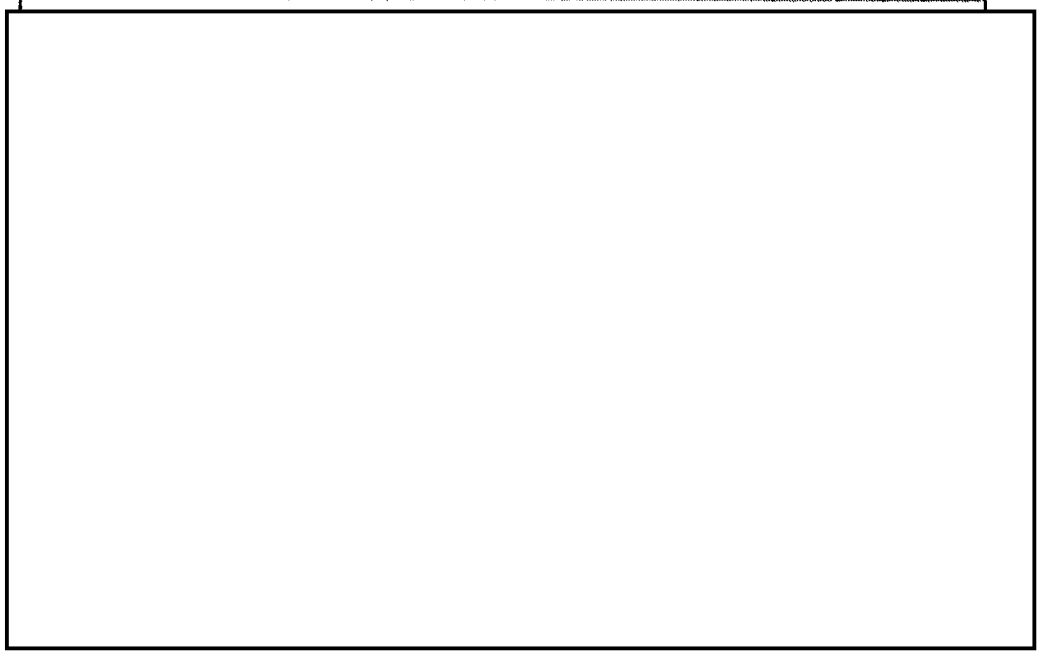
Scenario 4 –



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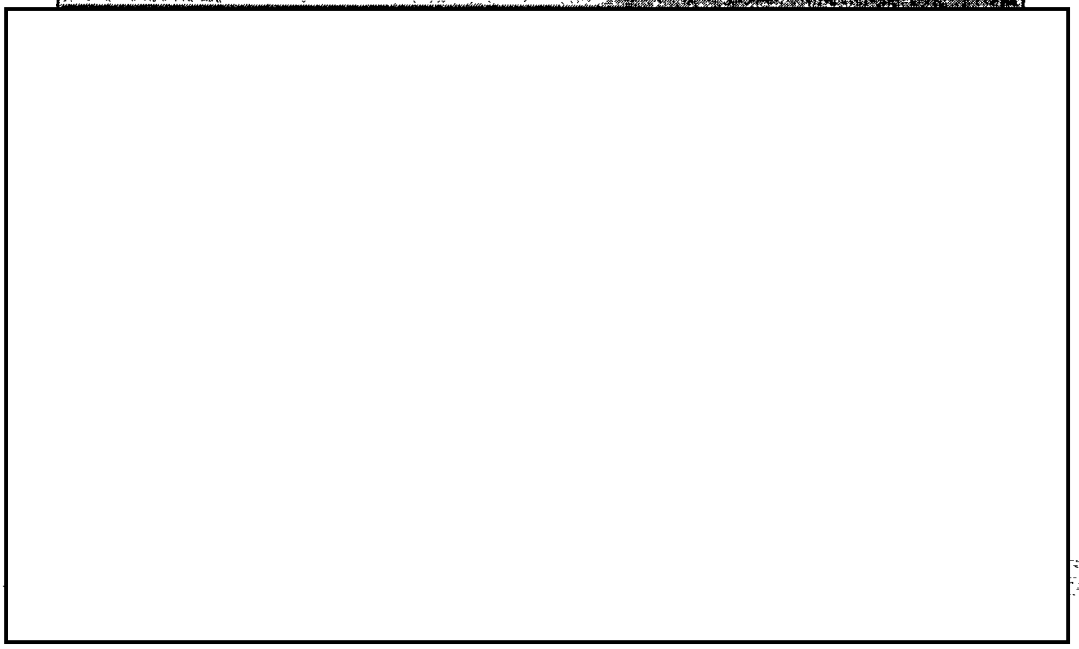
Scenario 5 – CALEA Surveillance



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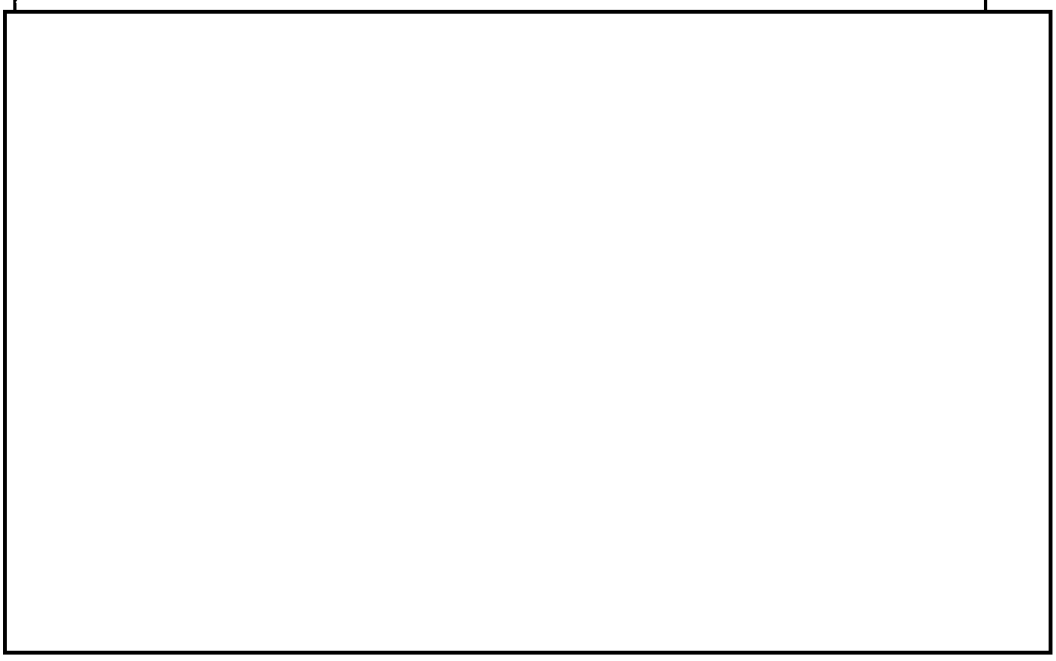
Scenario 5 – CALEA Surveillance



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Legal

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Legal Guidelines

- Legal considerations await the OGC's review, analysis, and approval
- Additional Legal and Policy issues being identified
- Updates and reference material will be posted on the WITT web site
- Any specific legal question, guidance, or advice should be referred to your CDC and/or to the OGC

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Preliminary Issues

- Pen Registers
- Title III
- Search Warrants
- Disclosure and Evidentiary Considerations
- Safety Issues
- [redacted]

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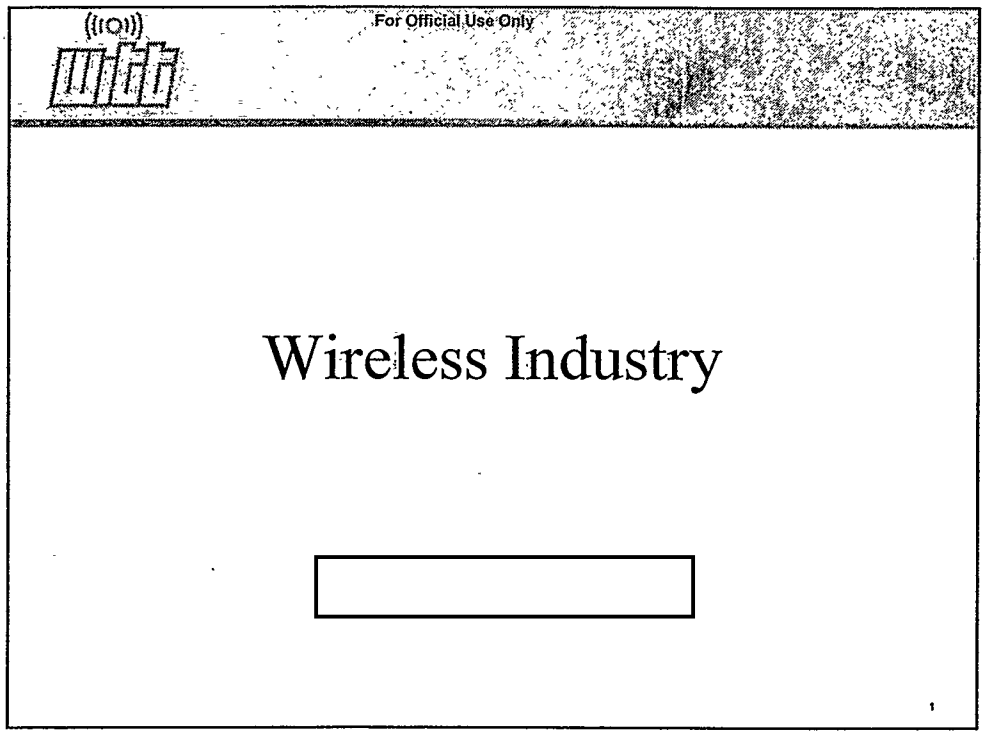

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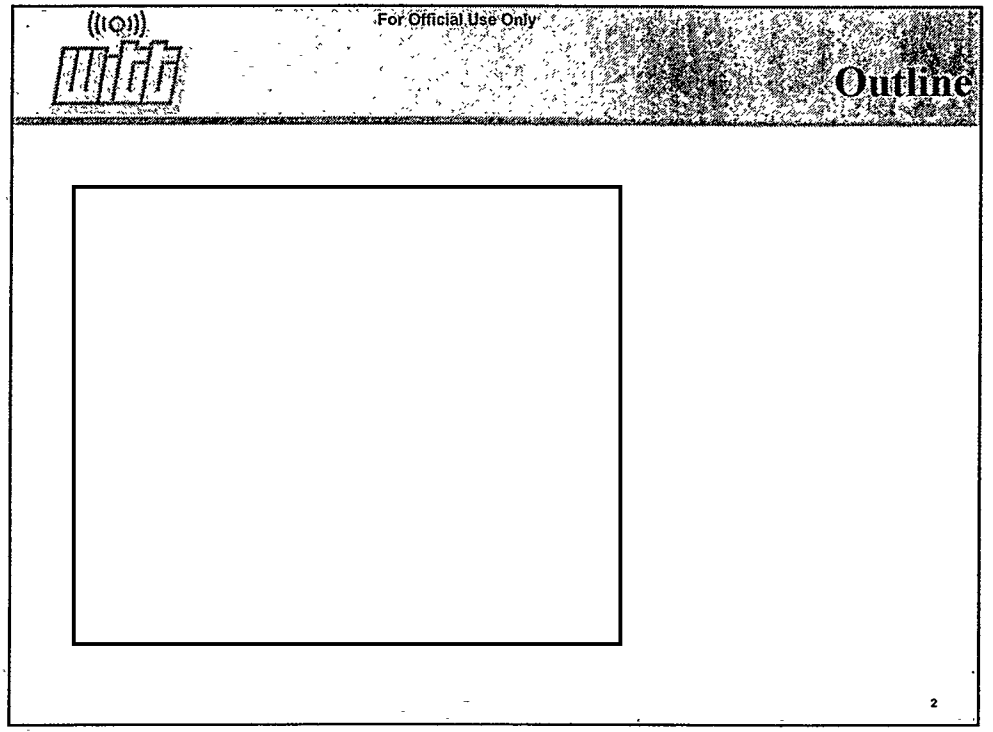

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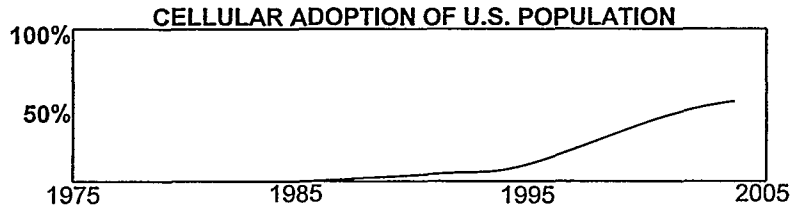
Historical Timeline

1970's	1980's	1990's	2000's
• Mobile Telephony concept specified by ATT's Bell Labs	• 1st generation technology (analog) deployed	• Mass adoption • 2nd generation technology (digital) • 2.5 generation (faster "dial-up" speeds)	• Business enterprise integration • 3rd generation (high speed data, apps) • Future???



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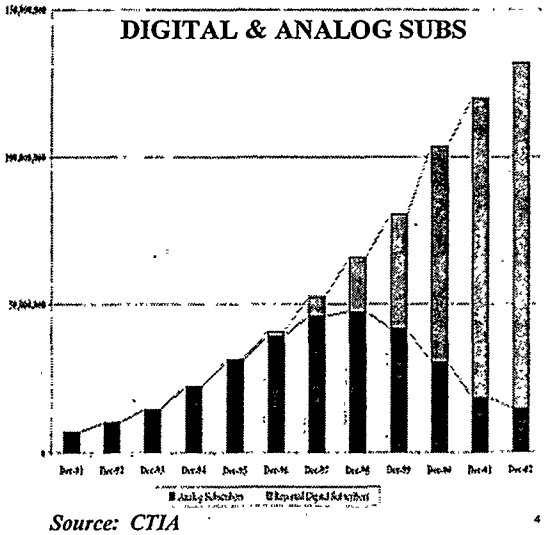
US Cellular Market

- 151.8 million subscribers (11/03)
- 147,719 Base-stations (6/03)
- More mobile than landline usage (10/02)
- Digital systems replacing Analog systems



Source: CTIA

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Service Provider Landscape

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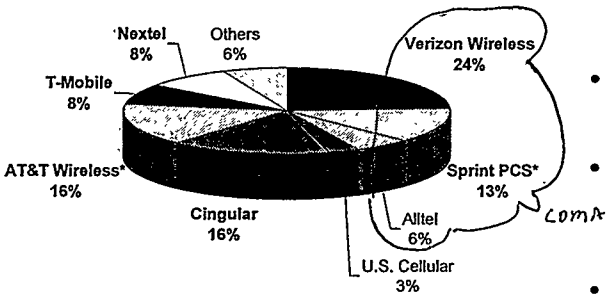
U.S. Carrier Market Share (2003Q3)



*Includes affiliates and resale

- Market dominated by 6 nationwide providers
- Few regional independents
- Others franchised or aligned with 'Big 6'
- Expect further consolidation

Source: The Yankee Group, [redacted]

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Evolution of Wireless Services

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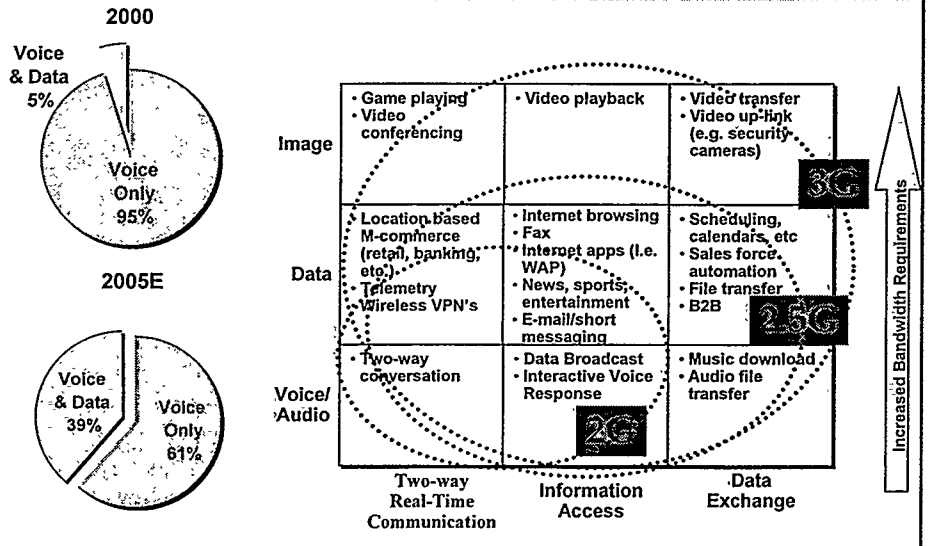

Source: Merrill Lynch, [redacted]

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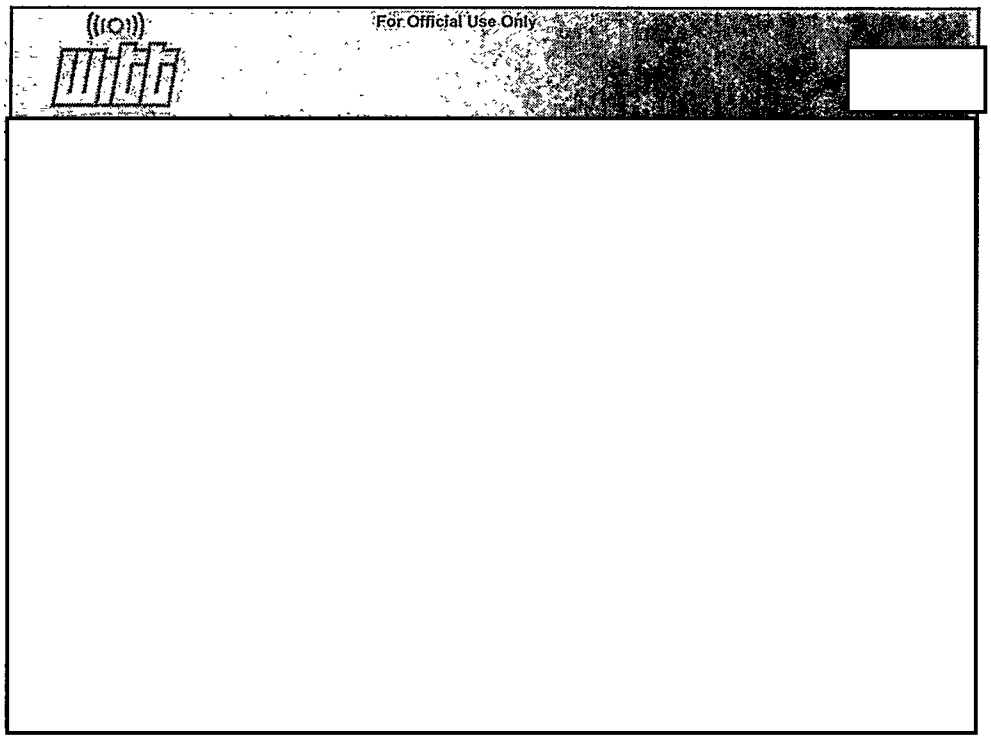

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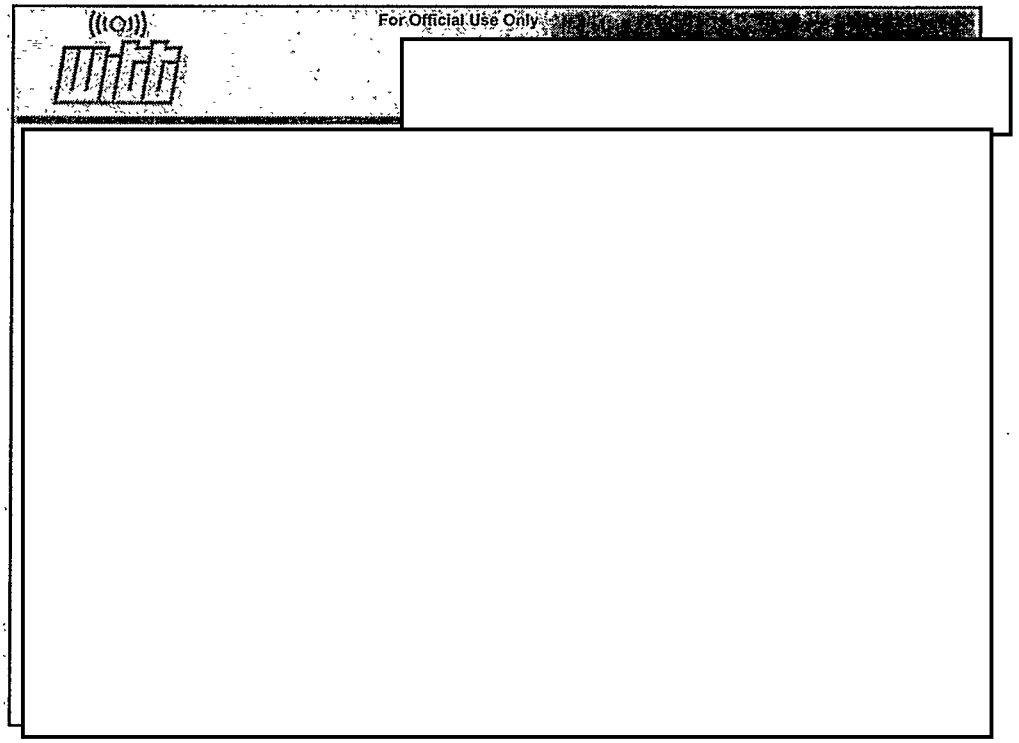

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Mobile Virtual Network Operator (MVNO)

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"OLD WORLD"

Vendor - Network Device / Phone → Wireless Carrier

"NEW EVOLVING WORLD"

Vendor - Network - Device / Phone - Applications / Platforms → Network Operator → Application & Content Providers → Service Provider

[redacted]

9

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In-Building Repeater Cells

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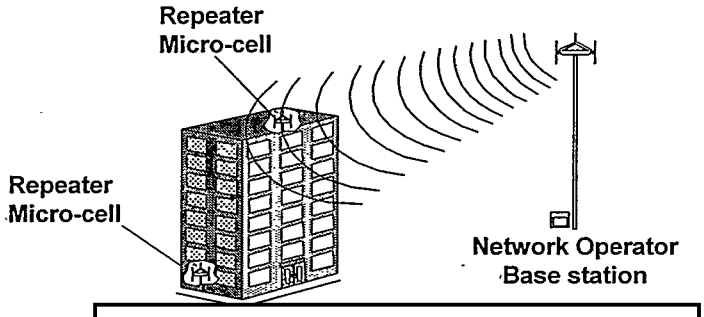

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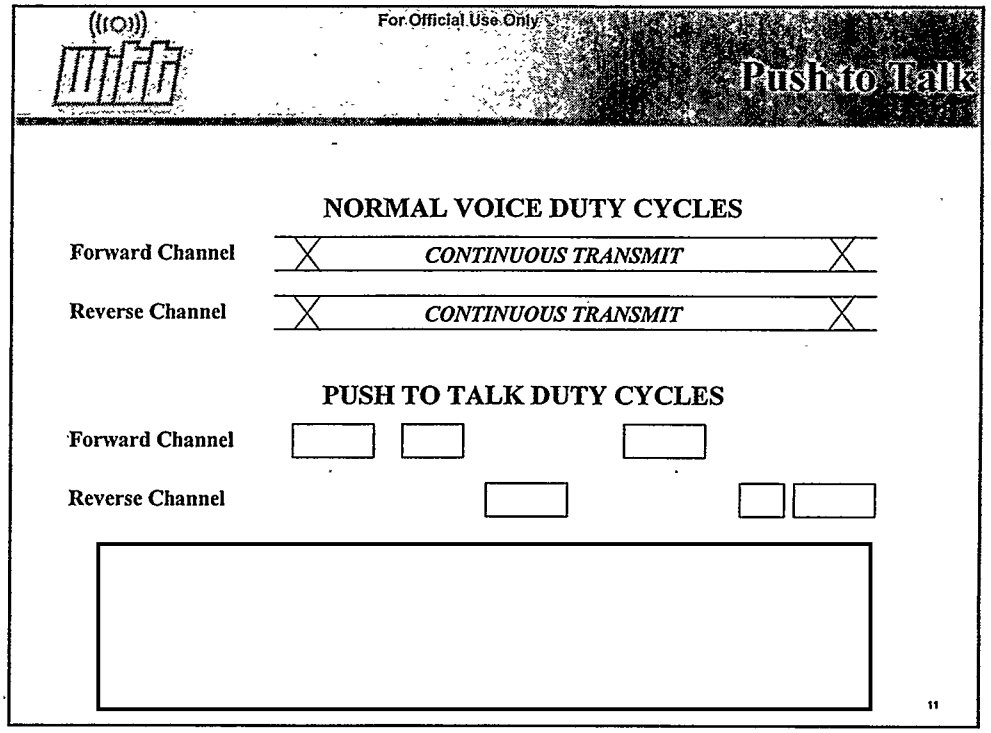
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Push to Talk
NORMAL VOICE DUTY CYCLES
Forward Channel
CONTINUOUS TRANSMIT
Reverse Channel
CONTINUOUS TRANSMIT
PUSH TO TALK DUTY CYCLES
Forward Channel
Reverse Channel
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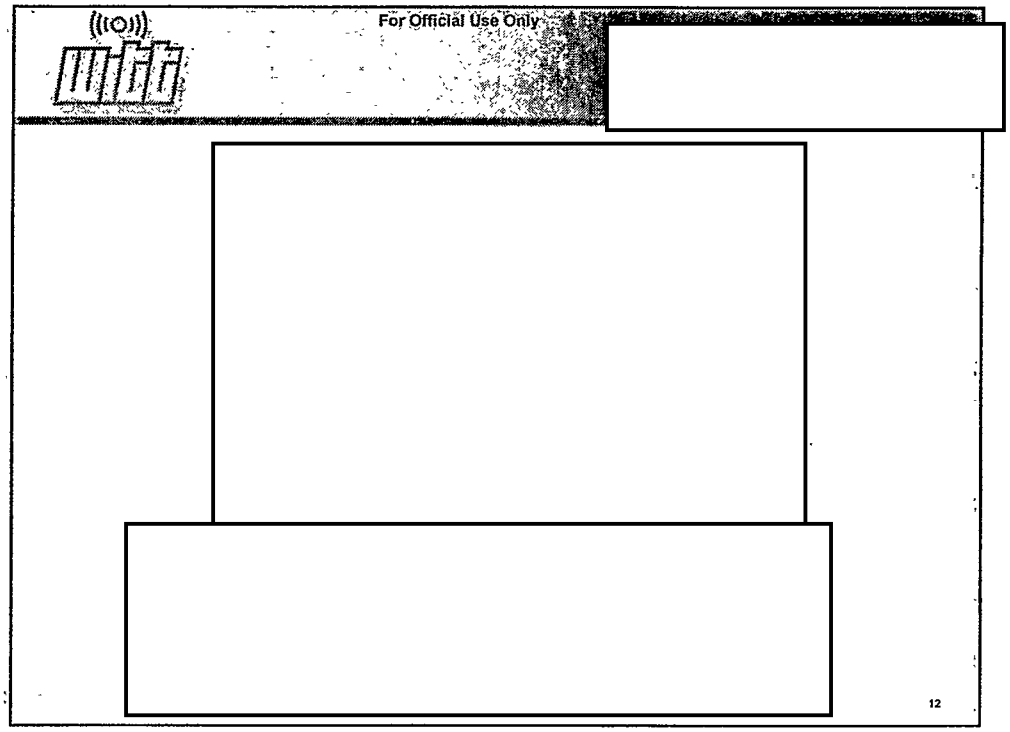
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Introduction to the Mobile Phone Systems [redacted]

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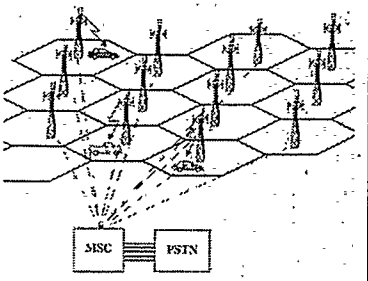
1

Overview: Cellular System Concept

- Cellular System allows the reuse of spectrum within a region by employing centrally connected base stations
- Each base station wirelessly connects to multiple mobiles within a designated geographic area (cell)
- Base stations connect to a Mobile Switching Center (MSC) and then to the Public Switched Telephone Network (PSTN)
- The system allows
  - Reuse of spectrum in regions, increasing the capacity of the system over a trunked radio system
  - Mobility of users in the system without loss of connectivity



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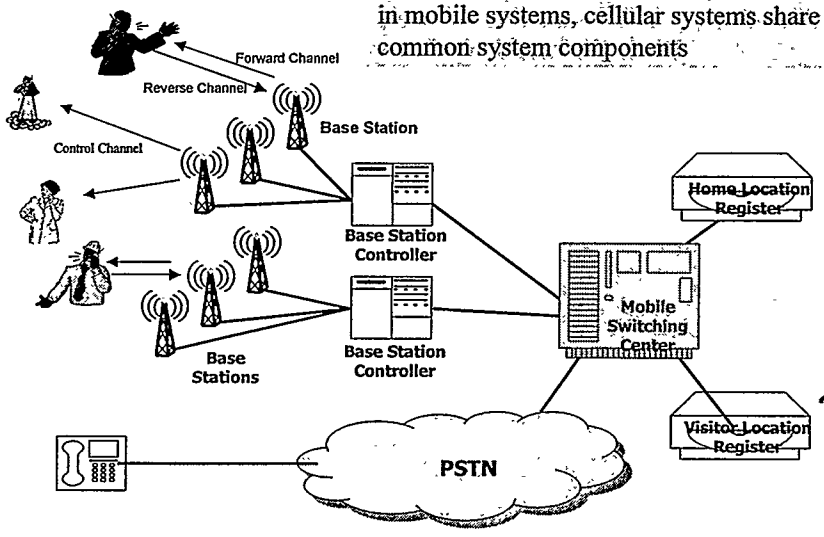
Overview: Cellular Components

While multiple access techniques are employed in mobile systems, cellular systems share common system components



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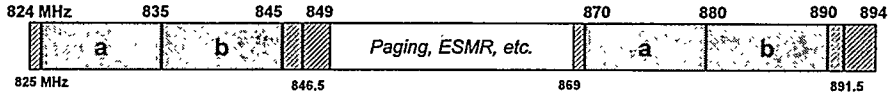
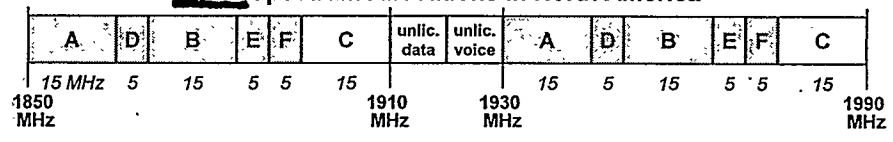
Cellular System: Frequency Bands

Communication between the mobiles and the network occur in two frequency bands in the United States*

Cellular Spectrum Allocations in North America



PCS Spectrum Allocations in North America



* Nextel's iDEN solution operates in the 806-824MHz and 851-869MHz frequency bands.

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Cellular System: RF Channels

Cellular and PCS frequency bands are subdivided into Radio Frequency (RF) channels for communication between base stations and mobiles

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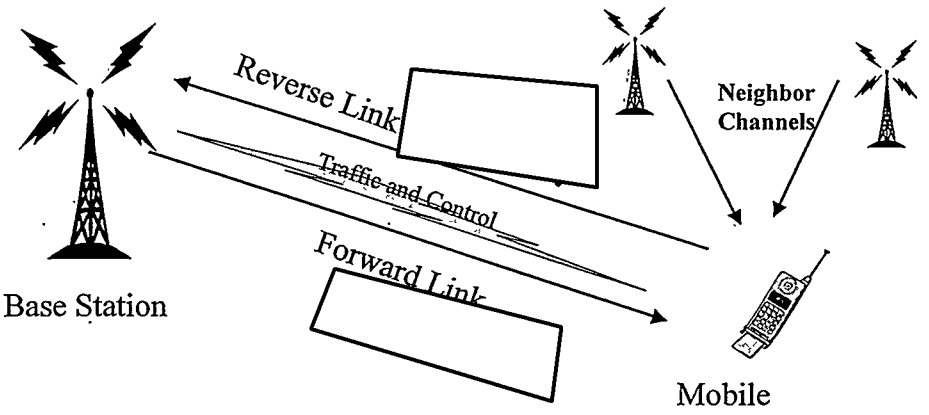

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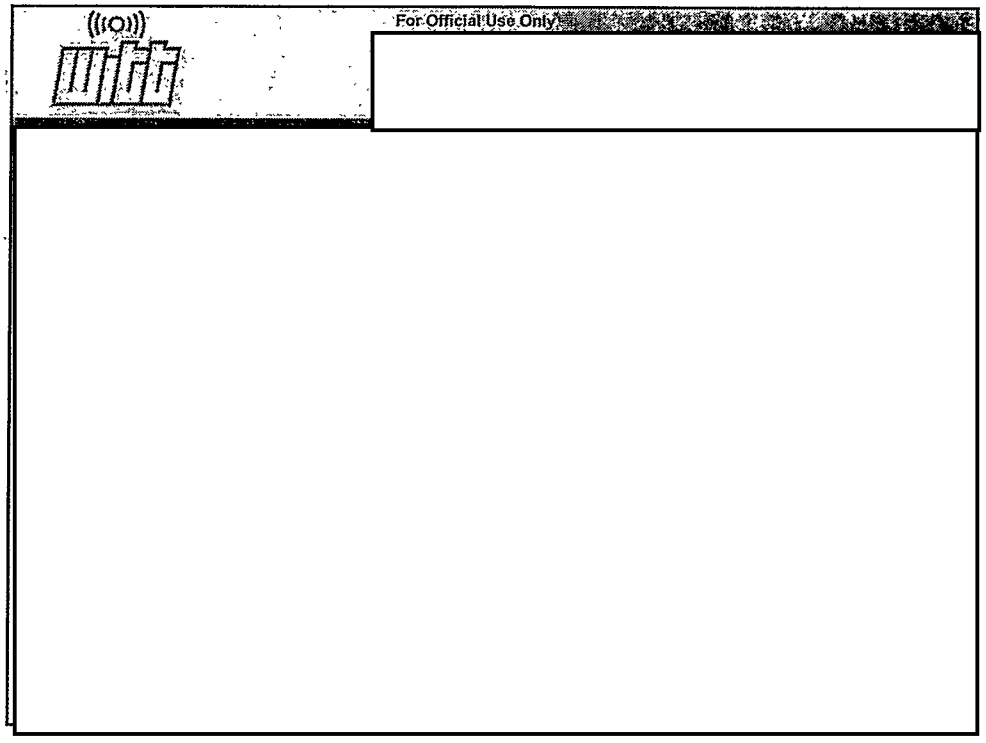

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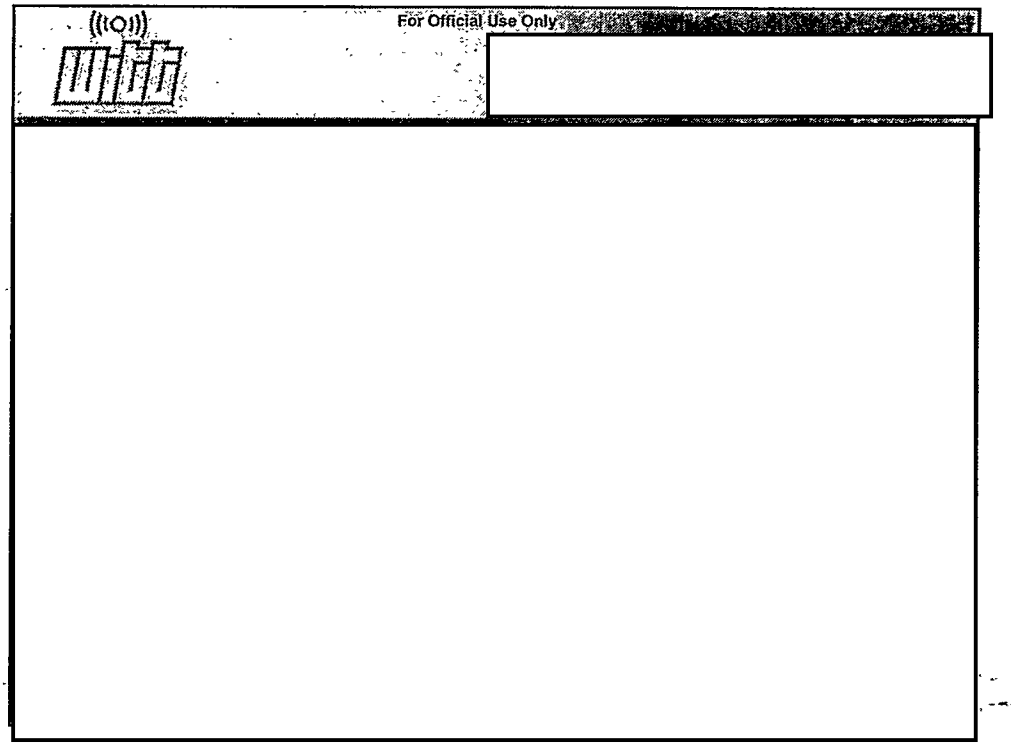

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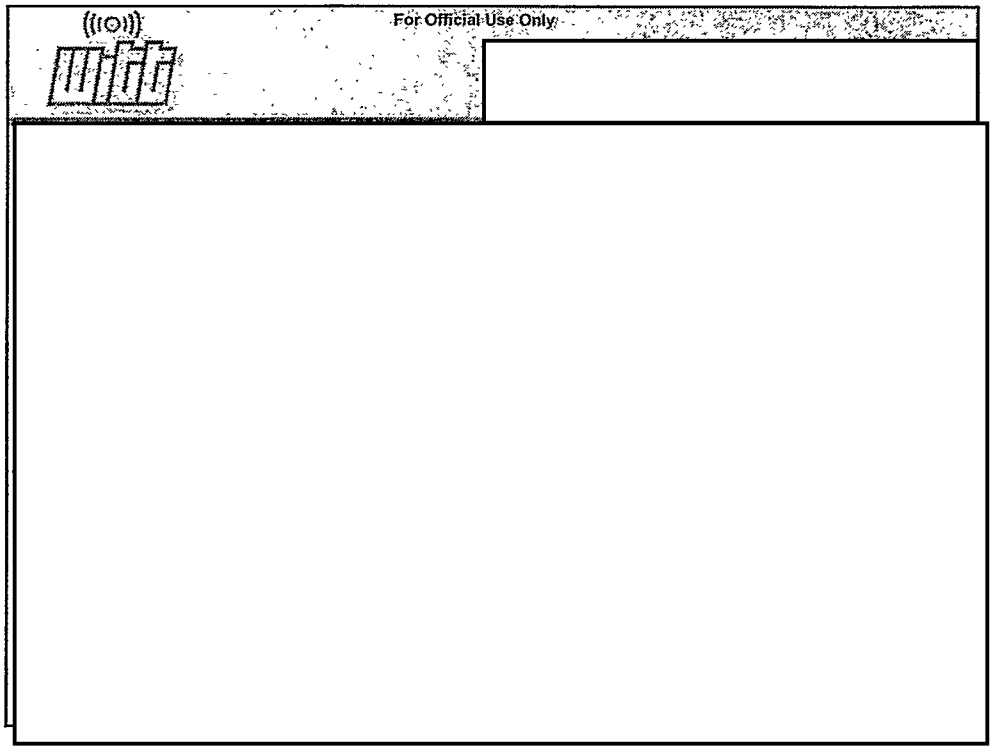

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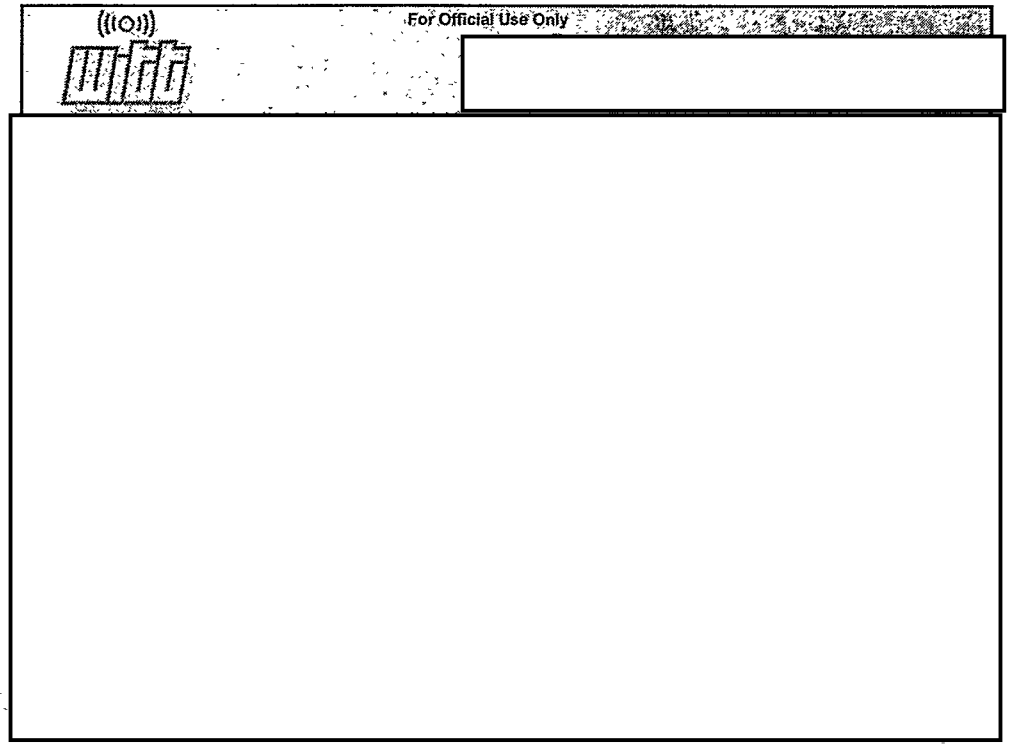

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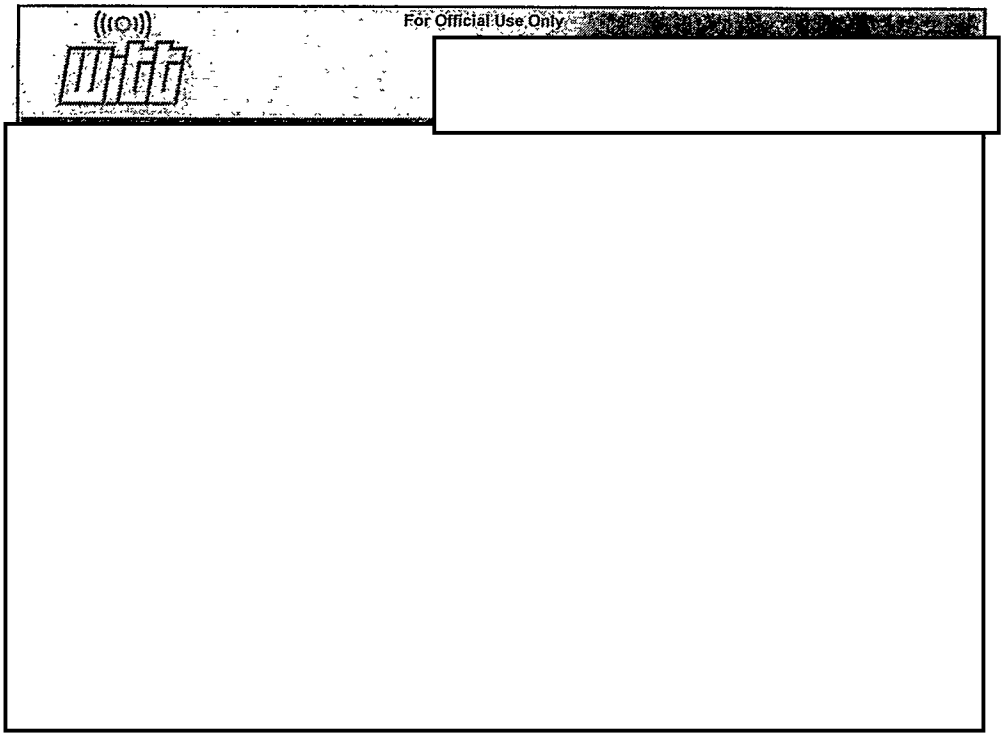

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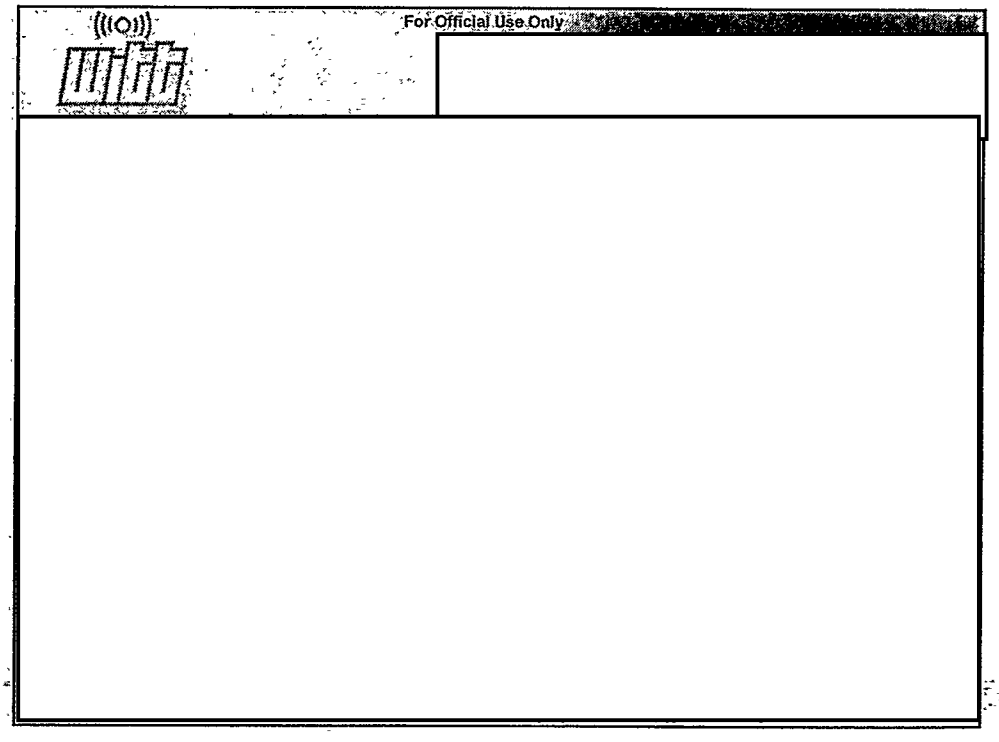

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Access Technologies

There are currently five cellular technologies in use in the U.S. market

- AMPS (10% Market Share)
- TDMA (IS-136) (20%* Market Share)
- GSM (17% Market Share)
- CDMA (46% Market Share)
- iDEN (7% Market Share)

[redacted]

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* Carriers are converting TDMA systems to GSM

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AMPS (Advanced Mobile Phone Service)

- Background
  - Initial U.S. cellular system
  - Reached feasible system capacity limits in mid 90s
- Limitations
  - Provides basic voice service
  - No additional services: Digital Messaging, Location based services, etc.

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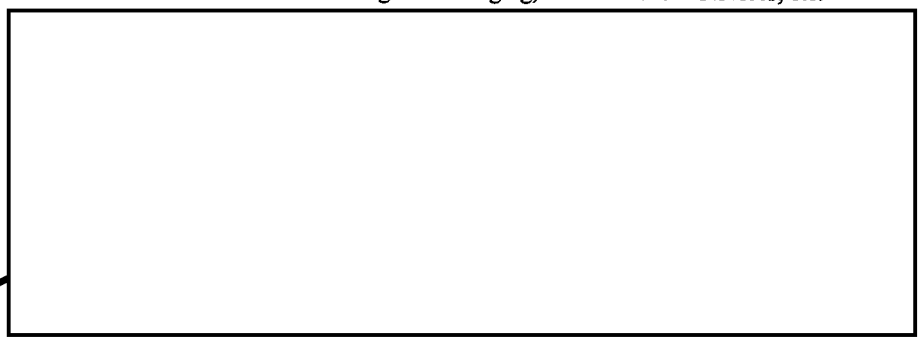

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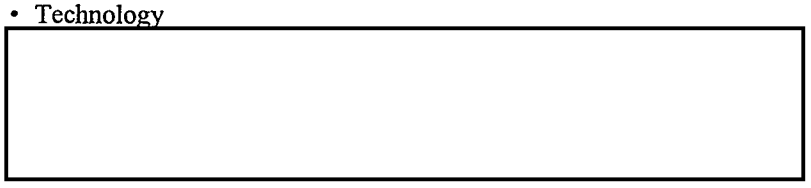
TDMA (Time Division Multiple Access)

- Background
  - Technology was the first commercially available digital cellular technology in U.S.
  - Provides increased system capacity and advanced digital services
- Technology



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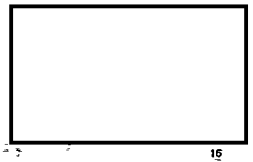
- U.S. TDMA systems being replaced with GSM systems



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GSM (Global System for Mobile Communications)

- Background
  - Technology first introduced in Europe and migrated to the U.S.
  - Provides increased system capacity, advanced digital services and ability to offer seamless international mobile operation
- Technology
  - Multiplex users by assigning unique operating time slots in shared frequency channels
  - [redacted]
- GSM is the most widely adopted cellular technology in the world

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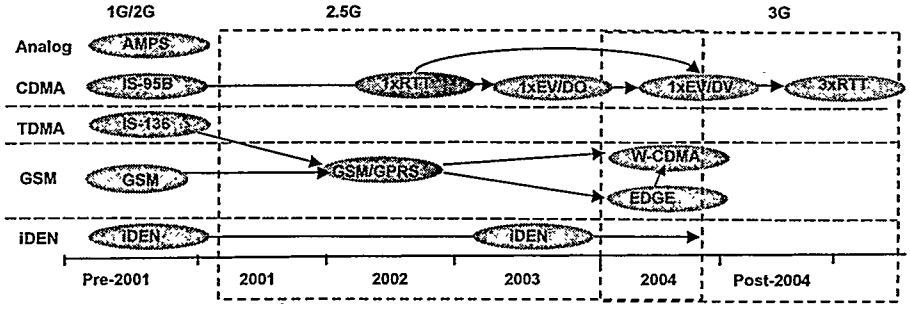
General Trends

- CDMA and GSM phones will dominate near term U.S. market
  - 83 percent of the market (with conversion of IS-136 systems to GSM)
- 3G Systems will be CDMA based
- Carriers will continue to develop enhanced features



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Loggerhead [redacted]
Triggerfish

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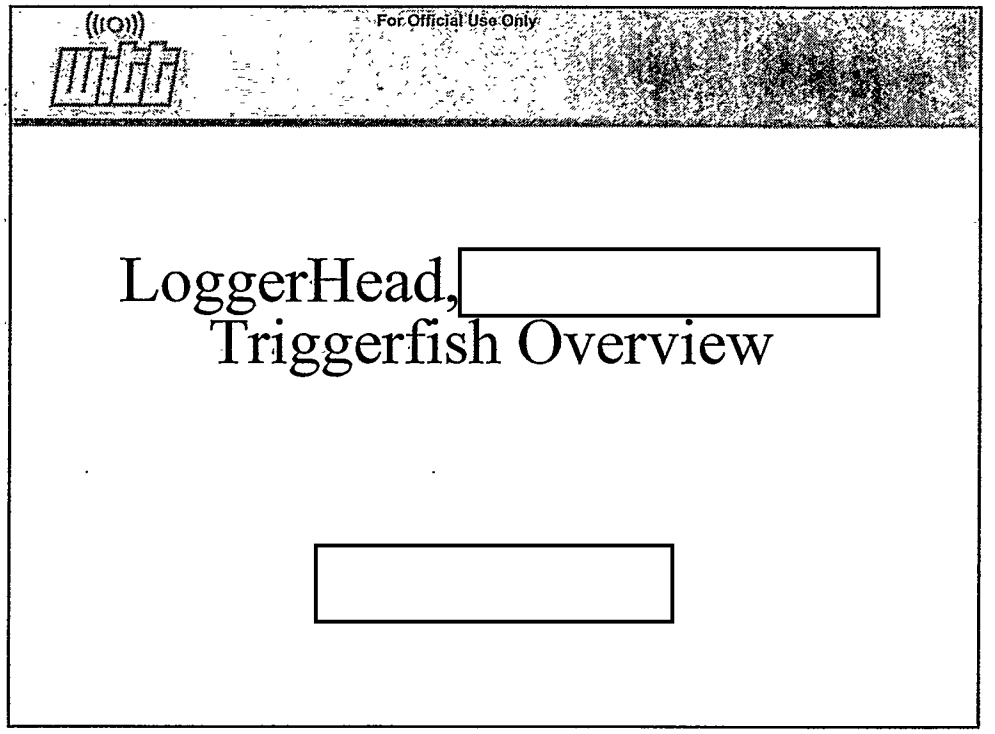

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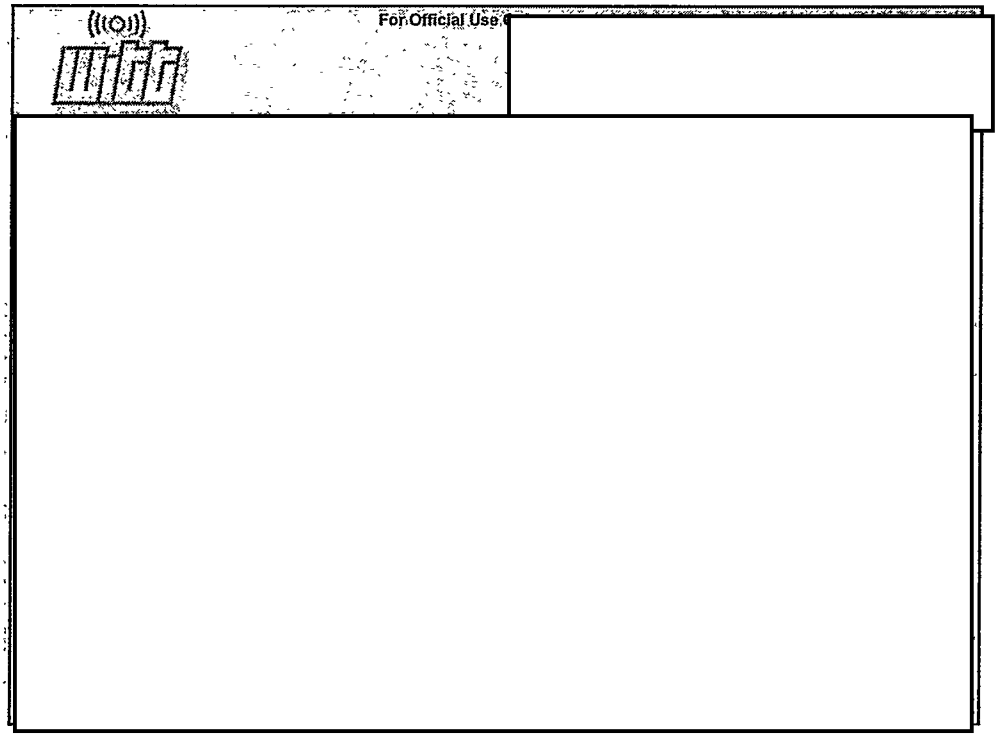

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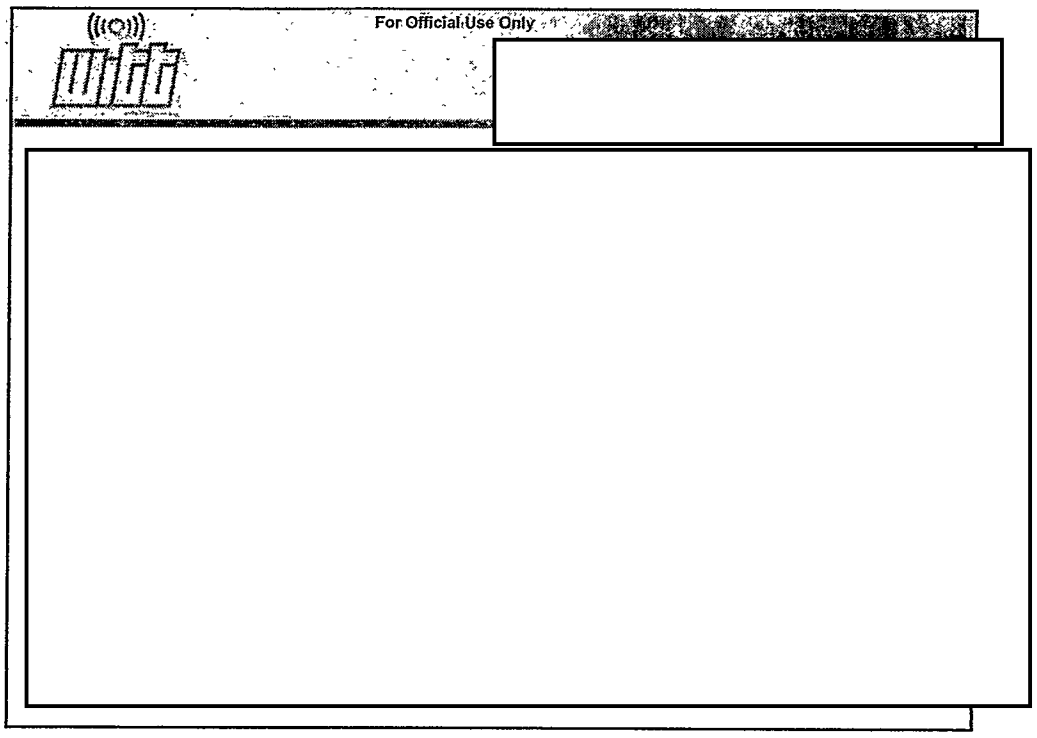

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Intro to [ ]

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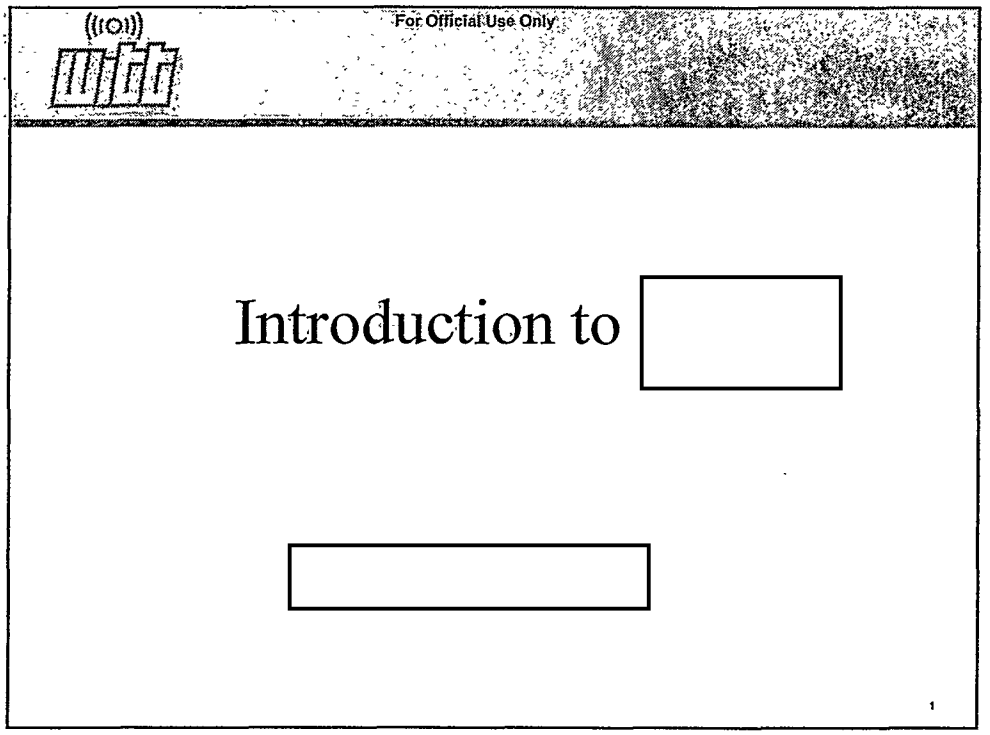

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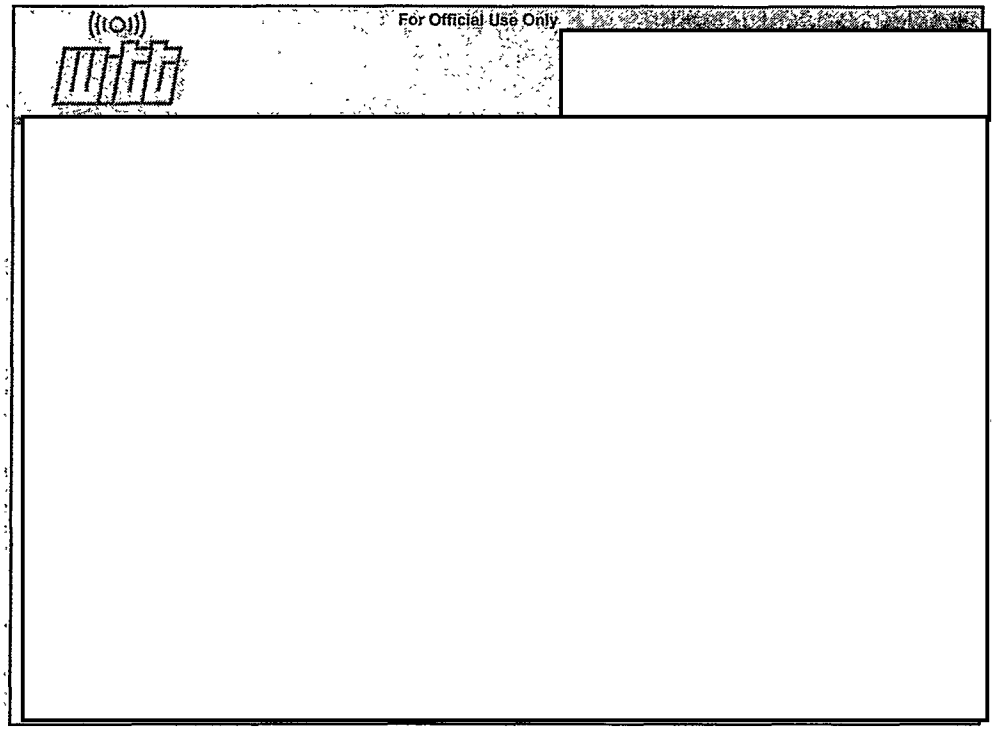

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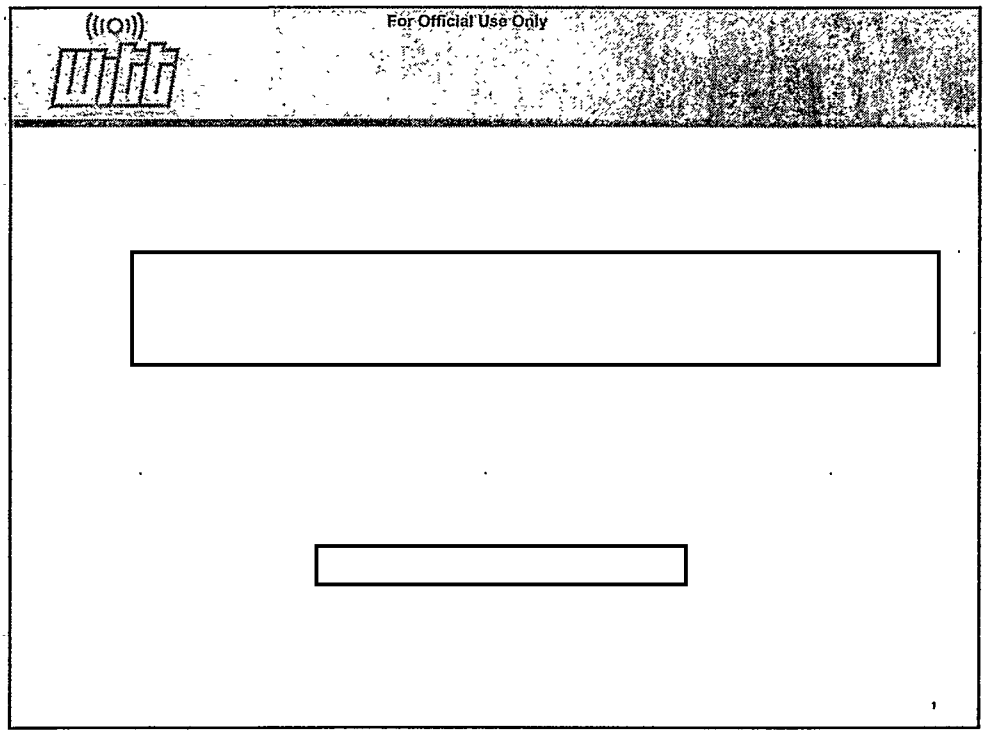

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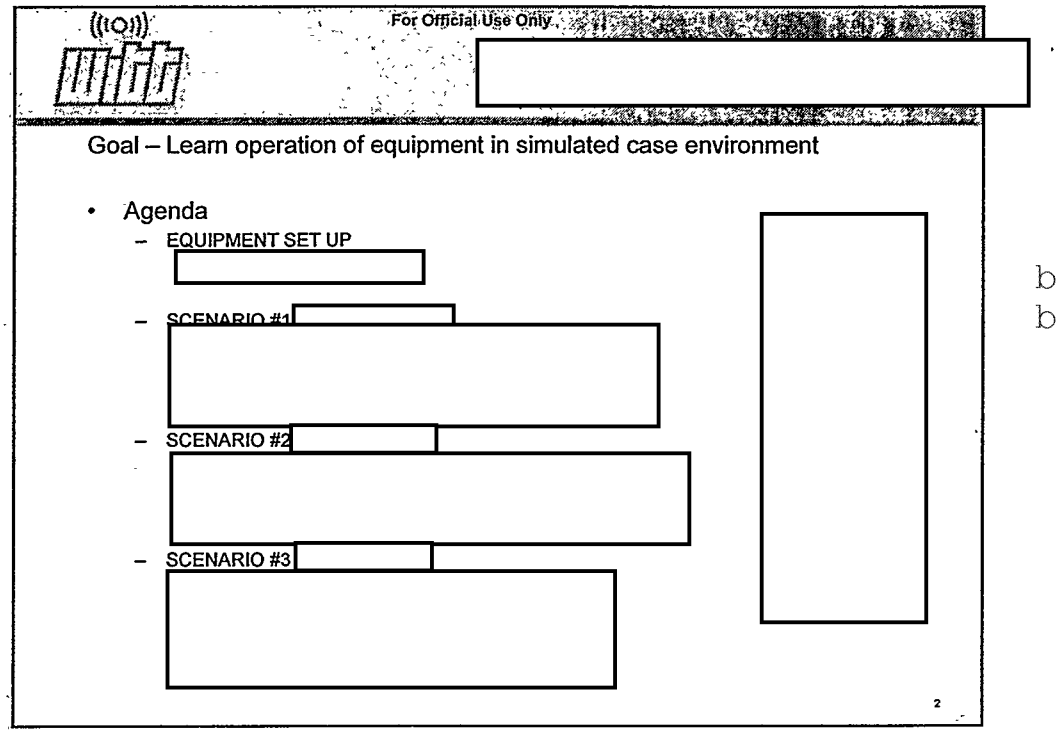

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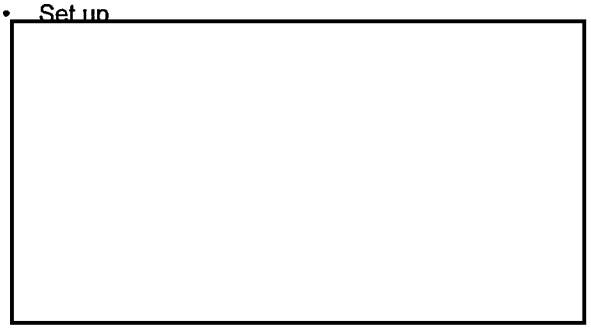
Scenario #1

b7E

- Set up



- Location

3

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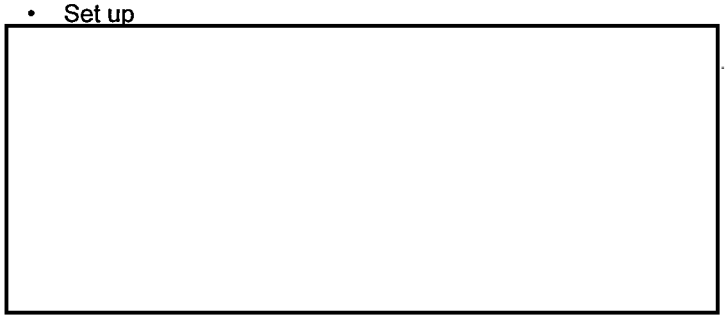
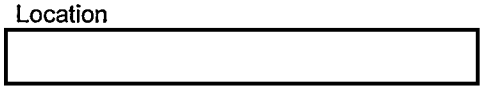
Scenario #2

b7E

- Set up



- Location



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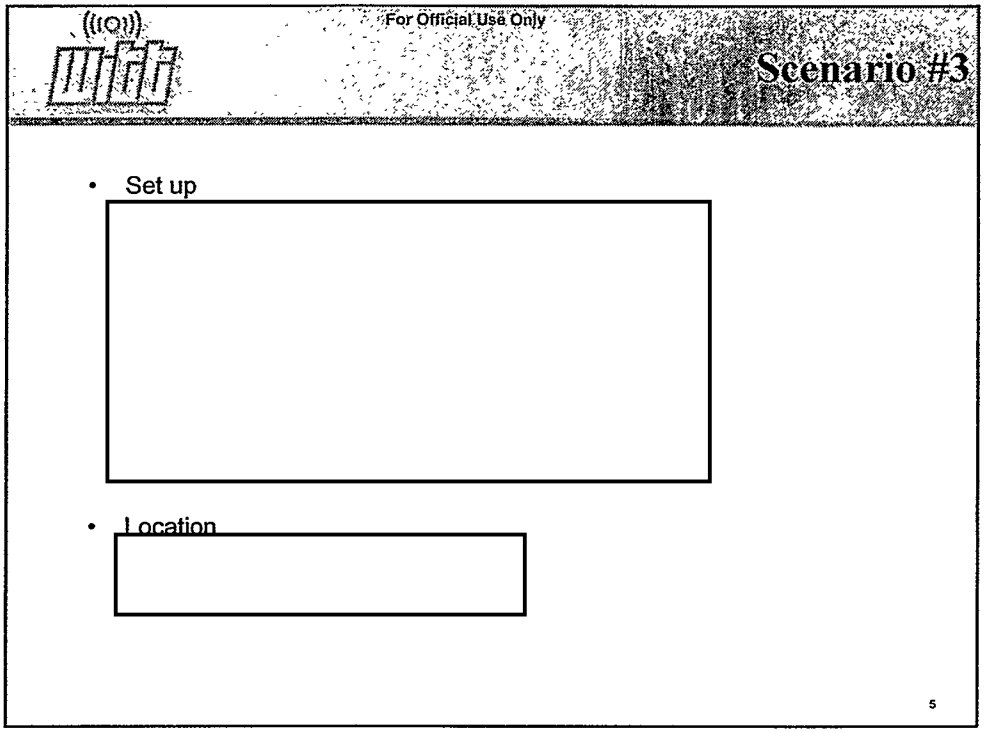

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Introduction to [redacted]

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StingRay Function

[redacted]

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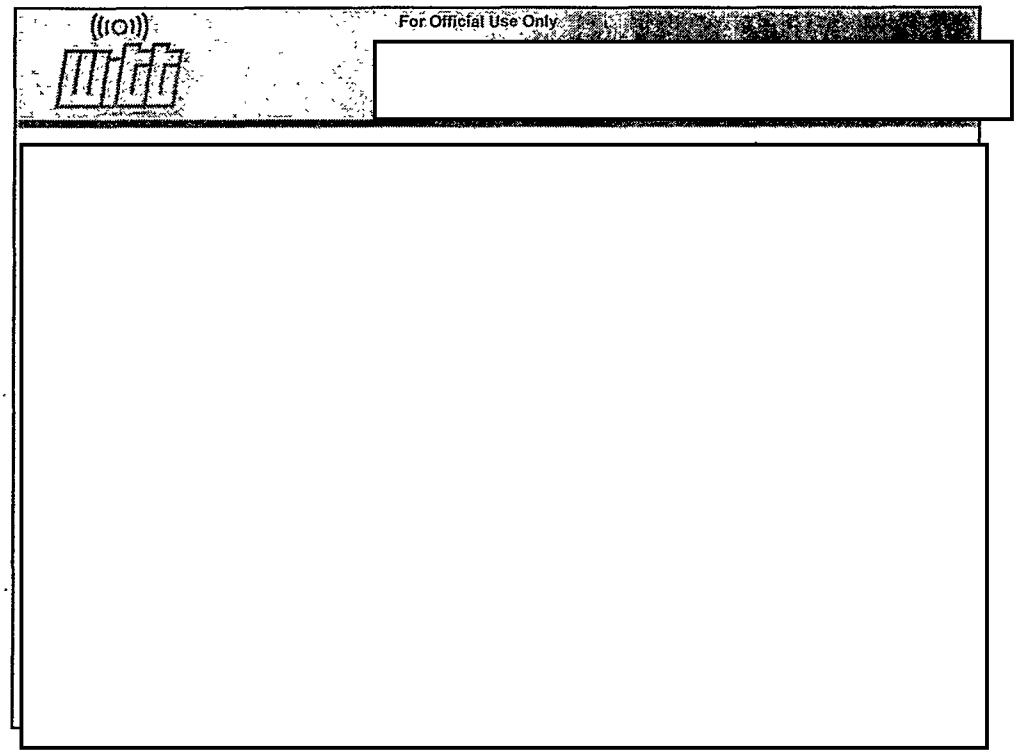

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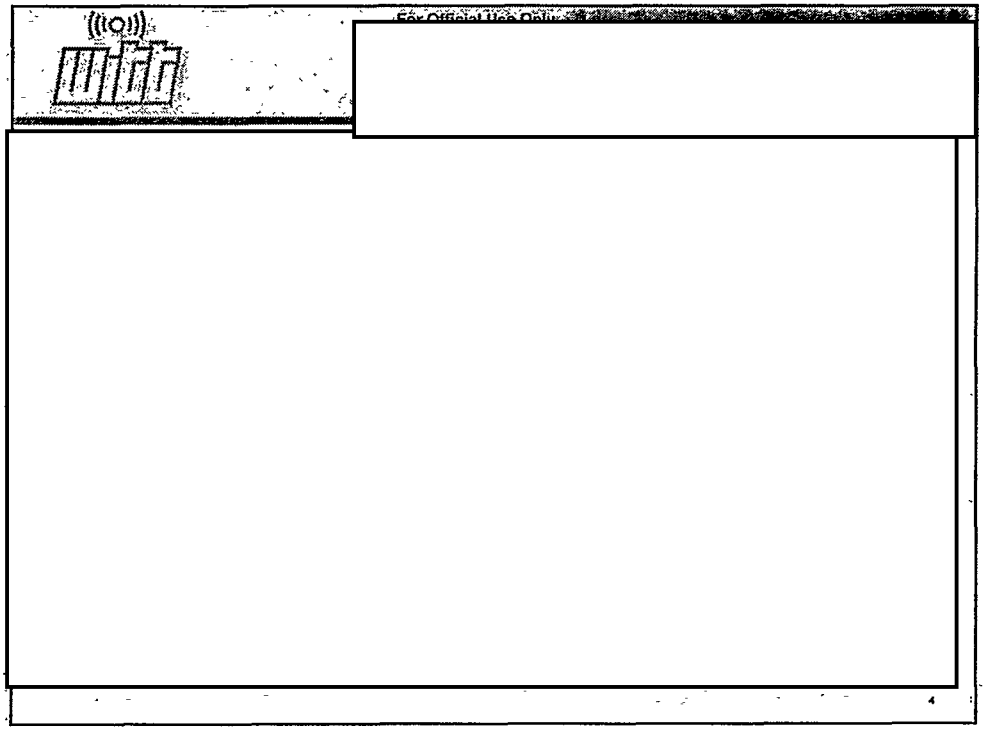

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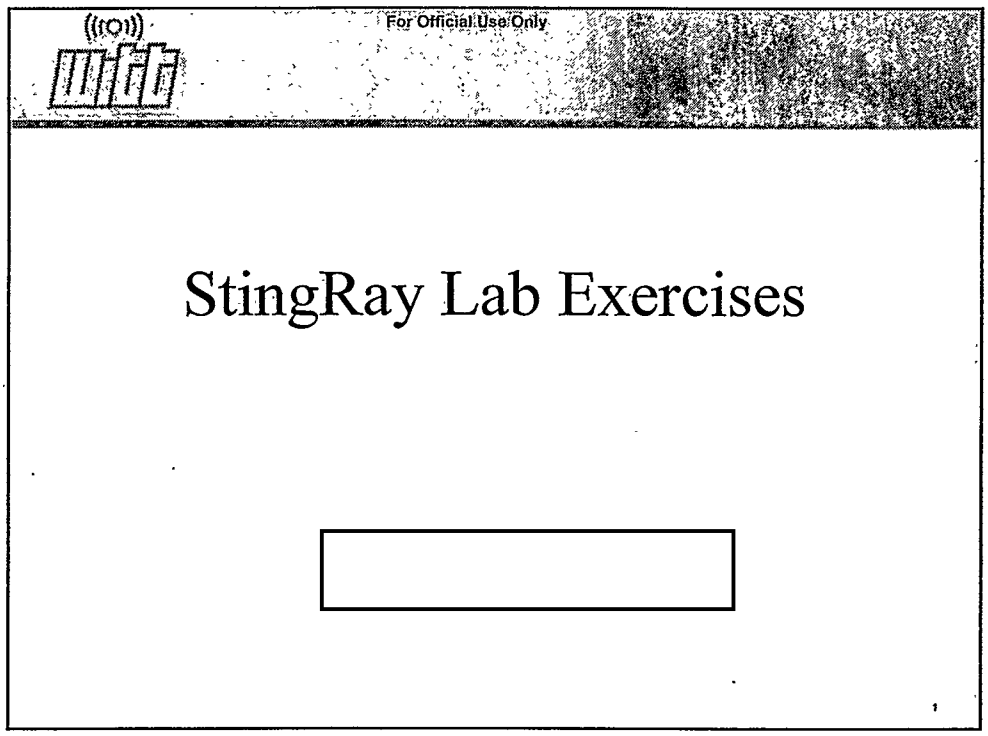
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StingRay Lab Exercises
1

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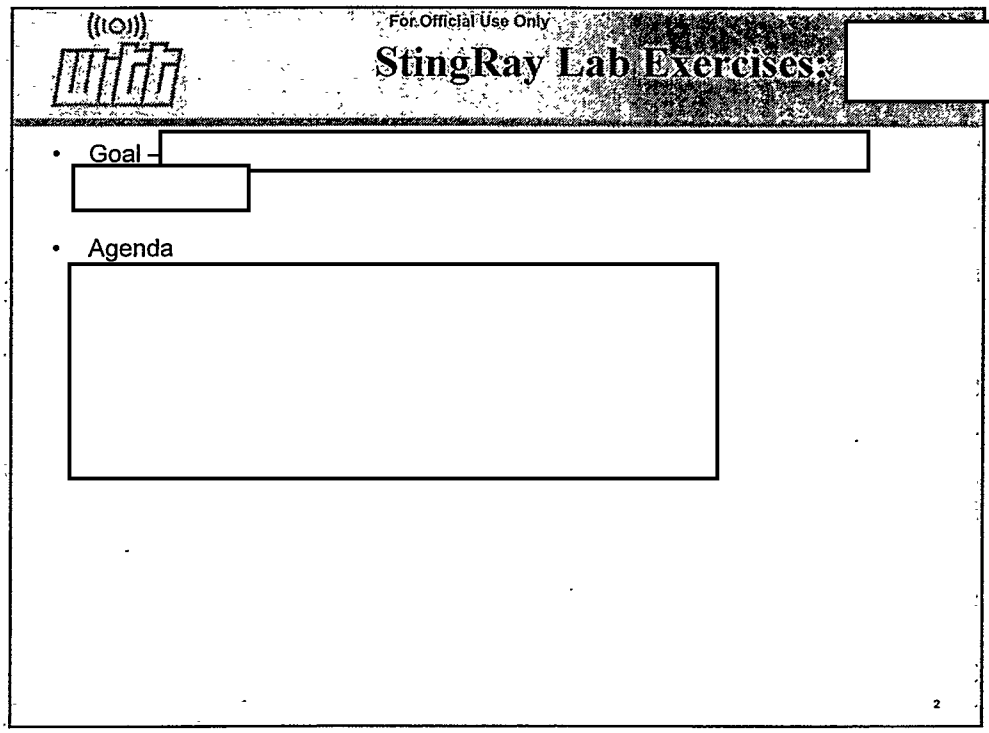
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StingRay Lab Exercises:
Goal
Agenda
2

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StingRay Field Exercises

b7E

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1

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Stingray Field Exercises: [redacted]

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Goal – [redacted]

- Agenda

[redacted]

2

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Scenario #1

- Set up

b7E

- Location

3

For Official Use Only

Scenario #2

b7E

- Set up

- Location

4

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StingRay Lab Exercises

b7E

[redacted]

1

For Official Use Only

StingRay Lab Exercises: [redacted]

- Goal [redacted]
- Agenda [redacted]

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For Official Use Only

StingRay Field Exercises

[redacted]

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For Official Use Only

StingRay Field Exercises: [redacted]

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Goal – [redacted]

- Agenda

[redacted]

2

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Scenario #3

b7E

- Set up
  - [redacted]
- Location
  - [redacted]

3

For Official Use Only

Scenario #4

b7E

- Set up
  - [redacted]
- Location
  - [redacted]

4

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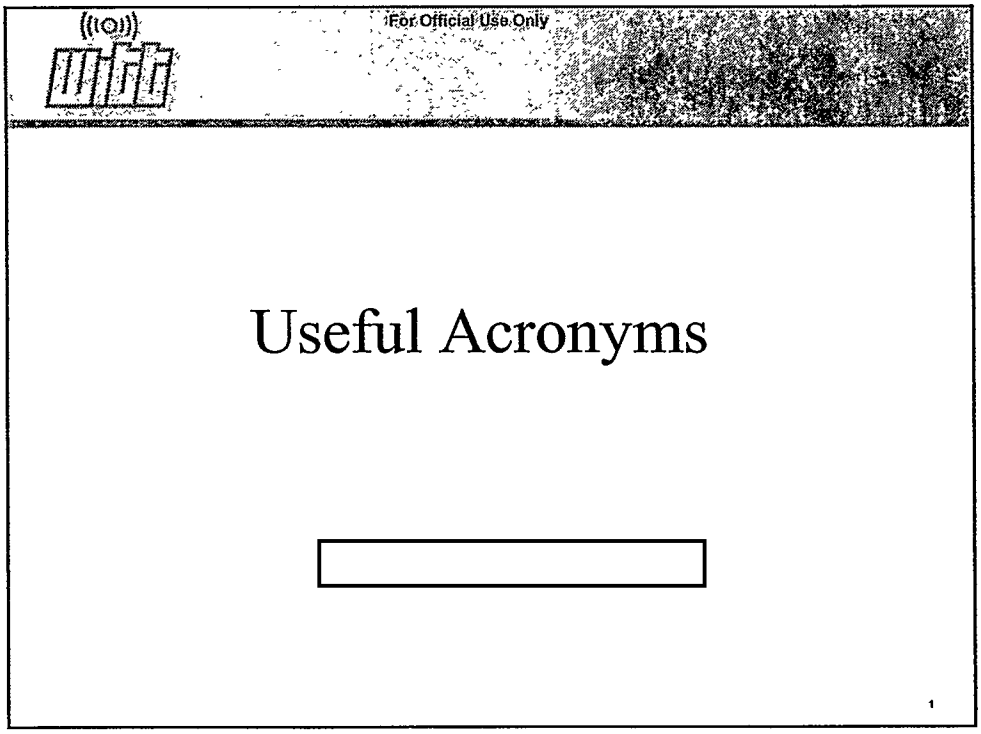
[redacted] b7E



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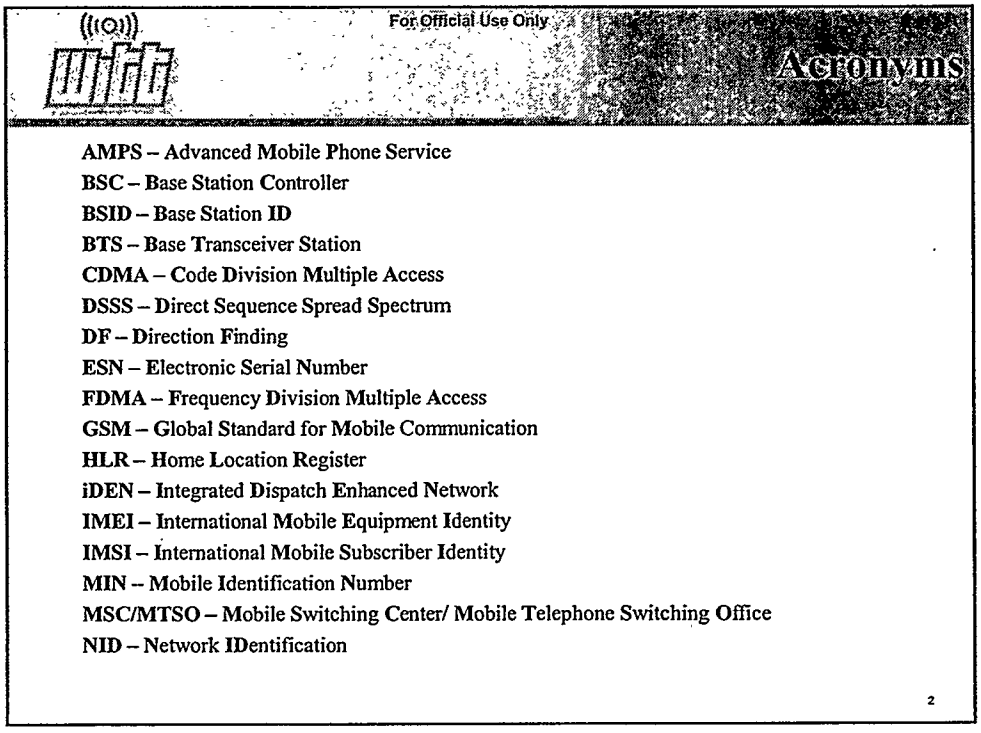

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Acronyms Cont'd

PA – Power Amplifier
PCS – Personal Communications Service
PN – Psuedo Noise
PSTN – Public Switched Telephone Network
PTT – Push-to-Talk
RF – Radio Frequency
SID – System IDentification
TDMA – Time Division Multiple Access

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[redacted]

TMSI – Temporary Mobile Subscriber Identity
VLR – Visitor Location Register
WITT – Wireless Intercept & Tracking Team

3

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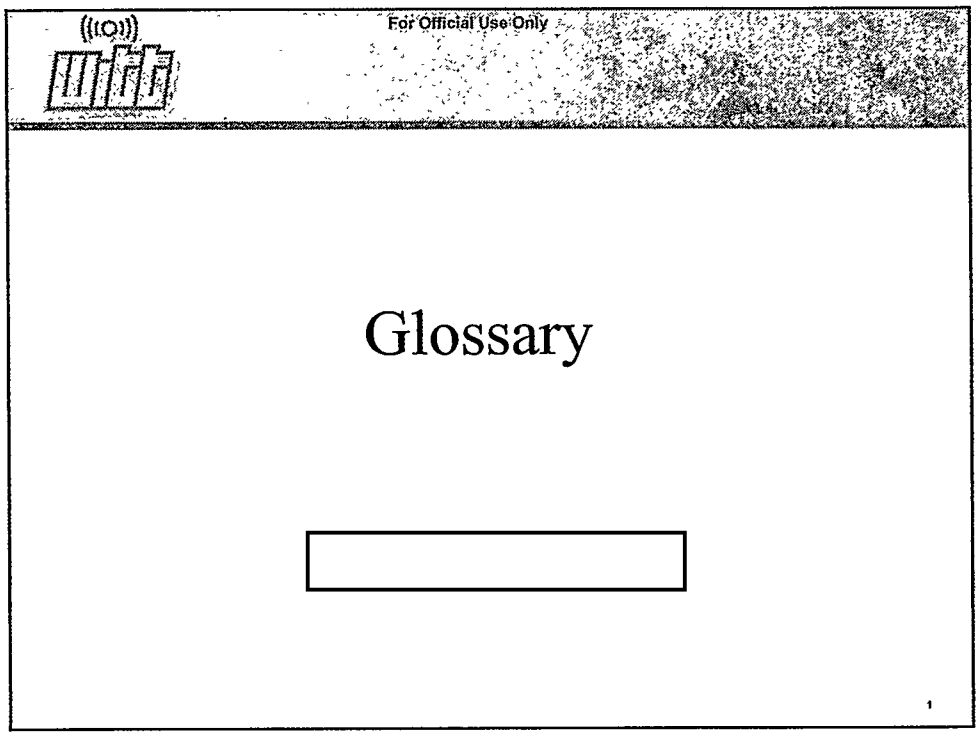

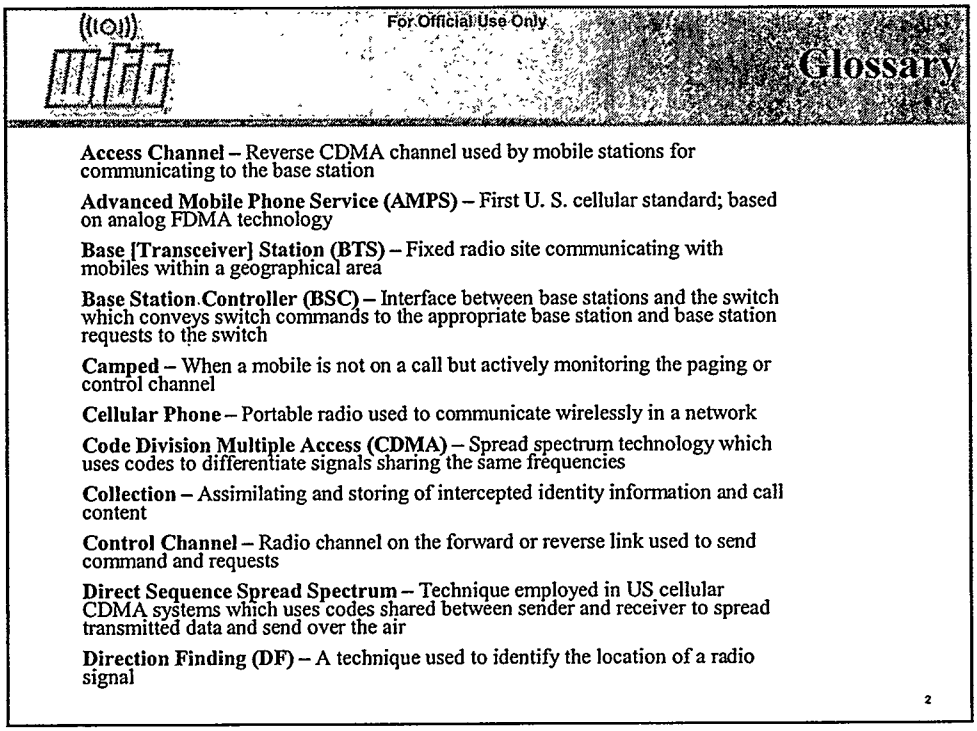

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Glossary Cont'd

Downlink – *See* **Forward Link**

Ec/Io – Ratio (in dB) between the Pilot Channel signal energy and the total interference in the received bandwidth

Electronic Serial Number (ESN) – Unique serial number programmed into the memory of a mobile phone by the manufacturer

Forward Link – From the base station to the mobile

Frequency Division Multiple Access (FDMA) – Multiplexing technique which uses frequency to distinguish users

Global Standard for Mobile Communications (GSM) – Cellular technology utilizing TDMA techniques which originated in Europe

Home Location Register (HLR) – Database containing mobile subscriber information for locally registered mobiles

Idle – *See* **Camped**

Integrated Dispatch Enhanced Network (iDEN) – Proprietary cellular technology utilized by Nextel

Intercept – Reception of communications between a subject and his serving network [redacted]

International Mobile Equipment Identity (IMEI) – Code uniquely identifying the mobile station hardware

International Mobile Subscriber Identity (IMSI) – Method of identifying stations in the land mobile service

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Glossary Cont'd

Handoff – Transferring communication with a mobile station from one base station to another

[redacted] b7E b3

Long PN Code – 42-bit pseudo-random code used to uniquely identify CDMA mobile stations on the uplink

Mobile Identification Number (MIN) – Telephone number associated with a mobile phone

Mobile Station – *See* **Cellular Phone**

Mobile Switching Center (MSC) – Switch connecting the cellular network to the PSTN which coordinates call routing in a given service area

Mobile Telephone Switching Office (MTSO) – *See* **Mobile Switching Center**

Multipath - Radio signals from the transmitter arriving at the receiver via a number of different paths

Neighbor Channel – One of a group channels that are probable candidates for handoff

Network Identification (NID) – Number uniquely identifying a network within a cellular system

Paging Channel – Walsh code channel in the CDMA forward channel used for transmission of control information and pages from the base station to the mobile

Pilot Channel – Signal transmitted continuously by CDMA base stations allowing mobiles to acquire base station timing and assess signal quality

4

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Glossary Cont'd

PN Code Offset – One of 512 time offset versions of the Short PN Code used to identify CDMA base station sectors in a network

Power Amplifier (PA) – Provides gain in a transmitter

Public Switch Telephone Network (PSTN) – Collection of interconnected voice-oriented public telephone networks

Radio Frequency (RF) – Radio signals between 9 kHz-300 GHz

Registration – Process by which a mobile station identifies its location and parameters to a base station

Reverse Link – From the mobile to the base station

Short PN Code – 15-bit pseudo-random code used to uniquely identify CDMA base station sectors in a network

Short PN Code Offset – *See* **PN Code Offset**

Sync Channel – Walsh code channel 32 in the CDMA forward channel which transports the synchronization message to the mobile

System Identification (SID) – Number uniquely identifying a cellular system

Temporary Mobile Station Identity (TMSI) – Temporary mobile station identification assigned by the base station

Time Division Multiple Access (TDMA) – Multiplexing technique which uses frequency and time to distinguish users

Traffic Channel – Communicating path between a mobile station and base station used to transport call content and commands

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Glossary Cont'd

Uplink – *See* **Reverse Link**

Visitor Location Register (VLR) – Database containing mobile subscriber information for mobiles active in the local system but registered in another cellular system

Walsh Codes – 64 orthogonal codes used to define CDMA communication subchannels on the forward link

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CONOPS Case Studies

b7E

[redacted]

1

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Recent Case Studies – Sample Case 1

Background: • WITT contacted to help [redacted] b7E

[redacted]

CELL/OTD 004404

For Official Use Only

Recent Case Studies – Sample Case 2

Background: • WITT contacted to help [redacted] b7E

[redacted]

For Official Use Only

Recent Case Studies – Sample Case 3

Background: • WITT contacted to help [redacted] b7E

[redacted]

CELL-OTD 004605

Recent Case Studies – Sample Case 4

Background: • **WITT contacted to help** [redacted]

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CELL-OTD 00440

16-7.3.4 Loan of Electronic Surveillance Equipment (See MIOG, Part 2, 10-9.14 & 10-10.10.)

(1) LOAN OF ELECTRONIC SURVEILLANCE EQUIPMENT TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES.

By Department Order 1945-95, dated January 18, 1995 (replacing Department Order 890-80, dated April 29, 1980), the Attorney General delegated to the Federal Bureau of Investigation the authority to approve loans of electronic surveillance equipment to state and local law enforcement agencies for use in their investigations (i.e., NOT joint FBI investigations). Under this delegation, the loan of such equipment is to be made only in exceptional circumstances and to be consistent with federal and state laws, as well as with state and local law enforcement regulations.

Electronic surveillance equipment is defined as any equipment which would be used in Title 18, USC, Section 2510, et seq. (Title III) - or consensual electronic coverages.

(a) It is the policy of the Department of Justice that loans of electronic surveillance equipment to state and local law enforcement agencies are generally to be discouraged and are to be permitted only:

1. in furtherance of the federal government's interests in the investigation and prosecution of violations of state criminal law that are of federal concern;

2. in compliance with all applicable provisions of federal, state and local law;

3. without interfering with state and local control of state and local law enforcement; and

4. without duplication of other federal programs of assistance to state and local law enforcement.

(b) No request may be granted until the head of the state or local law enforcement agency certifies in writing that the agency:

1. has authority under state and local law to borrow the equipment on the terms required by this Order;

2. has valid legal authority under state and local law to conduct the particular electronic surveillance for which the equipment is requested: and

3. cannot obtain the requested equipment from other law enforcement agencies within the state.

(c) The Director of the FBI or his designee may, at his discretion, grant a request for the loan of electronic surveillance equipment upon receipt of a written request from a state or local law enforcement agency. The formal request must contain a copy of a written opinion of the

CELL-OTD 004431

CELLSITE-11028

chief legal officer of the state or local government relative to compliance with (b) 1. and (b) 2. above.

(d) The Director of the FBI or his designee shall not grant a request for the loan of electronic surveillance equipment unless the Director or his designee determines that:

1. there is no current need for the equipment within the Bureau;

2. it is in the interest of the United States to facilitate the criminal investigation for which the equipment is needed; and,

3. the agency has previously not violated the terms of any loan of electronic surveillance equipment by the FBI.

(e) Any loan of electronic surveillance equipment shall be made by written agreement between the Director of the Federal Bureau of Investigation or his designee and the state or local law enforcement agency. The agreement shall identify the equipment and state the subject, duration, location, and purpose of the surveillance to be conducted. It shall also include the following provisions:

1. the loan of the equipment is subject to the needs of the Department of Justice, and the equipment must be returned upon request;

2. the loan of the equipment is limited to the duration of the validly authorized surveillance for which it is requested, and in any event not to exceed 90 days;

3. the equipment may be used only for the validly authorized surveillance for which it was requested;

4. the agency will not permit any other person or governmental entity to use the equipment;

5. the agency may disclose electronic surveillance equipment, information concerning it, or its installation or use only with the consent of the Director of the FBI or his designee and subject to the nondisclosure provisions set forth in 28 C.F.R. 1622, 1624, and 1626;

6. the agency will not use the electronic surveillance equipment outside the United States or under circumstances where there is reason to believe that the equipment may be taken outside of the United States, without the approval of the Director of the FBI or his designee; and,

7. the agency will reimburse the United States for all loss or damage to the equipment. Any dispute over the amount of loss or damage will be resolved by the Director of the FBI or his designee, and this resolution will be final. The Director of the FBI or his designee may agree to any other terms consistent with the above stipulations.

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(f) When the head of the state or local law enforcement agency represents to the Director or his designee that an emergency situation and need for electronic surveillance equipment exist and that the requesting agency is authorized under state law to conduct emergency electronic surveillance in such circumstances, and specifies the provision of state law upon which he is proceeding, the Director or his designee may grant the emergency request. The information required to be submitted by the head of the law enforcement agency in (b) and (c) must be submitted to the Director or his designee within three days of the day on which the loan is made.

(g) The Director of the FBI, pursuant to Attorney General Department Order 1945-95, dated January 18, 1995, has delegated his authority to permit [redacted] b7E [redacted] on a case-by-case basis, to assist in the installation and operation of electronic surveillance equipment. Such delegated authority requires the concurrent approval from the Section Chief of the appropriate Criminal Investigative Division section having oversight over the investigative program involved; the Electronic Surveillance Technology Section Chief, Laboratory Division; and the Office of the General Counsel. If such technical assistance is approved, the state or local court orders (where required) should specifically include the court's authorization for FBI assistance in the state and local electronic surveillance endeavor. Without such approval, no FBI personnel may install the equipment or participate in the surveillance. This restriction does not prohibit maintenance and repair of the equipment when not installed.

(h) The Director of the FBI will retain all requests for electronic surveillance equipment by state and local law enforcement agencies. The Director will report to the Assistant Attorney General, Criminal Division, on October 1 and April 1 of each year on the duration and results of all loans made pursuant to the order.

(i) The Director of the FBI, pursuant to Attorney General Department Order 1945-95, dated January 18, 1995, has delegated his authority to approve loans of electronic surveillance equipment upon written request from a state or local law enforcement agency. Such delegated authority requires the concurrent approval of the Section Chief of the appropriate Criminal Investigative Division section having oversight over the investigative program involved and the Electronic Surveillance Technology Section Chief, Laboratory Division. Where requests involve installation or operation of technical equipment by FBI [redacted] b7E [redacted] approval by the Office of the General Counsel is also required.

(j) The FBI field division must advise FBIHQ when requesting approval to loan electronic surveillance equipment (be it either a routine or an emergency request) whether there is a current need for equipment within the division; whether, in the SAC's opinion, it is within the interests of the United States to loan the requested equipment in the specific criminal investigation; and, whether the agency involved has previously violated the terms of any loan of electronic surveillance equipment by the FBI.

(k) Routine requests should be by electronic communication (EC) to FBIHQ, directed to the Electronic Surveillance Technology Section, Laboratory Division, and to the appropriate Criminal Investigative Division section having oversight over the investigative

program involved, and should enclose both a written request from the head of the local or state law enforcement agency and the written opinion of the chief legal officer of the local or state government. Emergency requests should be by telephone, confirmed by EC, and followed by an EC, enclosing the necessary documents.

(2) THE USE OF FBI ELECTRONIC SURVEILLANCE EQUIPMENT IN JOINT CASES WHERE STATE AND LOCAL LAW ENFORCEMENT AGENCIES OBTAINED AUTHORITY FOR ITS USE (SEE MIOG, Part 2, 10-10.3 (8).)

(a) A JOINT CASE, for purposes of this section, is an investigation in which there exists significant FBI interest in the subject or subjects of a local investigation and substantial FBI investigative resources have been utilized and/or will be utilized in the planned investigation with the local agency.

(b) FBIHQ authority MUST be obtained prior to any use of FBI electronic surveillance equipment or personnel in furtherance of any order or authority obtained by state or local law enforcement agencies. Should approval be granted for such use, the pertinent local or state order or authority MUST contain specific language authorizing FBI participation and specifying whether the assistance is for installation, monitoring, or whatever is required.

(c) In requesting FBIHQ authority, the field office is to set forth the following information:

1. A synopsis of the investigation conducted to date by FBI and the local agency involved, to include the date the FBI case was opened, as well as when the joint investigation was initiated.

2. the specific SAC comments as to the value of the assistance to the FBI investigation and extent of federal control over local electronic surveillance.

3. the exact nature of equipment to be utilized and technical assistance required, and whether the equipment is on hand in the requesting division.

4. the specific comments of the [redacted] as to the ability of the local agency to properly utilize technical equipment requested. b7E

5. that the local agency has valid legal authority under state or local law to conduct the electronic surveillance for which equipment will be utilized, to include citation of the specific statute;

6. that the Chief Division Counsel or the Assistant U.S. Attorney has reviewed the affidavits and orders to be filed and concurs in their sufficiency; and,

7. that FBI policy in limiting disclosure as set forth in Part 2, Sections 10-10.13 and 10-10.16, of this manual, will be honored in any subsequent local proceedings.

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The above information is to be provided by appropriate communication to the attention of the Laboratory Division, as well as to either the Criminal Investigative Division or the [redacted] as appropriate.

(d) Any request for FBI assistance in the execution of a locally obtained court order which requires [redacted] will be handled separately and will require significant justification. Emergency requests for such assistance are to be discouraged and likely will NOT be approved. b7E

(3) LOAN OF ELECTRONIC SURVEILLANCE EQUIPMENT TO OTHER FEDERAL AGENCIES.

(a) The loan of FBI technical electronic surveillance equipment to other federal agencies is permissible on a short-term basis. The loan of equipment is subject to availability and must not negatively affect the technical investigative capabilities of the FBI.

(b) For agencies of the Department of Justice (DOJ) (e.g., the Drug Enforcement Administration (DEA)), material support and assistance, including the loan of technical equipment, should be handled on a local level, subject to the provisions stated above.

(c) For agencies outside the DOJ, requests must be made on a headquarters level, and the requesting agency must have appropriate electronic surveillance authority and capability.

(d) All technical equipment provided must be available in existing field office inventory.

**EffDte: 11/12/1998 MCRT#: 838 Div: D7 Cav: SecCls

CELL-OTD 004435

Wireless Intercept & Tracking Team (WITT): The USA Patriot Act

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CELL/OTD 004436

Why the "USA Patriot Act"?

- **Senate: Uniting and Strengthening America (Act)**
- **House: Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (Act)**

Overview

- **The Pen Register and Trap and Trace Statute**
- **Other Amendments to the Wiretap Statute and ECPA relating to Wireless**

CELL/GTD 004437

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I. The Pen/Trap Statute

- **Old statute:** the term "pen register" means a *device* which records or decodes electronic or other impulses which identify the *numbers dialed* or otherwise transmitted on the *telephone line to which such device is attached* (18 U.S.C. 3127(3))
- **New statute: Technology-neutral language**

I. The Pen/Trap Statute (old statute)

- ***In the matter of the Application of the USA for an Order Authorizing the Use of a Cellular Telephone Digital Analyzer*, 885 F.Supp 197 (S.D. CA 1995).**
- **FACTS:**
  - **First application denied for failure to describe operation of device. Supp. Affidavit filed.**
  - **AUSA asks for PR/T&T order out of "abundance of caution"**
  - **Affidavit discloses that Digital Analyzer (DA) captures ESN, user's cell # and number dialed when in close proximity.**

CELL-OTD 004438

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I. *In the matter of the Application of the USA for an Order Authorizing the Use of a Cellular Telephone Digital Analyzer*, 885 F.Supp 197 (S.D. CA 1995).

- **Holding:**
  - **Court agrees that no order is required.**
  - **Court notes:**

    The statutory definition of a pen register limits it to a device 'which records or decodes electronic or other impulses which identify the numbers dialed or otherwise transmitted on the telephone line *to which such device is attached....*' 18 U.S.C. 3127(3)" .
  - **Court finds that because DA is not "attached" to a line, DA does not qualify as a PR.**

I. *In the matter of the Application of the USA for an Order Authorizing the Use of a Cellular Telephone Digital Analyzer*, 885 F.Supp 197 (S.D. CA 1995).

- **Court addresses application even though not required.**
- **Court denies request because:**
  - **As drafted, order is not limited to use in that judicial district** [redacted]
  - **Moreover:** *"The order sought, ...would not insure sufficient accountability. For example, depending upon the effective range of the digital analyzer, telephone numbers and calls made by others than the subjects of the investigation could be inadvertently intercepted."* ***Id.*** **at 201.**

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The Pen/Trap Statute (USA Patriot changes)

- **New PR Language:** the term "pen register" means a device *or process* which records or decodes dialing, routing, addressing, or signaling information transmitted by an instrument or facility from which a wire or electronic communication is transmitted ...
- **No content**: ...provided, however, that such information shall not include the contents of any communication (18 U.S.C. 3127(3), (4))
- **Technology-neutral adjustments made throughout PR/T&T statute.**

The Pen/Trap Statute (USA Patriot changes)

- **New T&T Language:** the term "trap and trace" means a device *or process* which identify the originating number or other dialing, routing, addressing, and *signaling information reasonably likely to identify the source of a wire or electronic communication...."* 18 U.S.C. § 3127(4).

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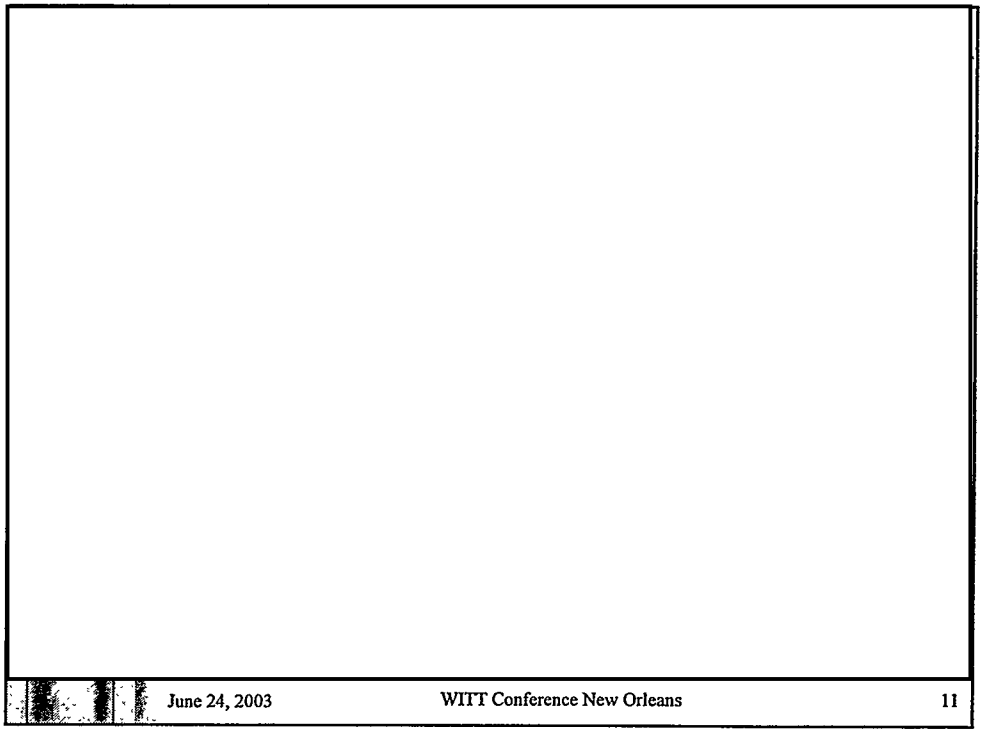

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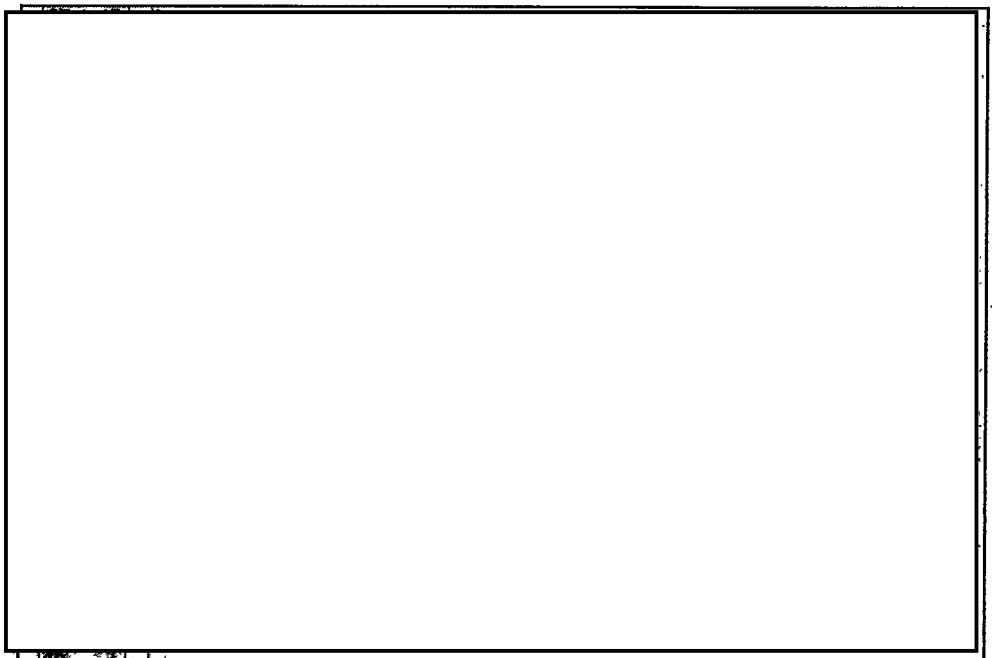

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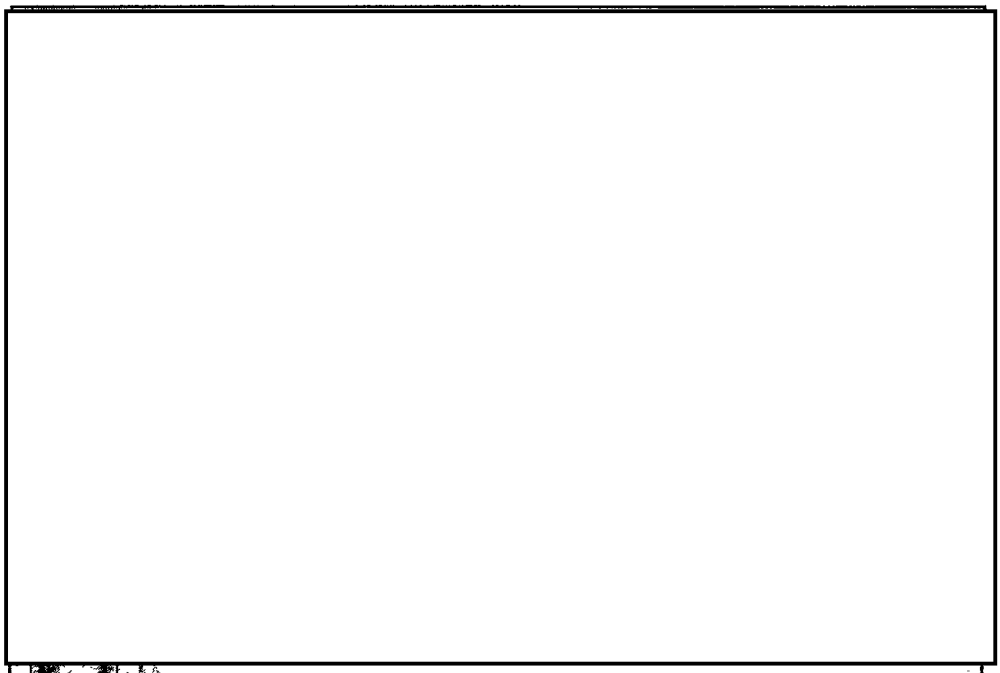

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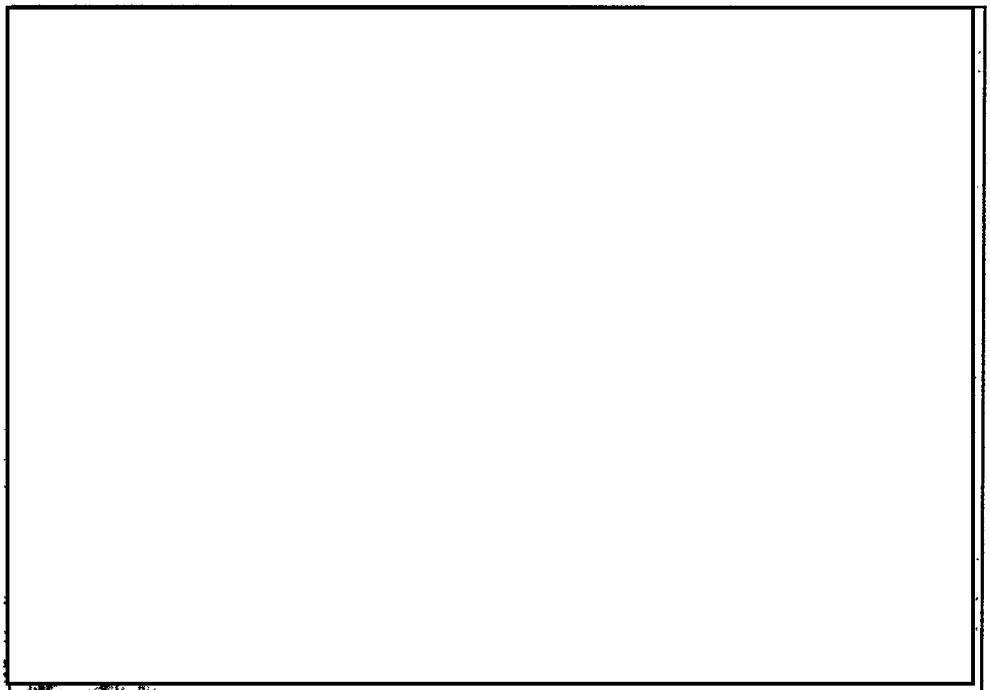

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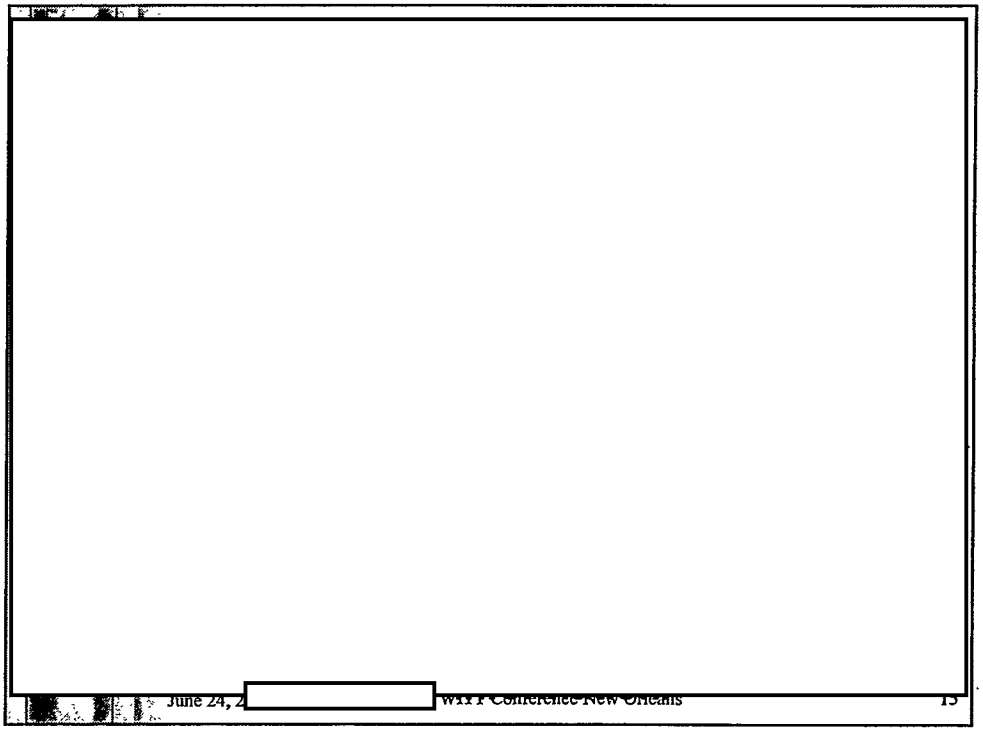

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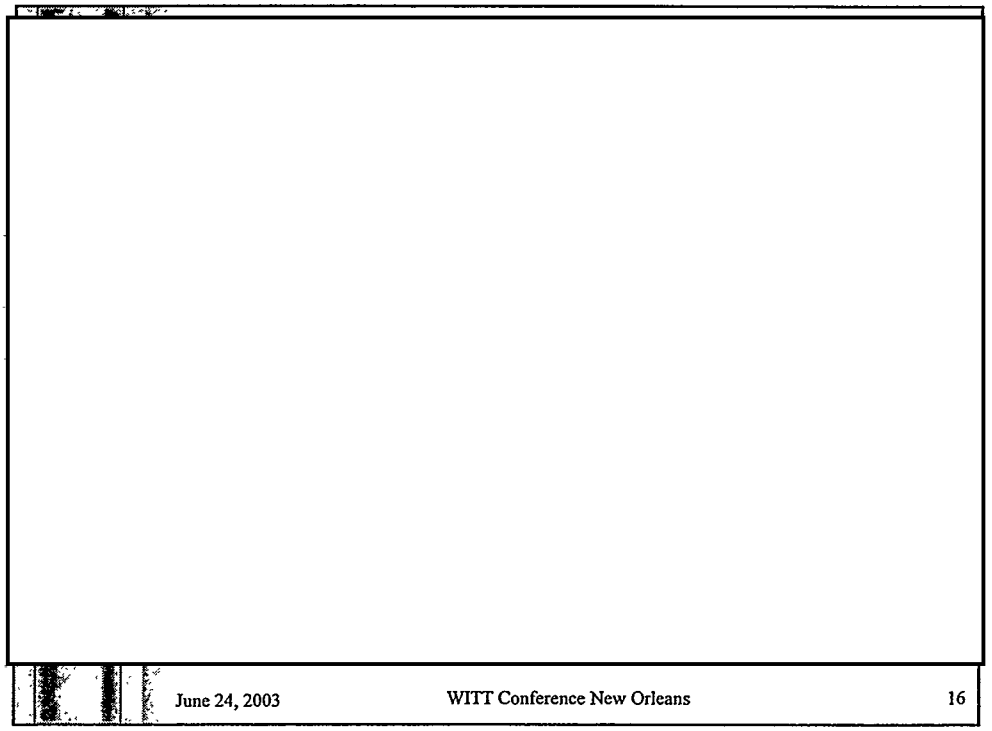

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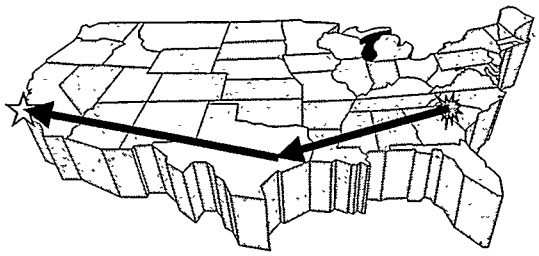
Pen/Trap: Nationwide Effect

- Can obtain order locally for a device installed in another district (18 U.S.C. 3123(a))
- Order is good nationwide, even if providers that carry the communication are located outside of the district (18 U.S.C. 3123(a))
- Court issuing the order must have jurisdiction over the offense



- [redacted]
- Providers not named in order may demand a certification (18 USC 3123(a))

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CELL/OTD 004444

Pen/Trap: [redacted]

- **New reporting requirement where law enforcement uses its own device on a public provider's network pursuant to a pen/trap order (3123(a)(3))**
  - **E.g.: date and time of installation and removal; information collected**
- **No 4yr Sunset onPen/Trap Reports**

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Pen/Trap: [redacted]

- **Actual text triggers reporting when:** "the law enforcement agency implementing an ex parte order under this subsection seeks to do so by installing and using its own pen register or trap and trace device on a packet-switched data network of a provider of electronic communication service to the public" P.L. 107-56, sec. 216

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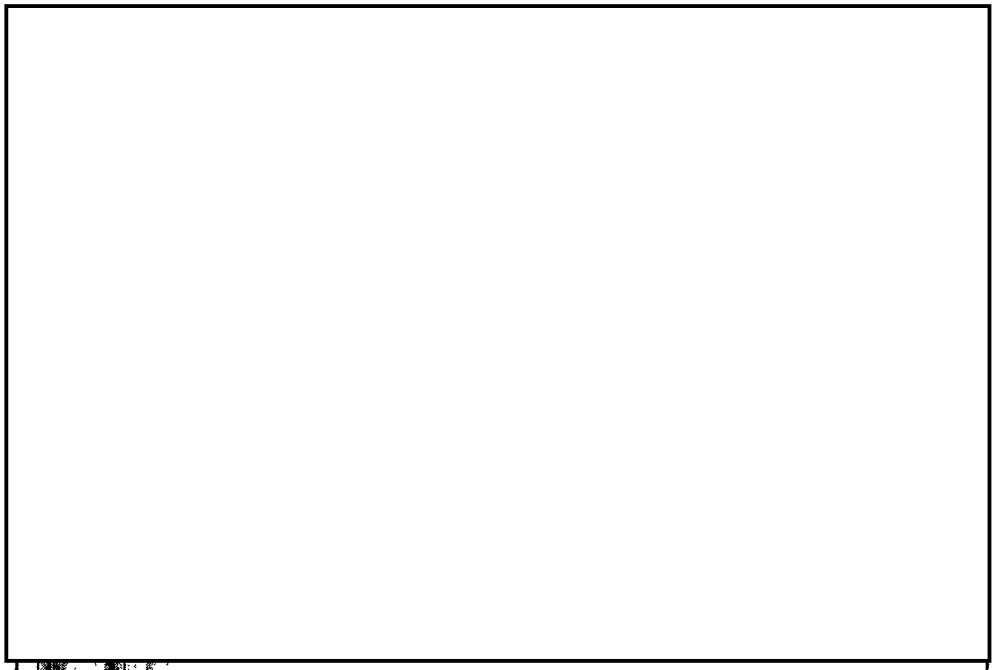

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Overview

- The Pen Register and Trap and Trace Statute
- Other Amendments to the Wiretap Statute and ECPA

II. The Computer Trespasser Exception

- Old law: law enforcement often had to get a wiretap order in order to help victims monitor computer hackers

[redacted] b5

- New law: new exception to Title III: 18 U.S.C. 2511(2)(I)
  - allows interception of "computer trespassers" - i.e. those without authorization to use a computer

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II. The Computer Trespasser Exception

[redacted]

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[redacted] new exception to Title III at 18 U.S.C. 2511(2)(i)

- Subject to 4-year sunset provision
  - grandfather clause for pre-sunset offenses

Definition of Computer Trespasser

- "Computer trespasser" defined (18 U.S.C. 2510(21))
  - Person who accesses "without authorization"
  - Definition continues: "and thus has no reasonable expectation of privacy..."

[redacted]

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Overview

- The Pen Register and Trap and Trace Statute
- The Computer Trespasser Exception
- The Cable Act Fix
- Other Amendments to the Wiretap Statute and ECPA

CELL-OTD 004449

IV. Other Amendments to Title III and ECPA

- Voice mail fix
- Scope of subpoenas under 2703(c)
- Voluntary disclosure of information by providers
- Nationwide search warrants for e-mail
- Voice wiretaps in hacker investigations

Voice Mail Fix

- Old law: unopened voice mail required a Title III order (18 U.S.C. 2510(1))
- Extra problem because of the convergence in technologies
- New law: all stored voice is governed by ECPA
  - Treat it like e-mail
  - Fresh, unopened voice mail: search warrant
  - Old or opened: subpoena, 2703(d) order with (delayable) notice
- Subject to the 4-year sunset provision

CELL-OTD 004450

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Scope of Subpoenas

- **Old law: can obtain "basic subscriber information" with a subpoena (18 U.S.C. 2703(c)(1)(C):**
  - name
  - address
  - local and long distance telephone toll billing records
  - telephone number or other subscriber number or identity
  - length of service of a subscriber

Subpoena-Broadened Scope

- **New law: all previous categories plus (18 U.S.C. 2703(c)(2)):**
- **Information on credit card/bank account used to pay for an account**
- **"temporarily assigned network address" and "records of session times and durations"**

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- **Not subject to 4 yr sunset provision**

CELL-OTD 004451

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Voluntary Disclosure By Providers (Part 1)

- Old law: providers could disclose content but not non-content records to protect their rights and property
- New law: all voluntary disclosures covered by 18 U.S.C. 2702
  - non-public providers can now voluntarily disclose for any reason
- Adds disclosures by public providers to protect rights and property (18 U.S.C. 2702(b)(5), (c)(3))
- Subject to the 4-year sunset provision

Voluntary Disclosure by Providers (Part II)

- Old law: no explicit provision to allow providers to disclose to protect life and limb
- New law: public providers can disclose content and non-content information in emergencies "involving immediate danger of death or serious physical injury" (18 U.S.C. 2702(b)(6)(C), (c)(4))
- Subject to the 4-year sunset provision

CELL/OTD 004452

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Voluntary Disclosure by Providers (Part II)

- 18 USC 2702(b): Public Provider may voluntarily disclose to law enforcement when:
  - USA Patriot Act: If provider reasonably believes an emergency involving immediate danger of death or serious bodily injury requires disclosure 18 U.S.C. 2702(b)(6)(C).
  - Homeland Security Act (P.L. 107-296, §225) further amended USA Patriot Act: "To a Federal, State, or local governmental entity, if the provider, in good faith, believes that an emergency involving danger of death or serious physical injury to any person requires disclosure without delay of communications relating to that emergency." 18 U.S.C 2702(b)(7).

Voluntary Disclosure by Providers (Part II)

- Assuming emergency situation, LE can provide facts to convince provider that emergency involving danger of death or serious injury exists and provider may disclose.
  - [redacted]
  - Exception applies to content and non-content information (dialing, addressing, routing, signaling, and location)
  - REPORTING REQUIREMENT

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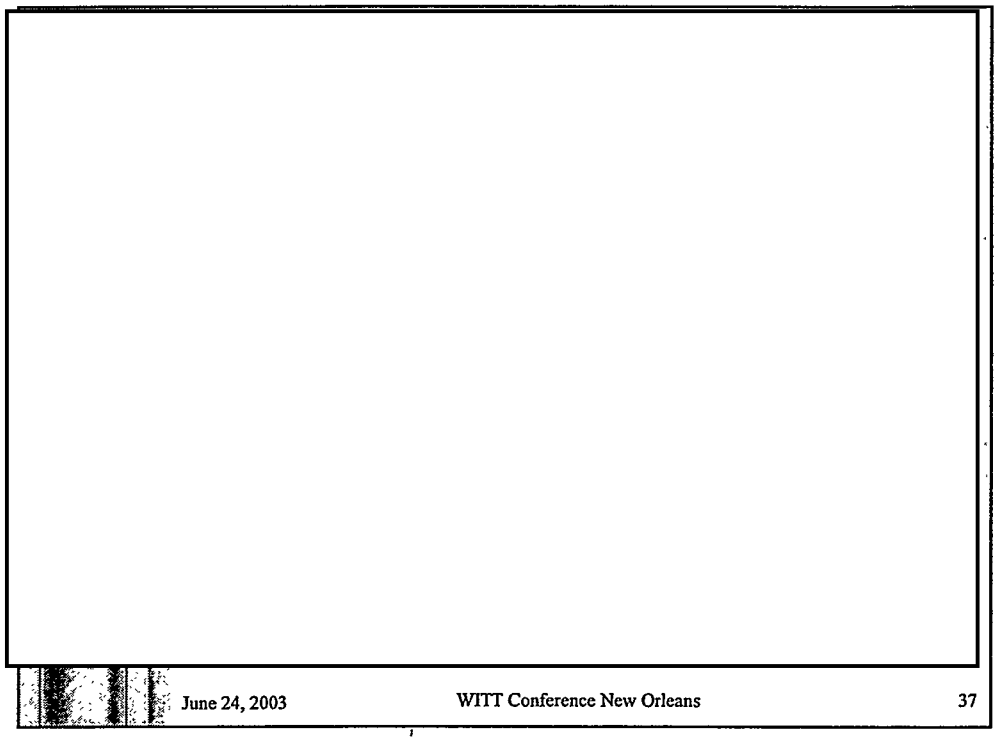

Q & A

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Technology Law Unit
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FBI Academy Campus USMCB
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Quantico, VA 22135
Tel.

CELL/OTD 004454

[redacted] Info

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[redacted] CALEA Solutions

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Topics

- Key elements of CALEA
- Various types of Wireless Carrier interconnection configurations

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- Further support available from [redacted] of [redacted]

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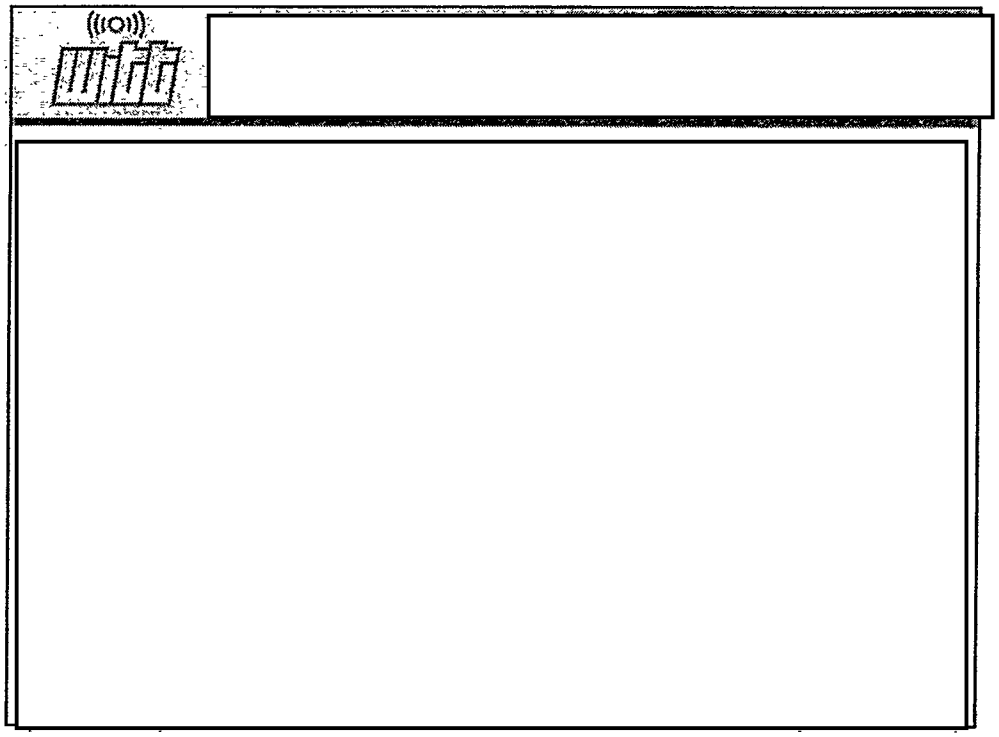

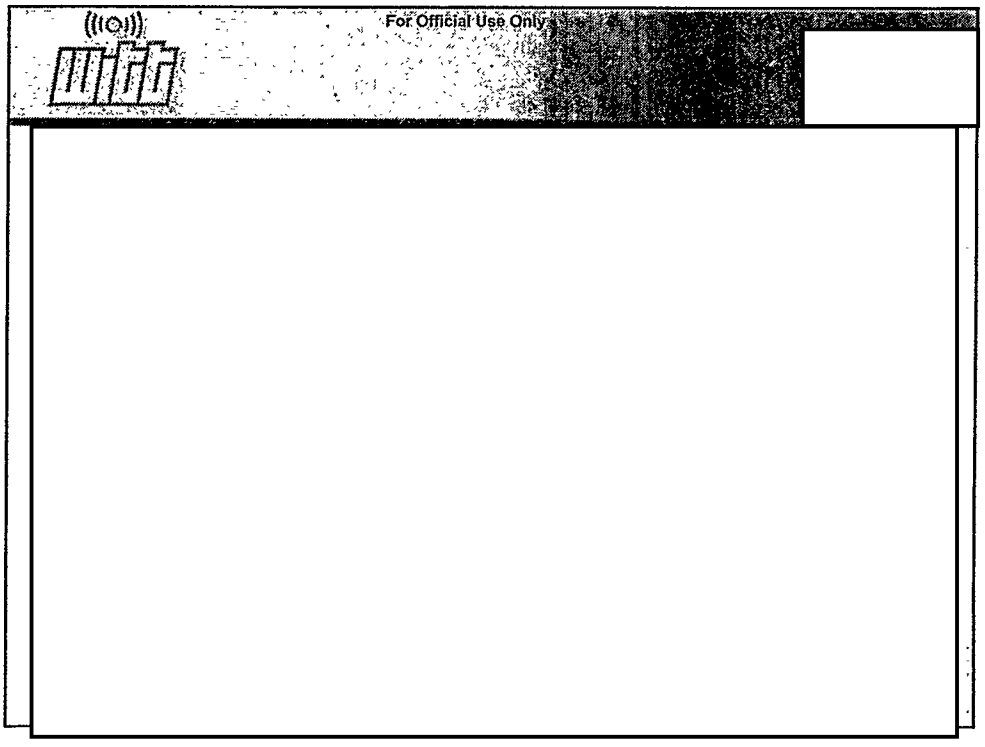

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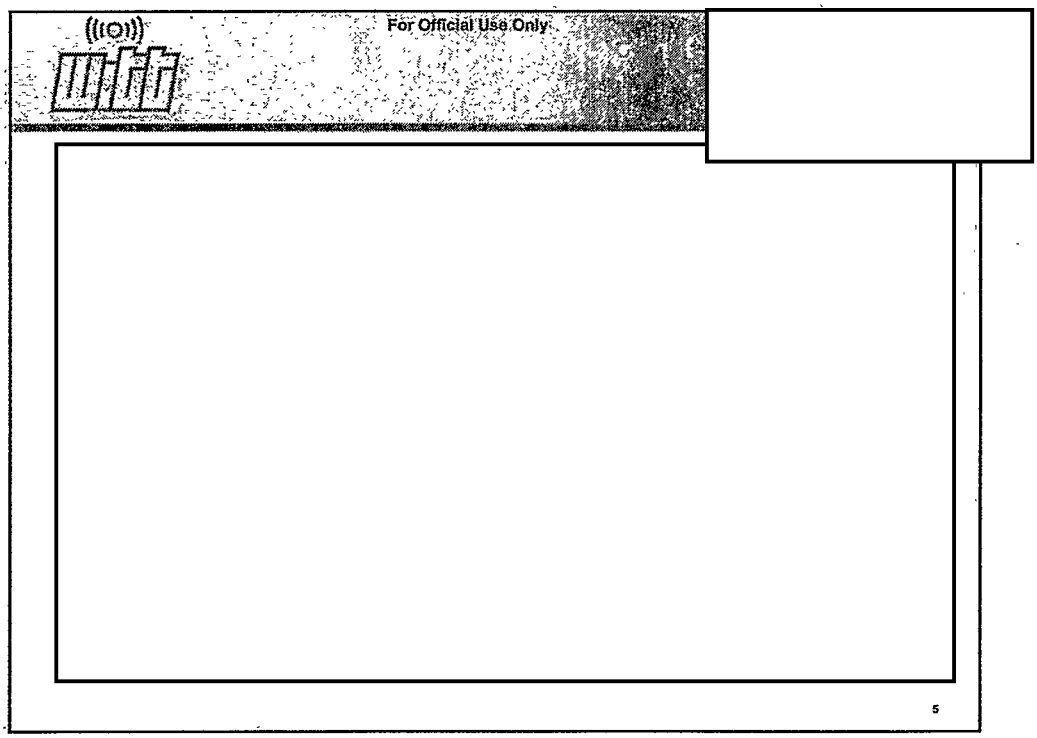

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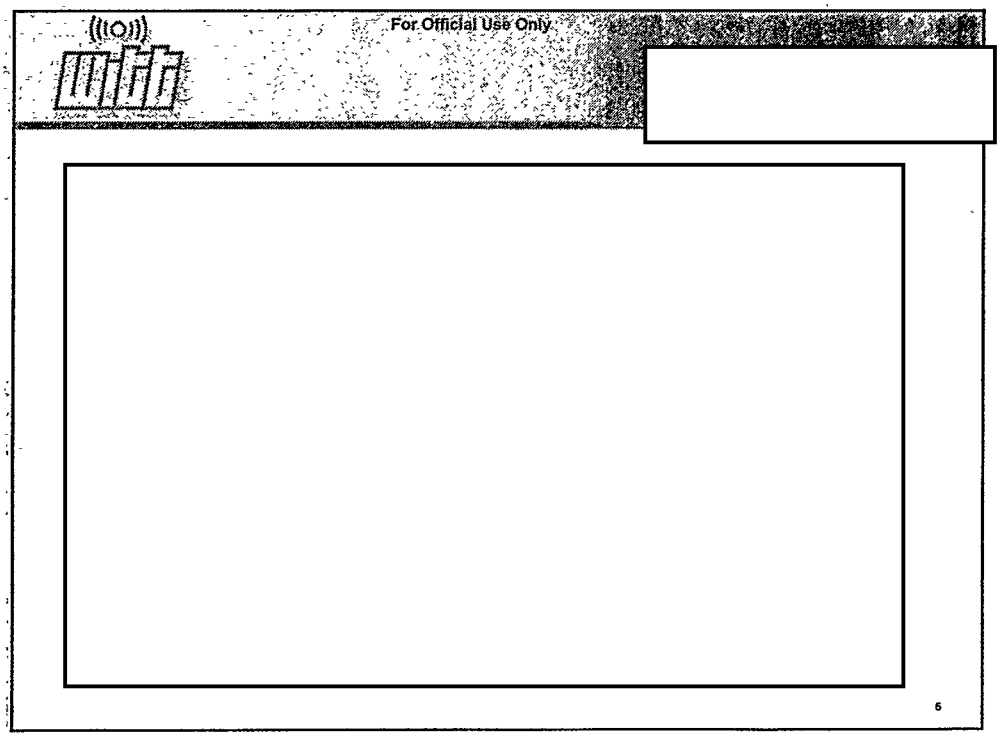

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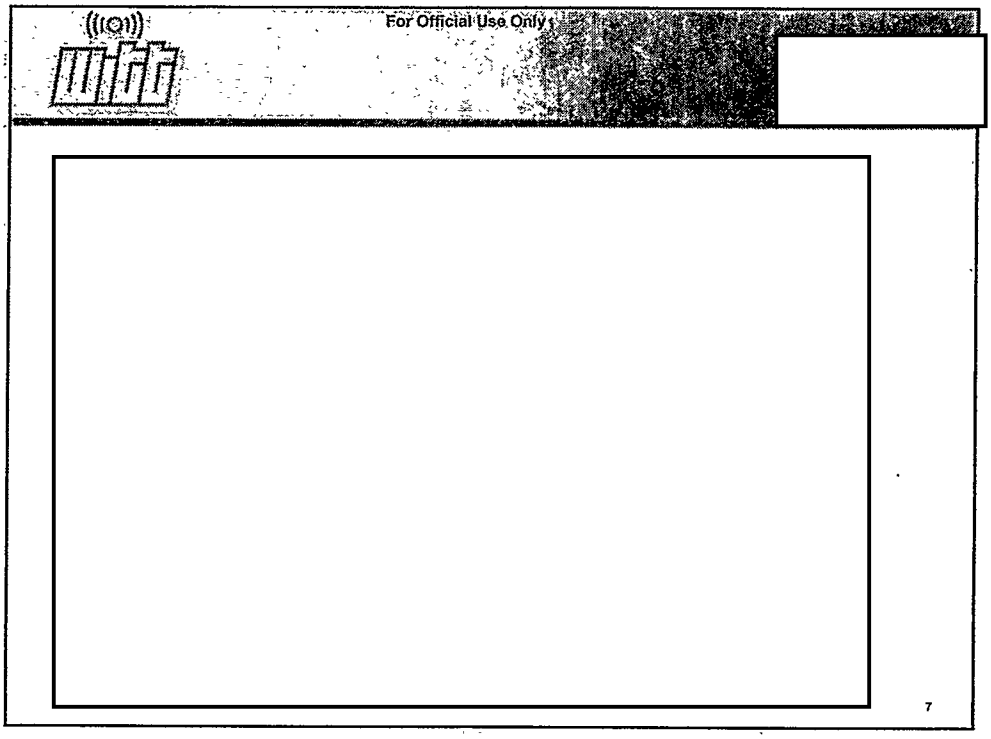

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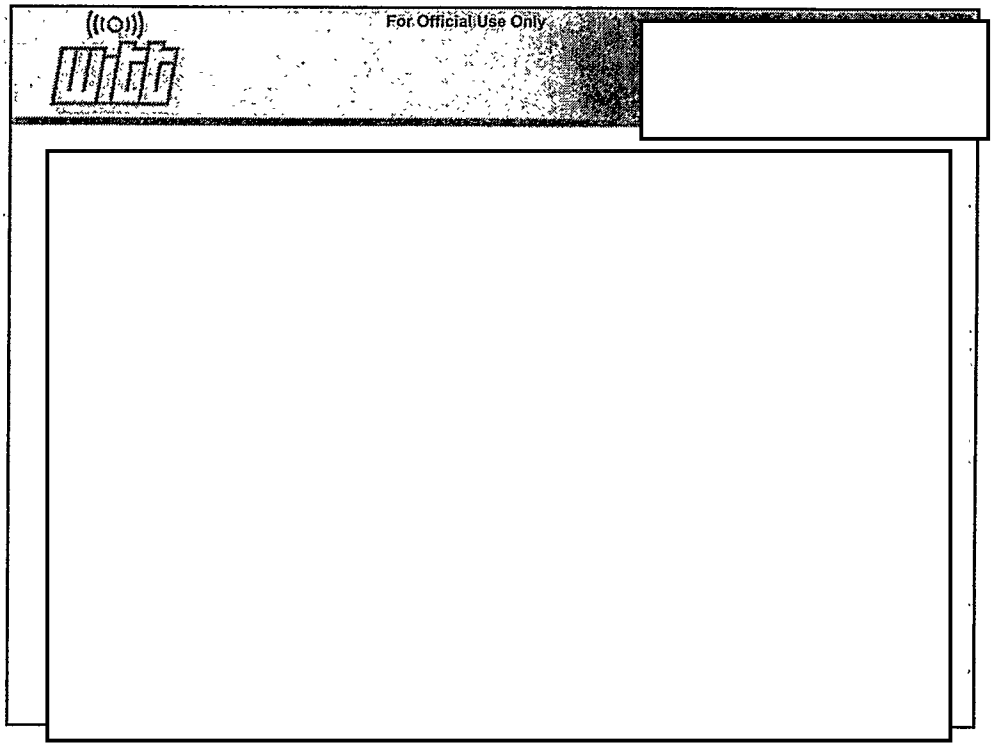

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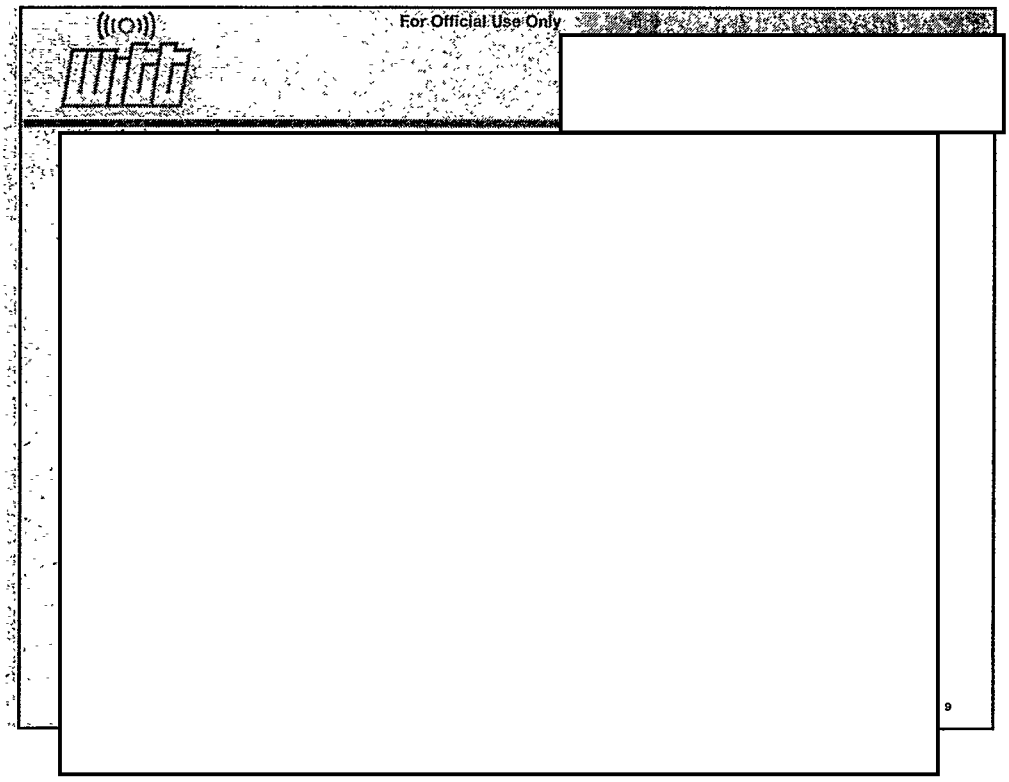

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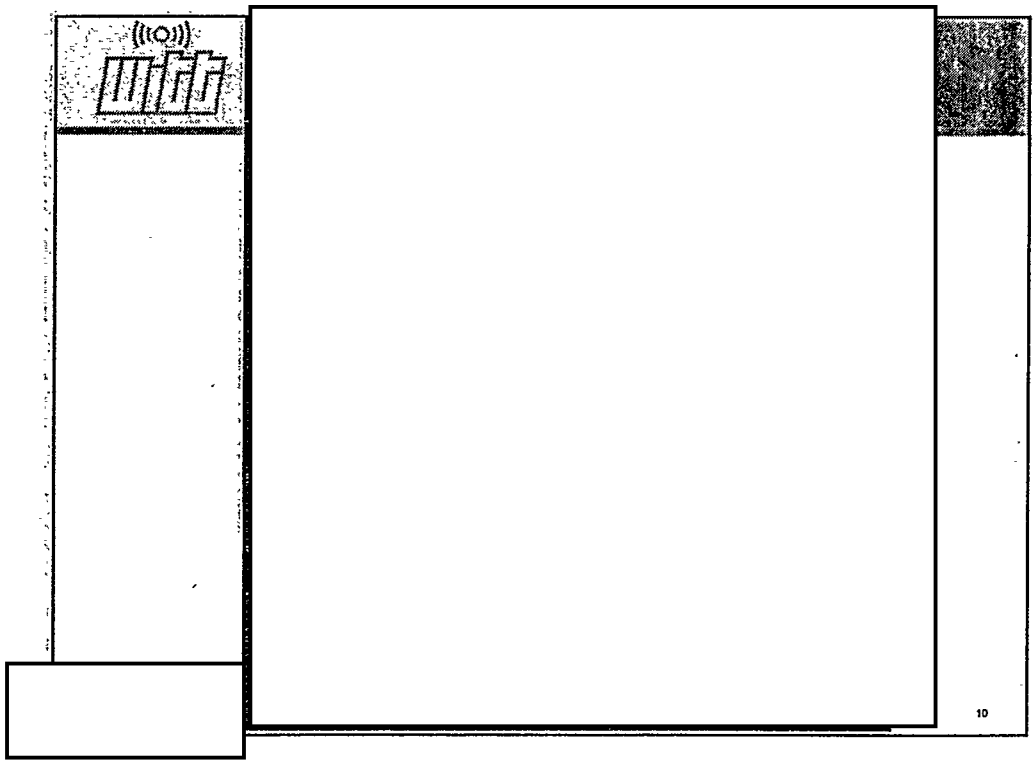

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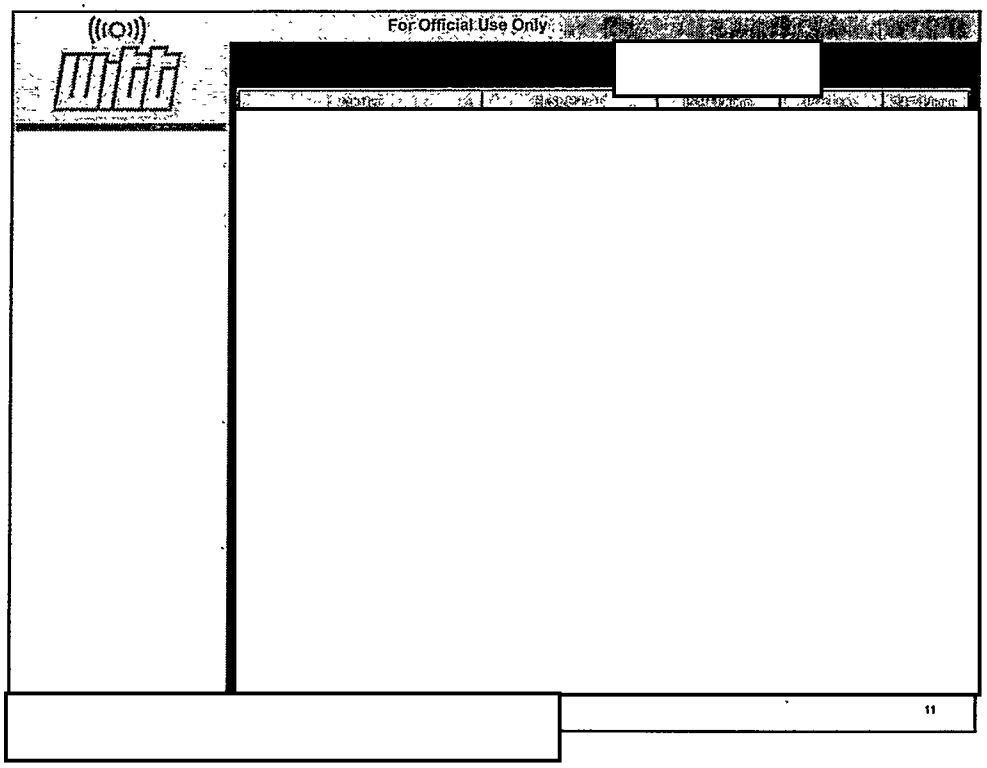

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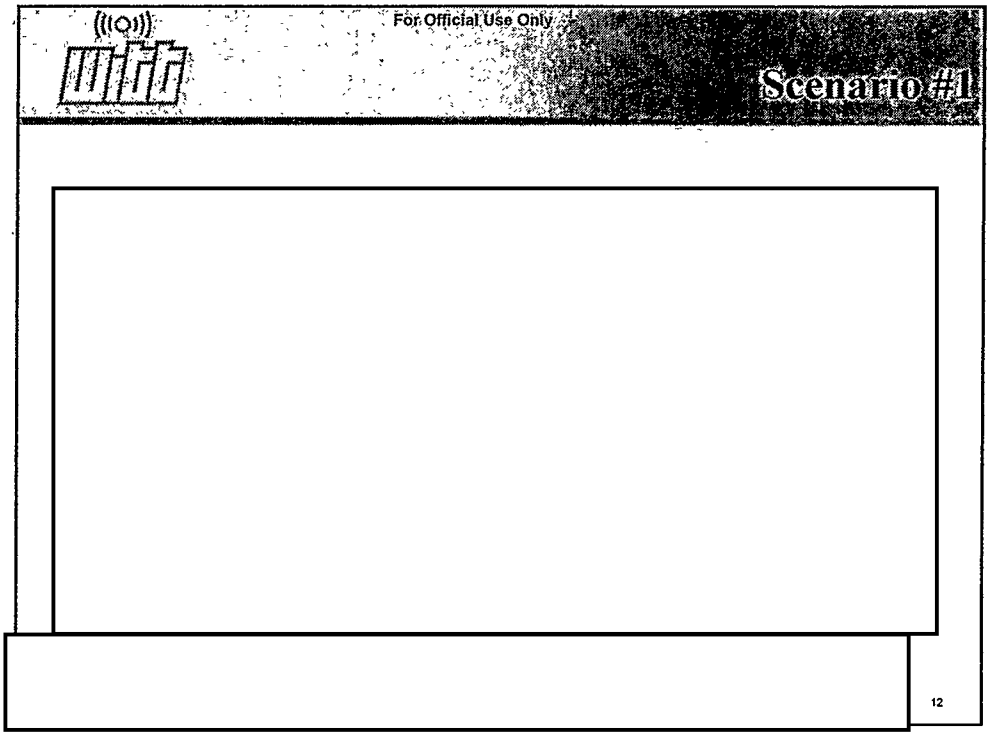

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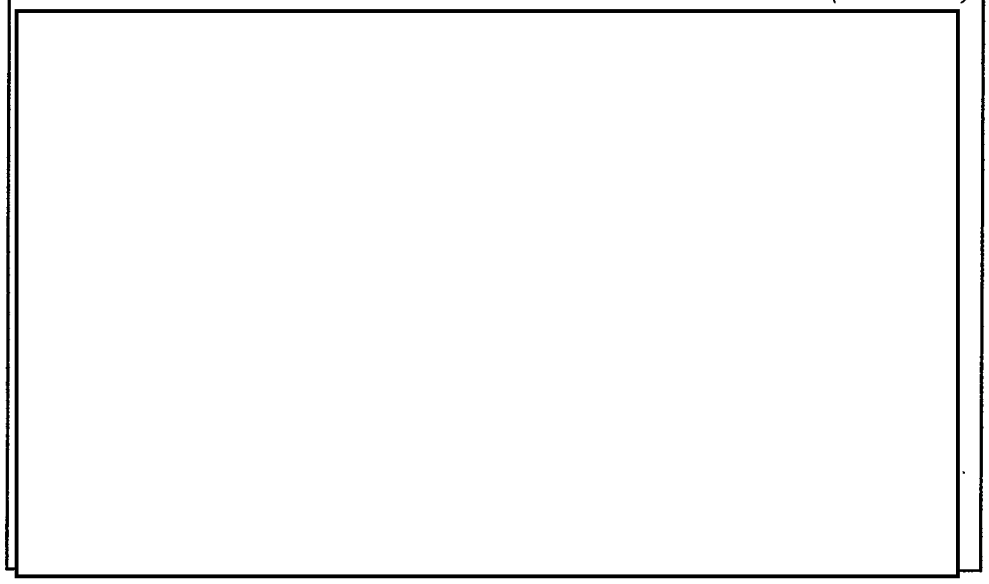

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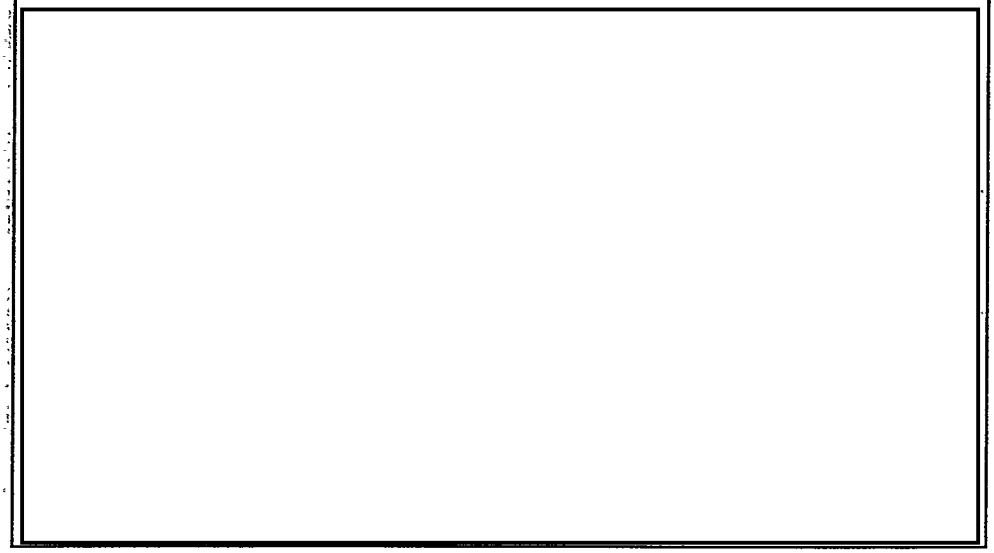

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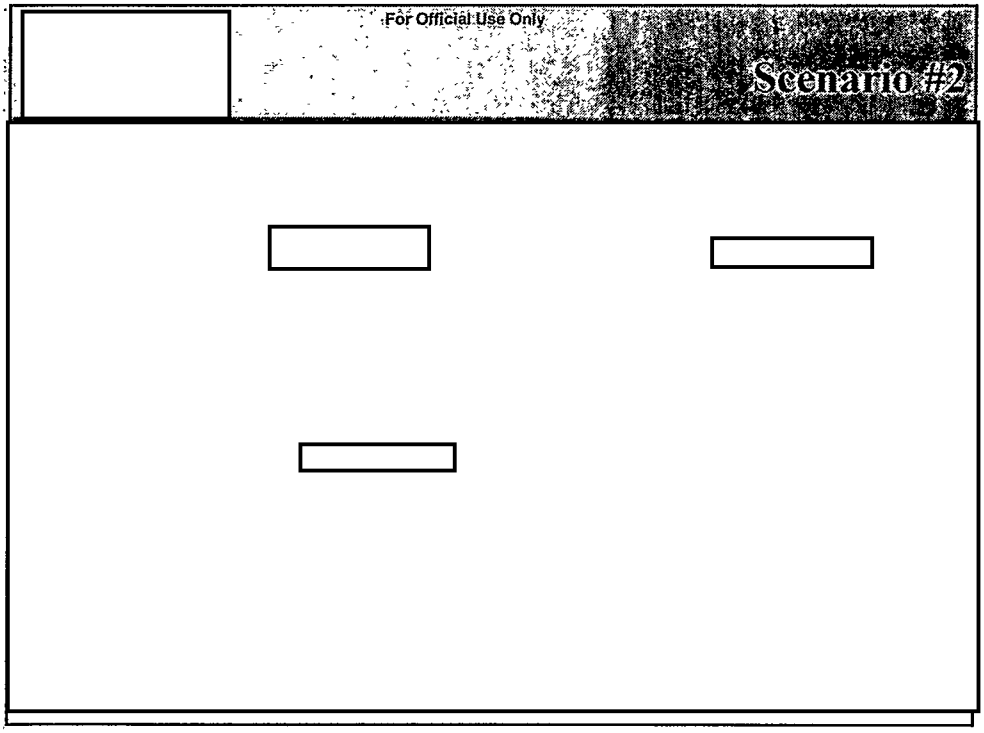

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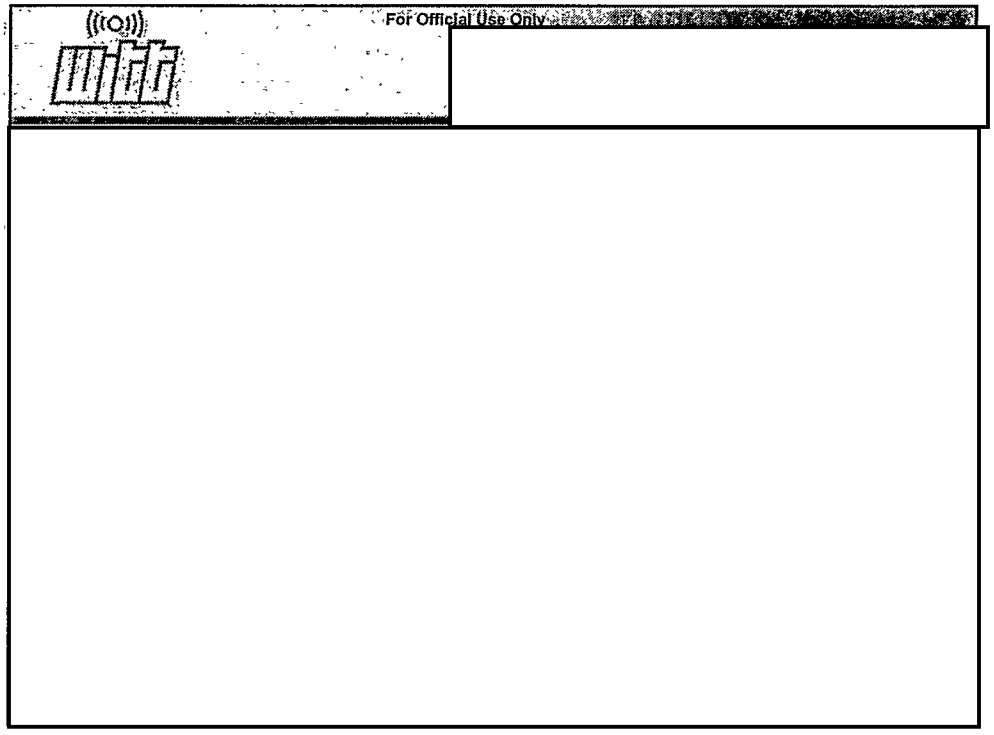

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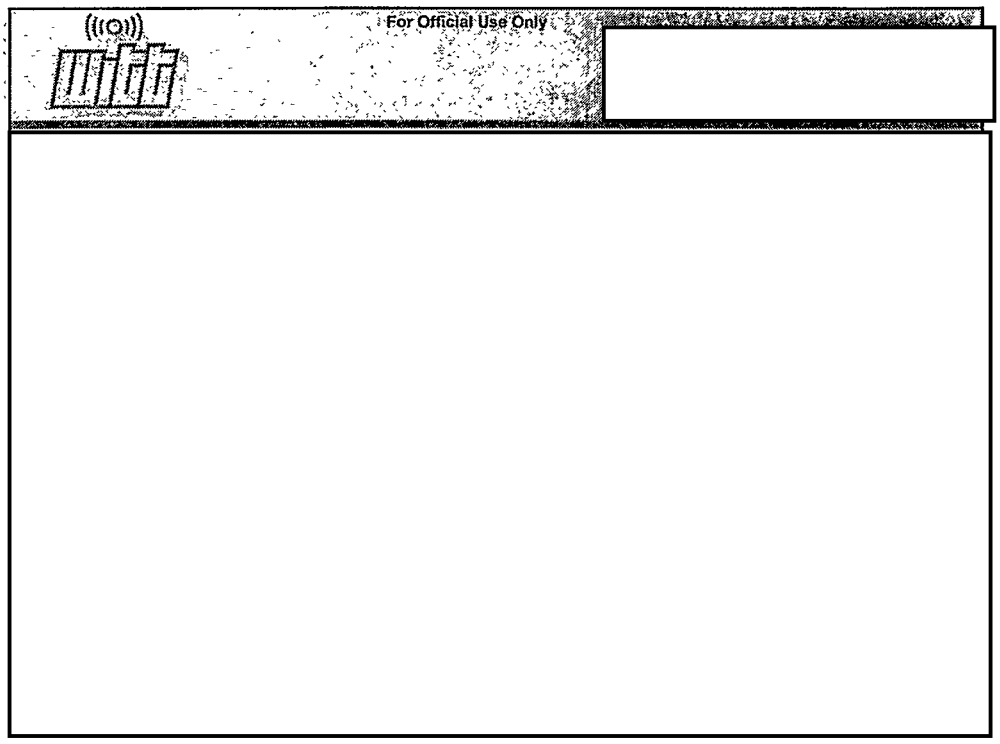

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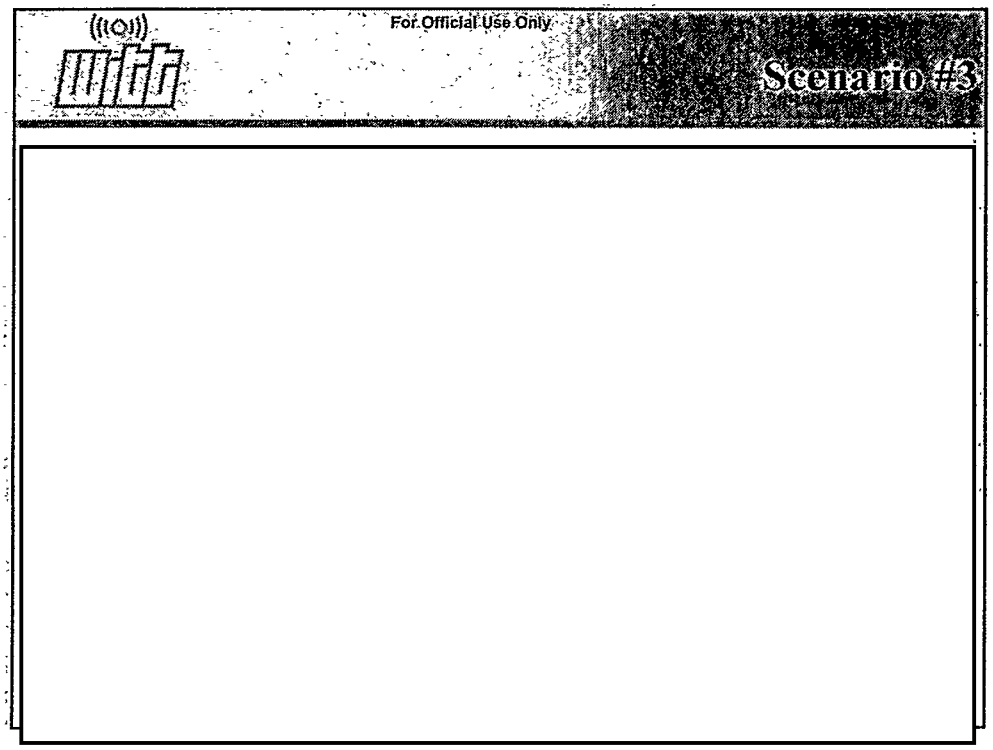

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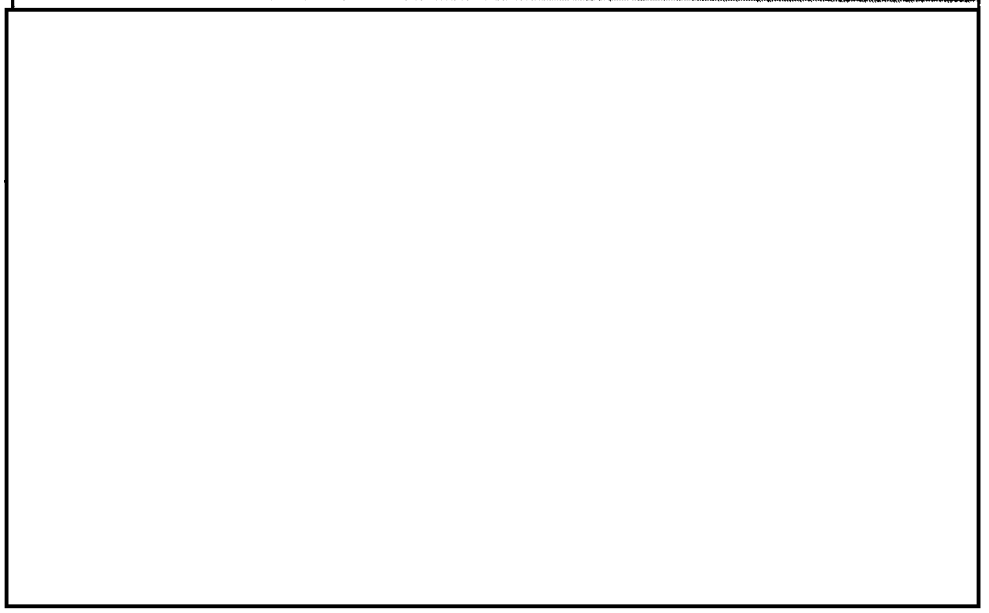

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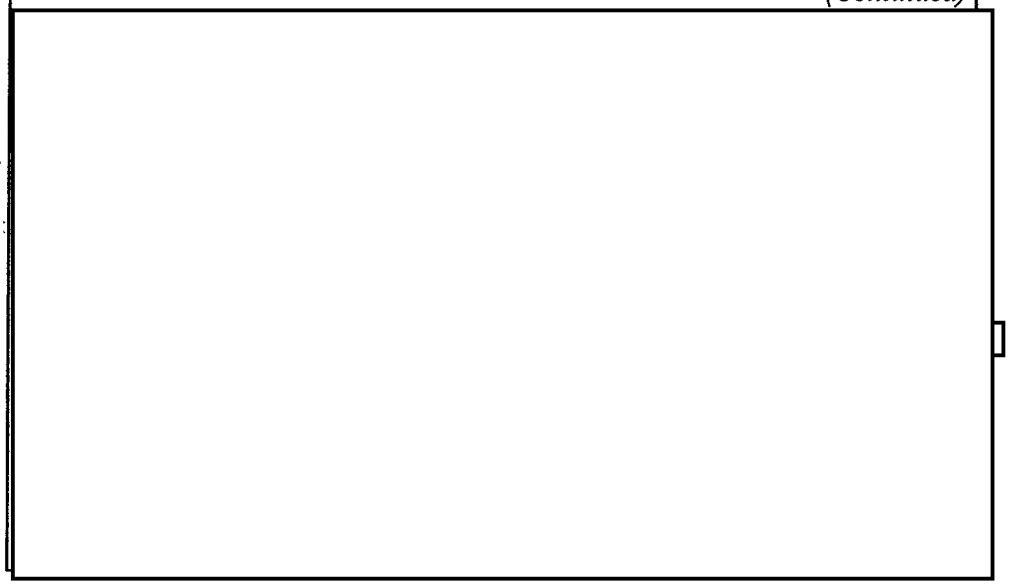

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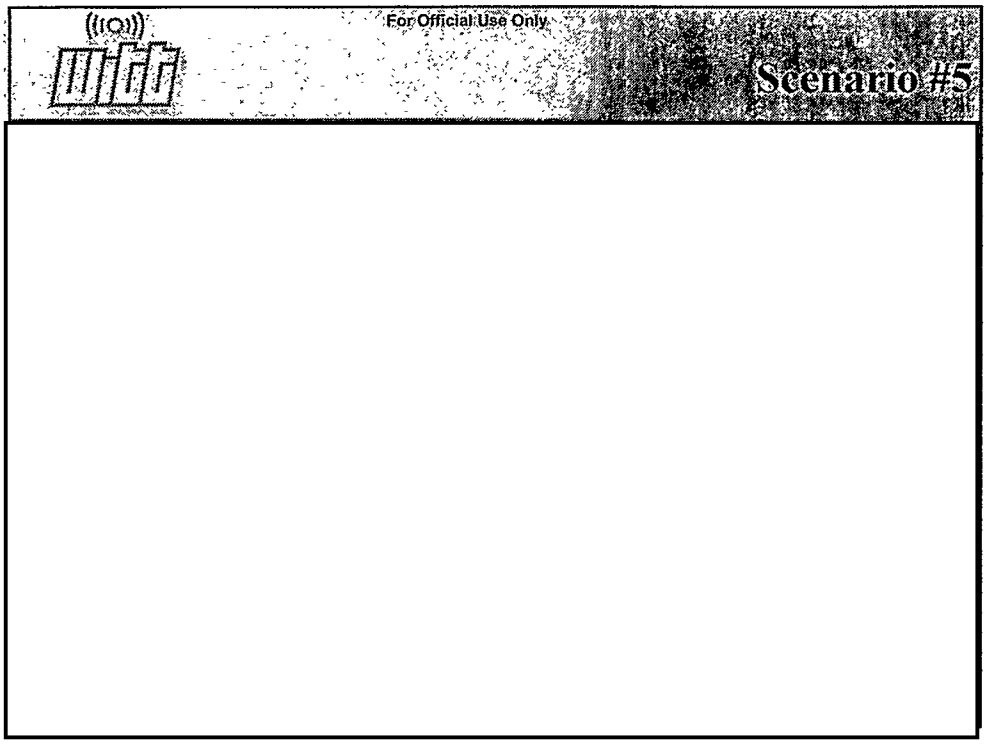

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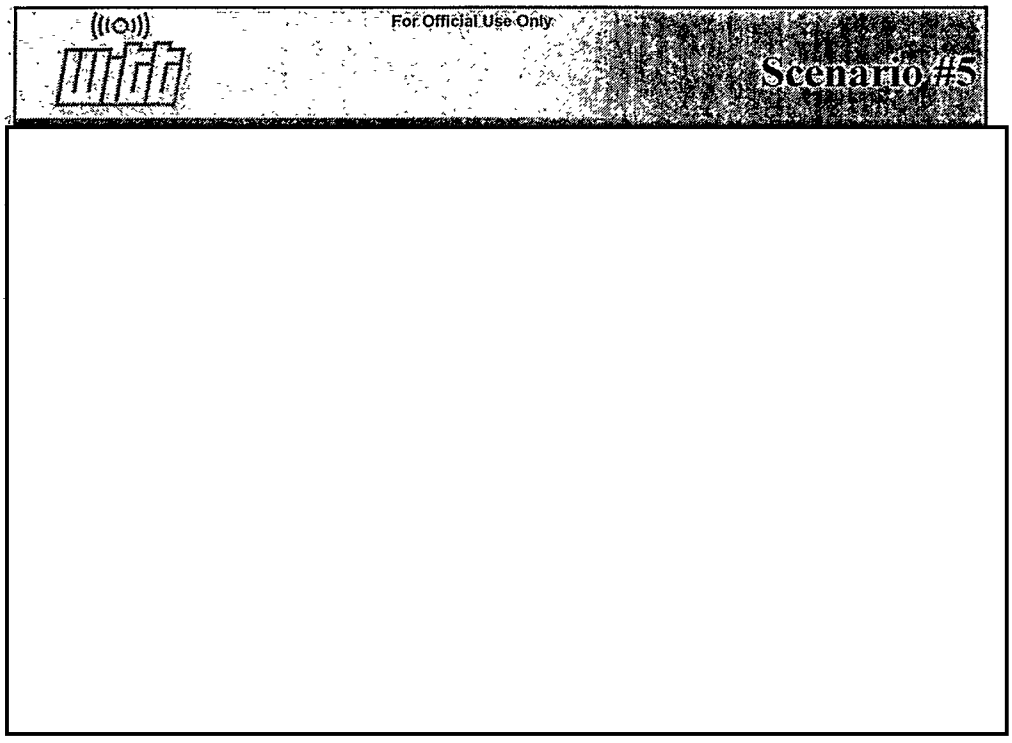

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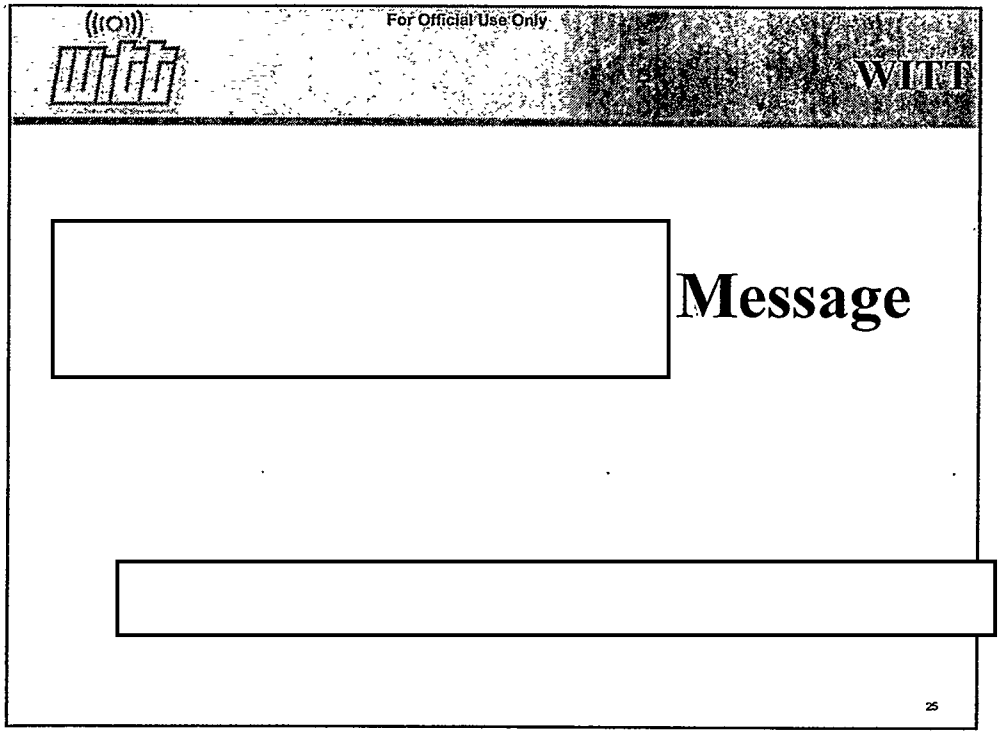
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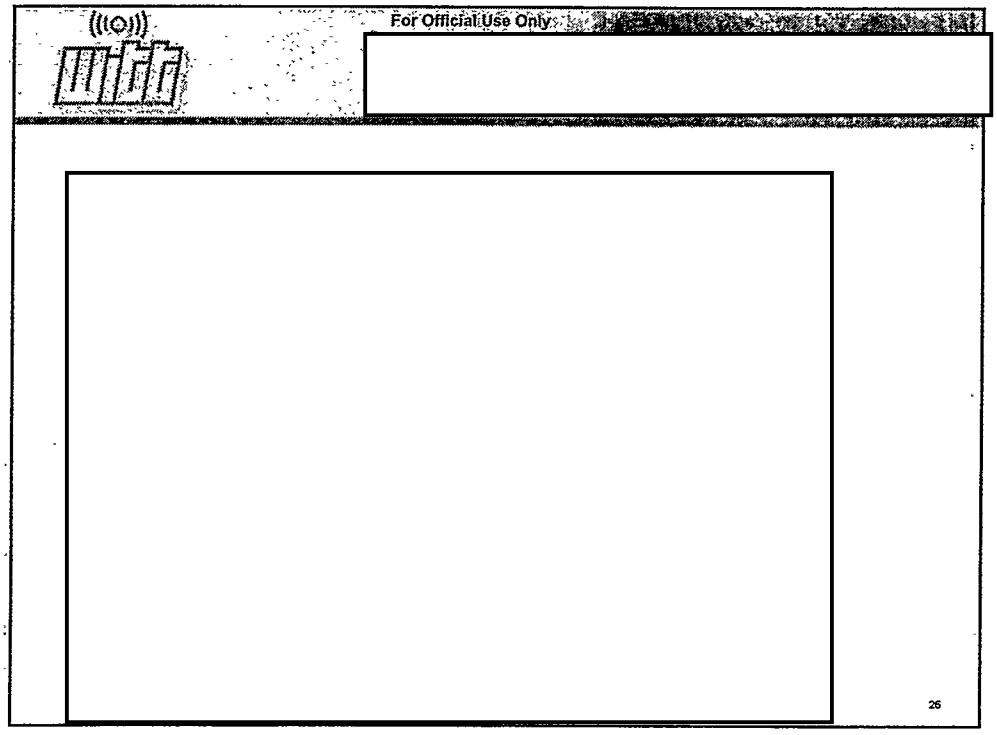
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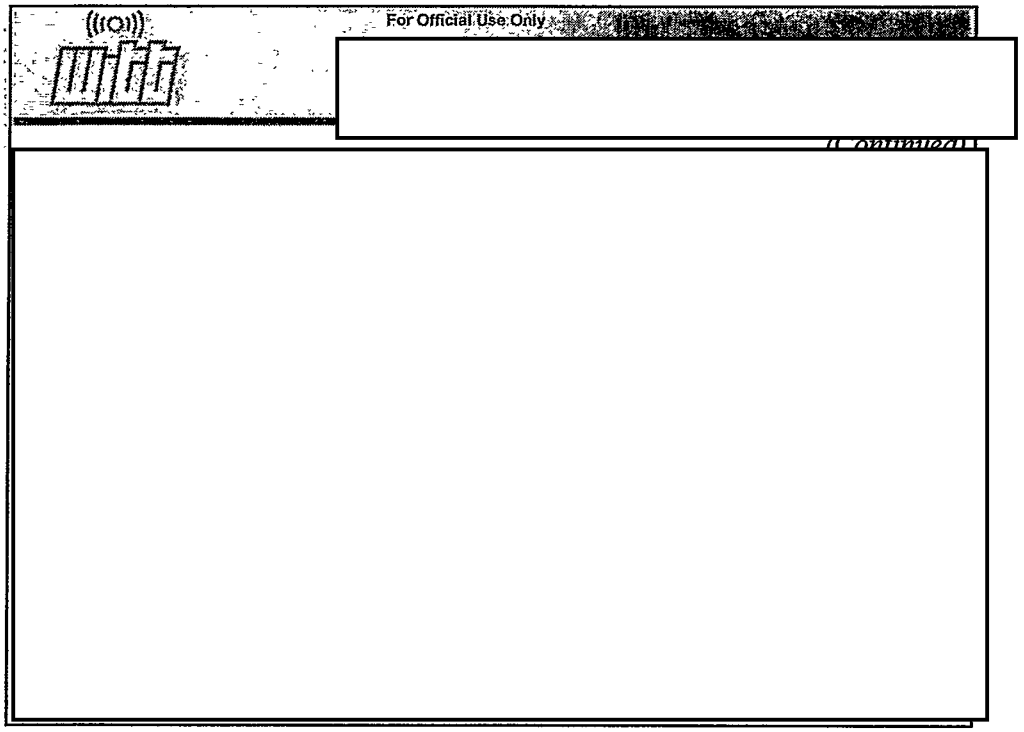

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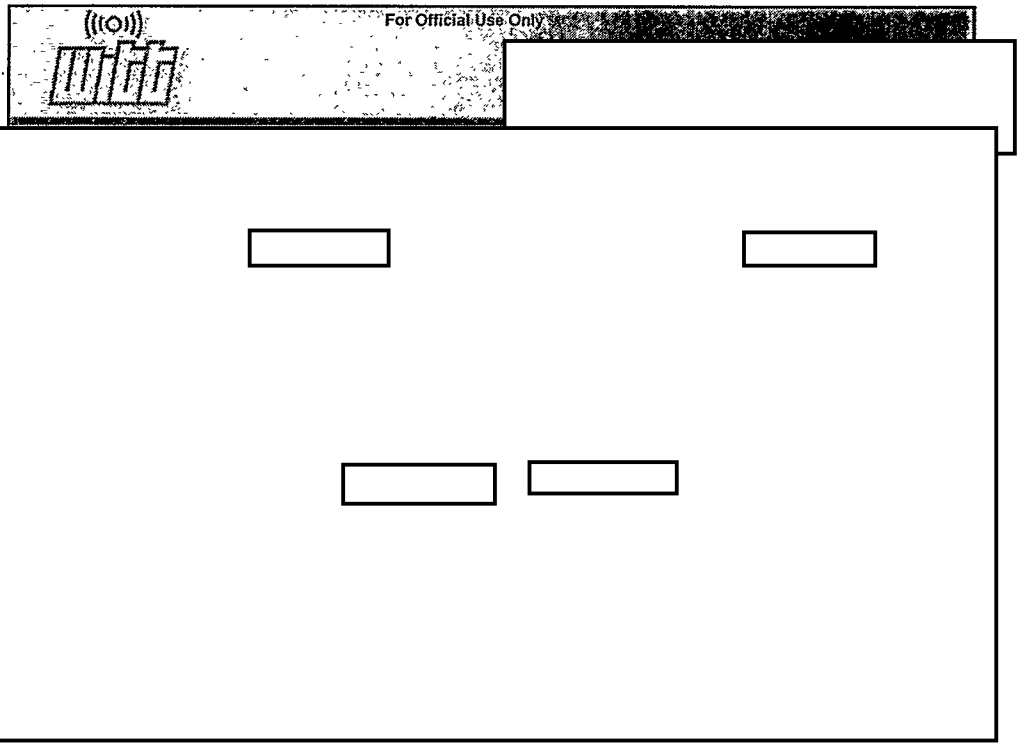

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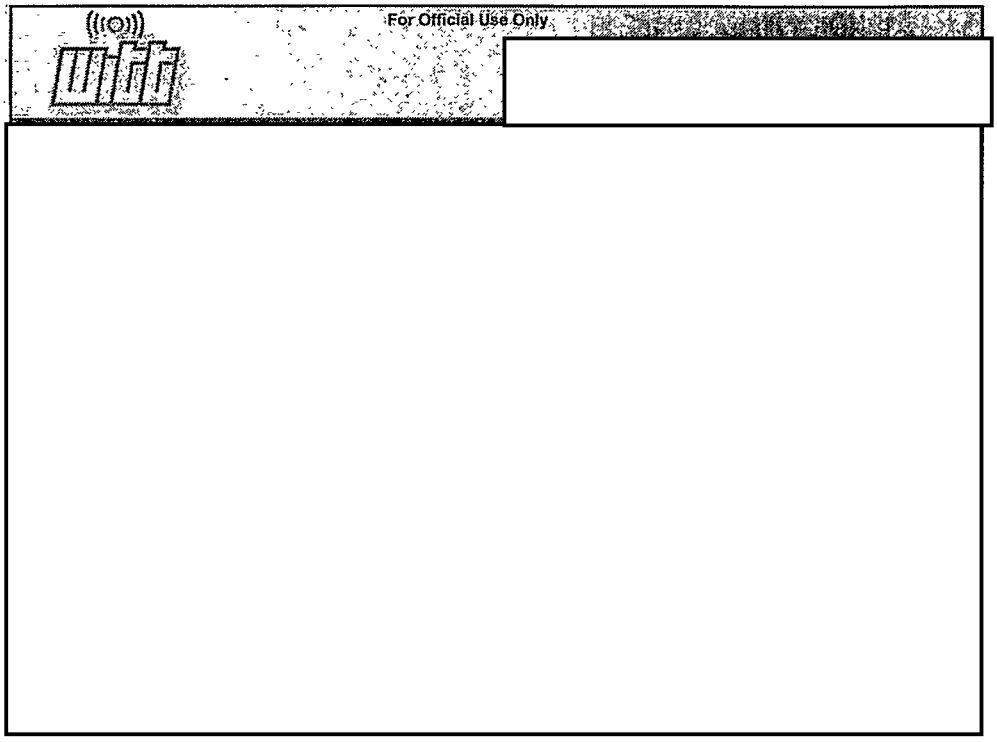

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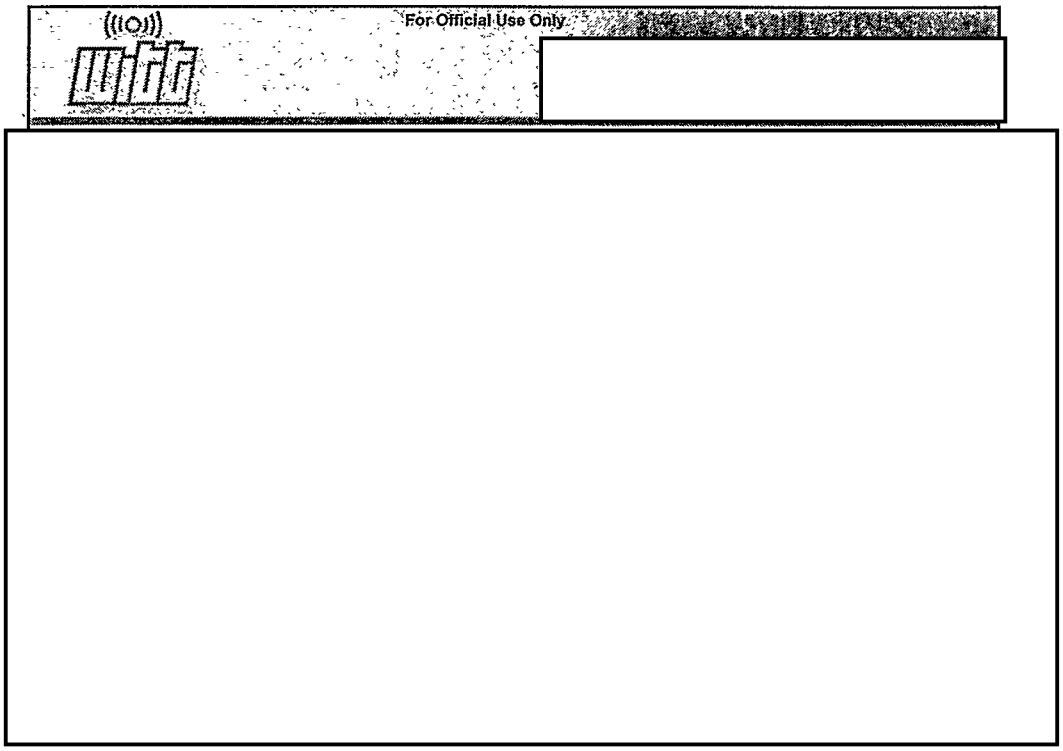

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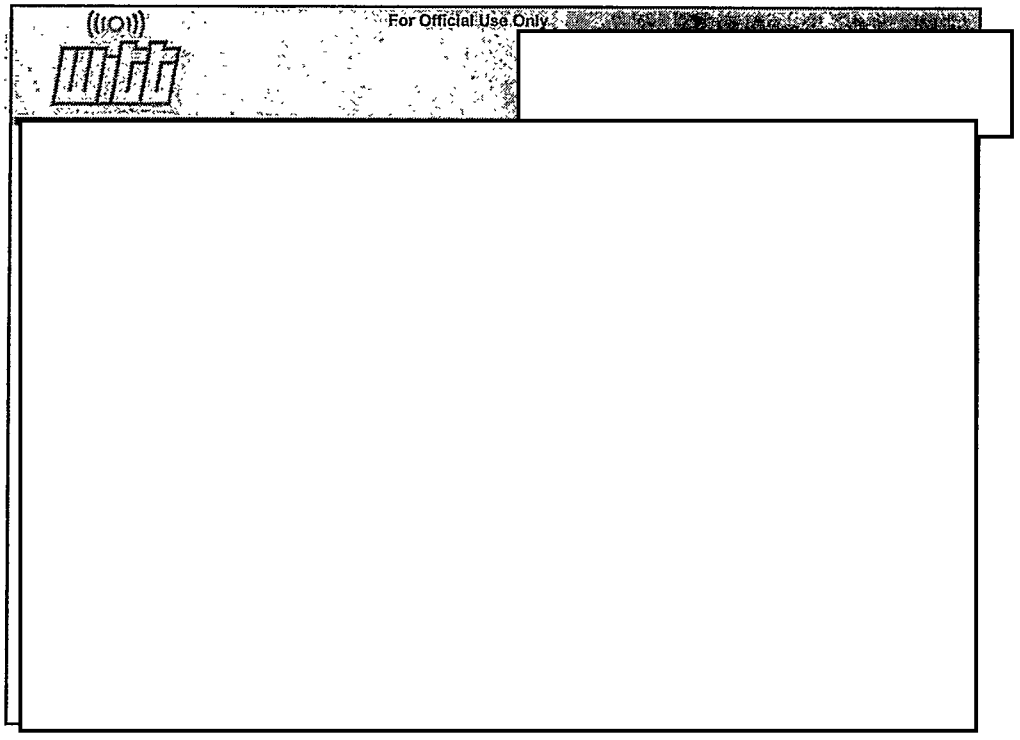

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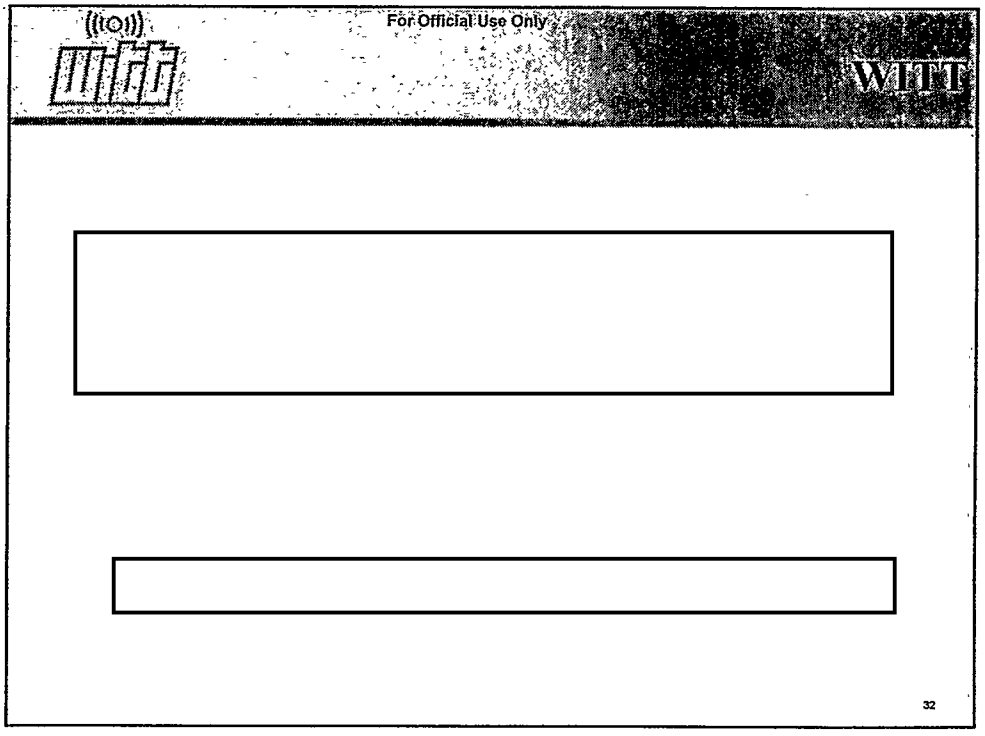

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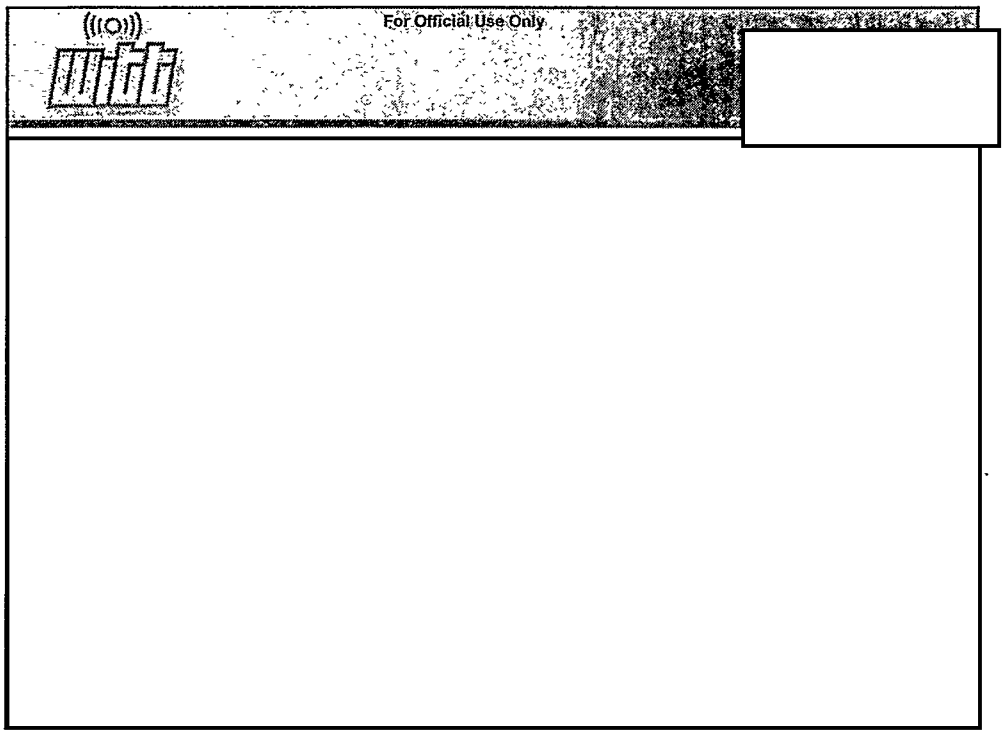

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Local Carrier Coverage

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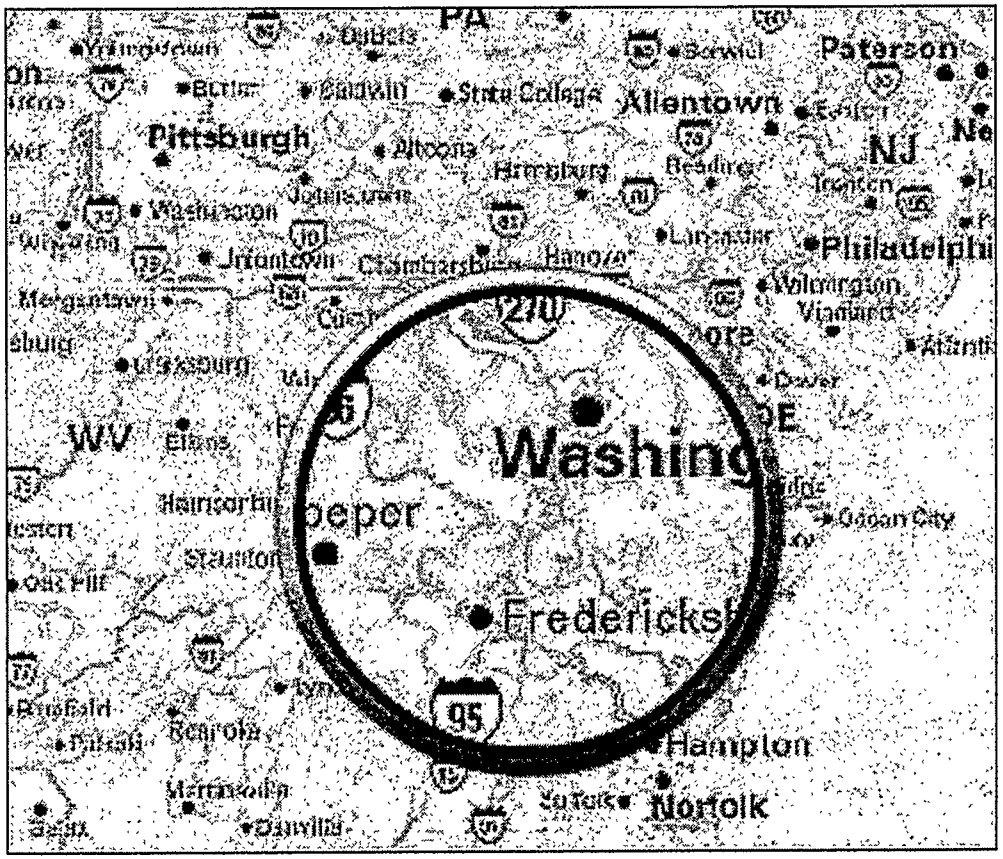

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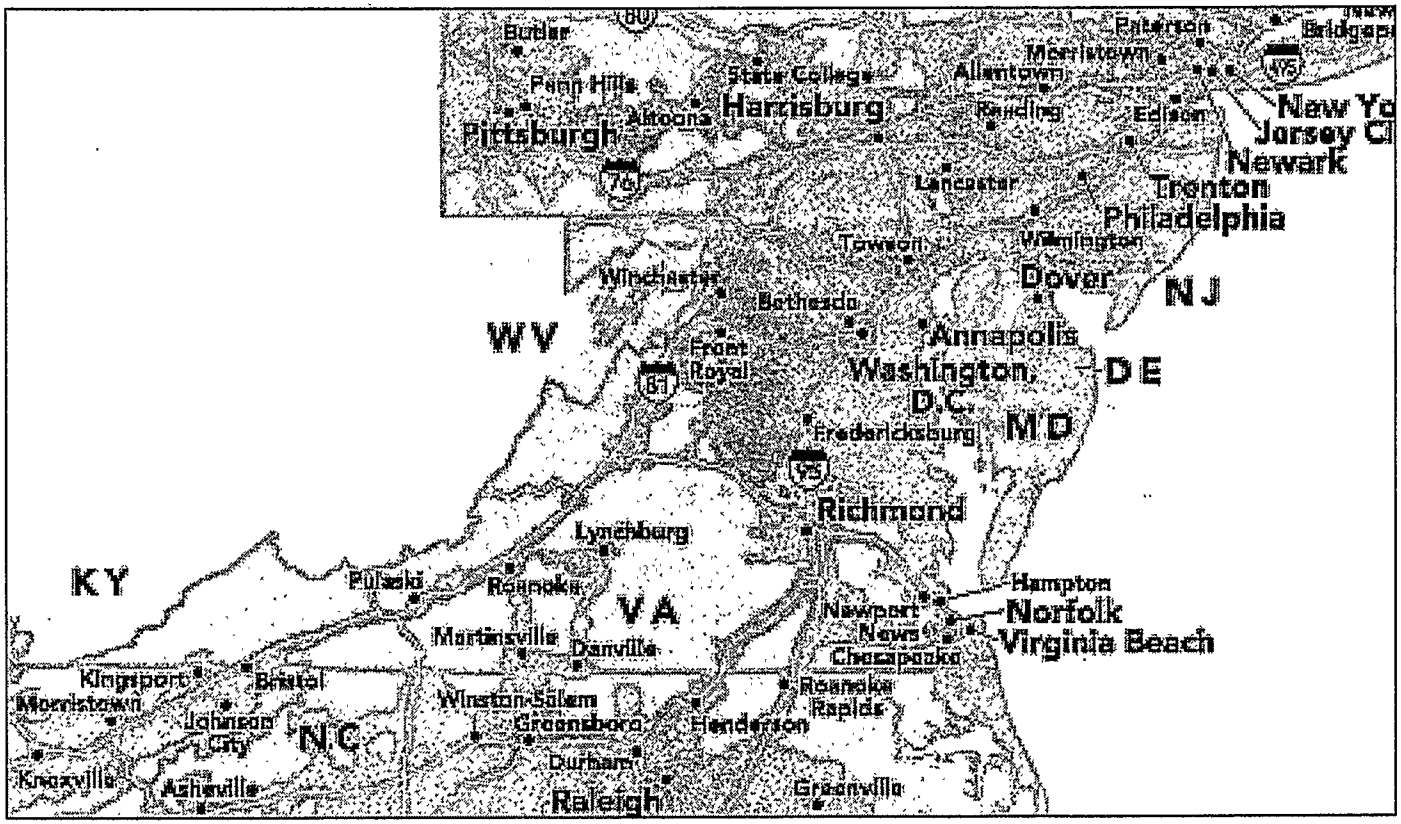

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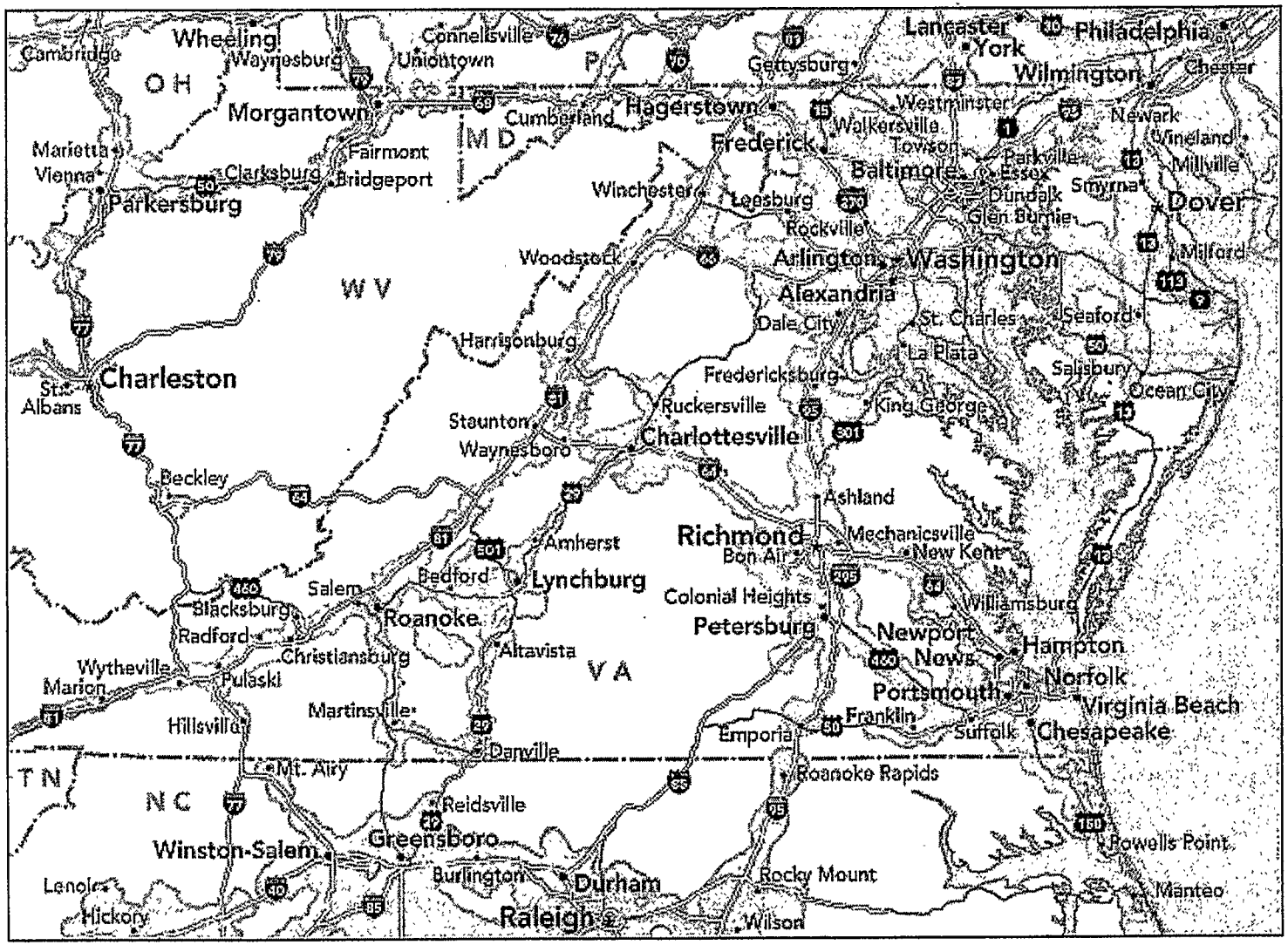

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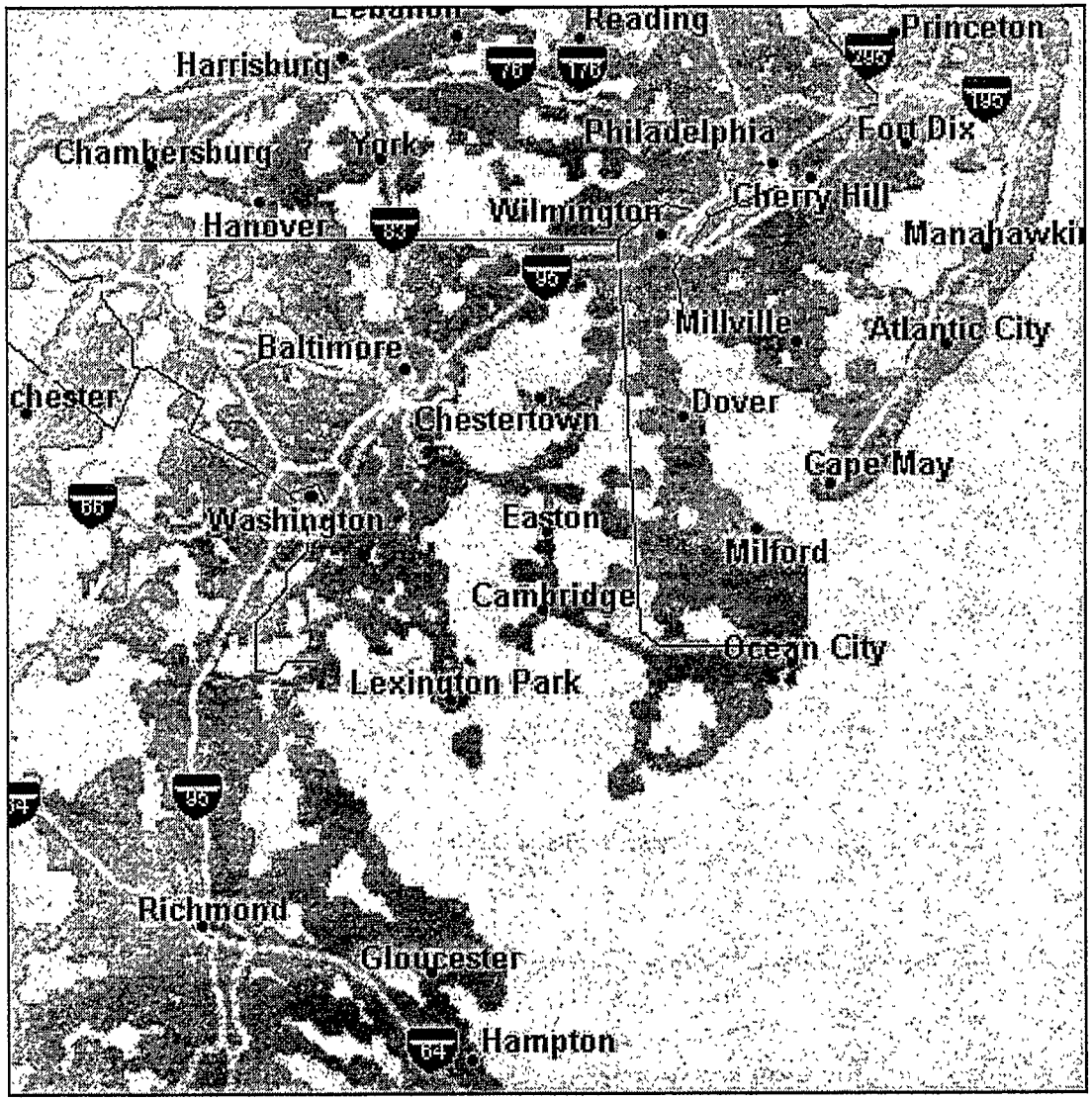

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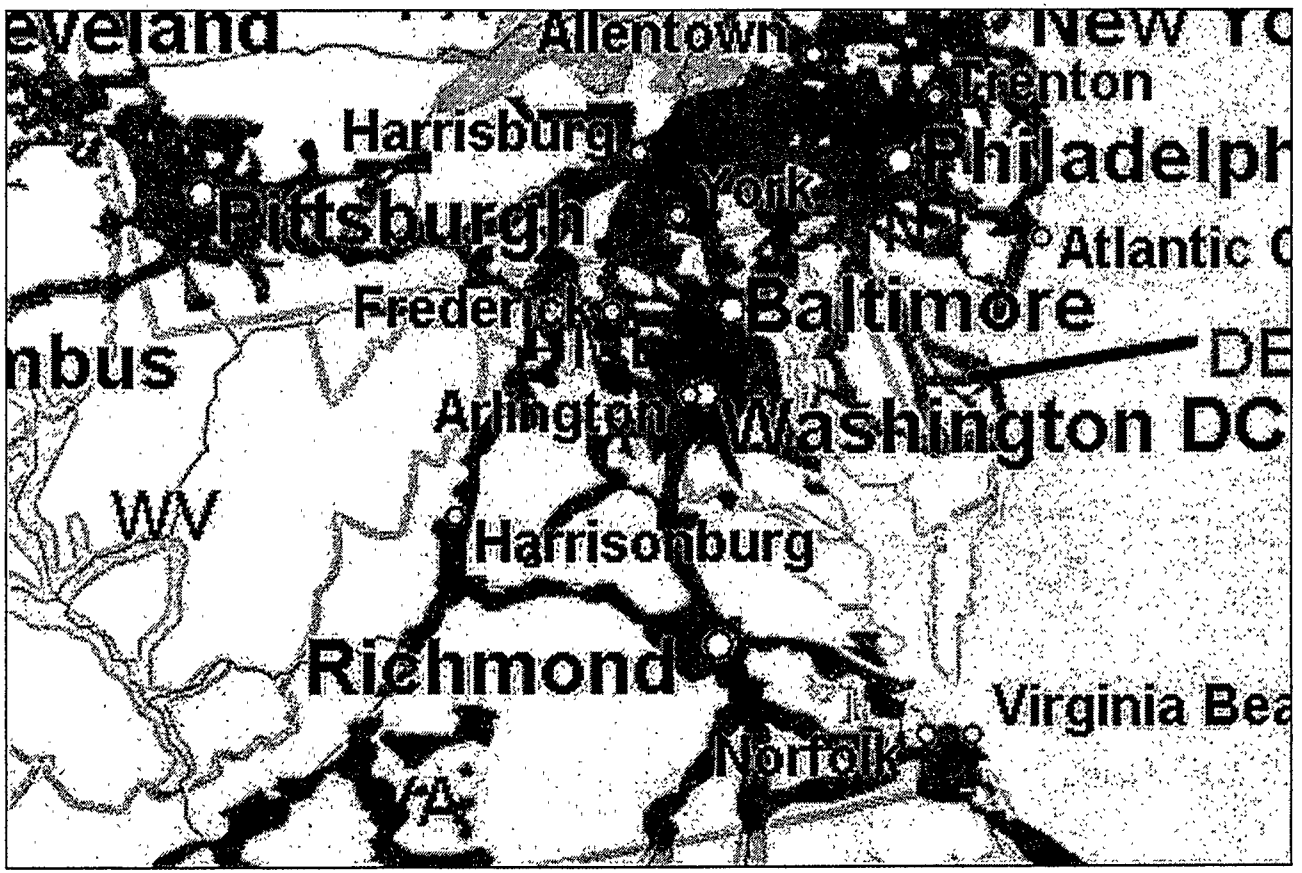

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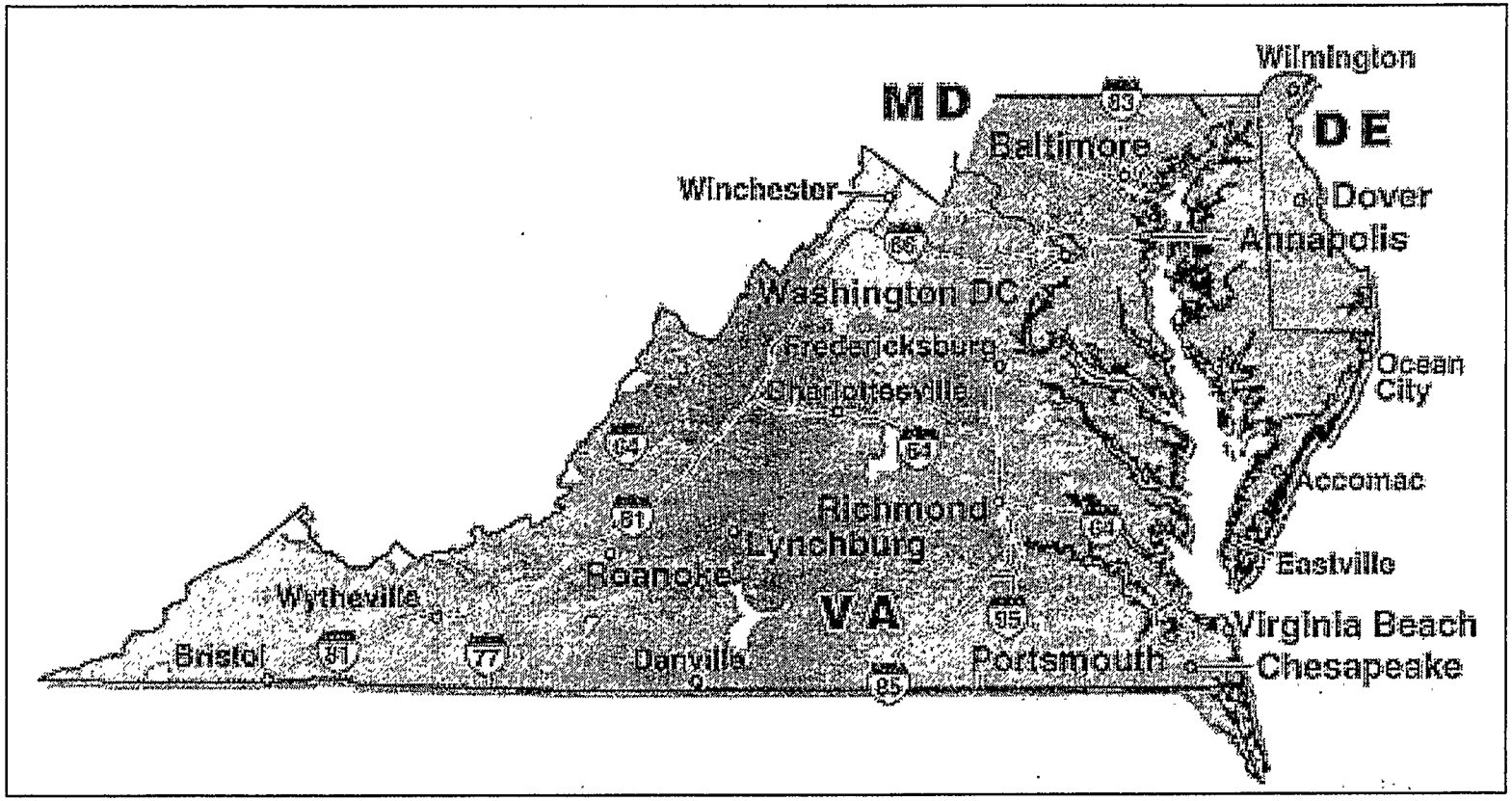

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PROGRAM

TRAINING COURSE #2

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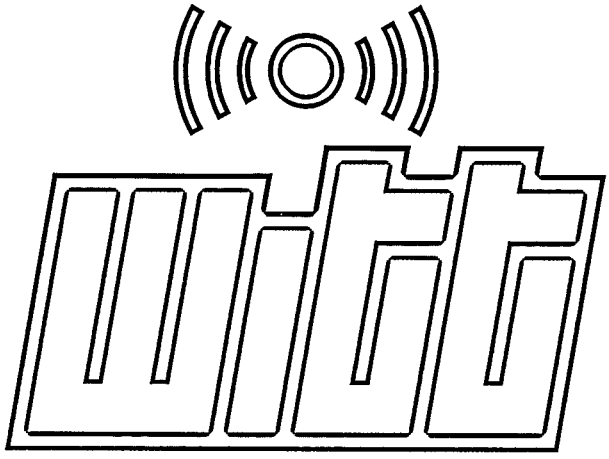

APRIL 6-8, 2004

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CELLSITE-13152

for official use only

To: From: Investigative Technology
Re: 268-HQ-1068430, 03/22/2004

Precedence: PRIORITY **Date:** 03/22/2004

To: **Attn**

From: Investigative Technology
Electronic Surveillance Technology Sectio QT-ERF
Contact: SSA

Approved By:

Drafted By:

Title: WIRELESS INERCEPT AND TRACKING TEAM (WITT)

Synopsis: To provide details of for commencing on 04/06/2004 to 04/08/2004 in Virginia.

Details: The WITT is tasked with providing FBI field offices with legal guidance, technical equipment, and technical training necessary for this To this end, WITT has organized, established and trained

is hosting a training course. The point-of-contacts for this training are Electronics Engineer (EE) and Electronics Technician (ET) This

To [redacted] From: Investigative Technology
Re: 268-HQ-1068430, 03/22/2004

training will occur 04/06/2004 through 04/08/2004. All attendees are requested to travel on Monday 04/05/2004 prior to the training, which starts on Tuesday morning at 8:30 am at the [redacted] Training will be completed Thursday evening, with students having the opportunity to travel back to their field offices on Friday. b6 b7C b3 b7E

[redacted]

Hotel reservation can be made at the [redacted]

[redacted] The Per diem rate is $72 for lodging and $31 for meals.
Class participants are to use [redacted]

Questions can be directed to Supervisory Special Agents [redacted] b6 b7C b7E
[redacted]

CC: M
Mr. [redacted]
Mr.
Mr.
Mr.
Mr.

[redacted]

♦♦

b6 b7C b7E b3

Call [redacted] w/ [redacted] (Class #)
#

[redacted] Provide [redacted]

[redacted]

[redacted]

[redacted]

CELLSITE-13154

From: [redacted]
To:
Date: Wed, Mar 24, 2004, 3:10 PM
Subject: [redacted] commencing on 4/6/04 -4/8/04

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Per SSA [redacted] please read the attached EC.

If you have any questions, please call me at [redacted]

[redacted]

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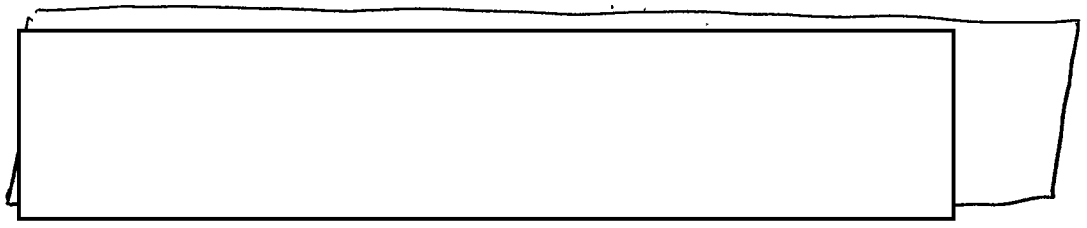
CC: [redacted]



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Note – System utilizes

Note –

Training Guide

LoggerHead

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Training Course #2

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[redacted] VA

April 6 – 8, 2004

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Quick Start Guides

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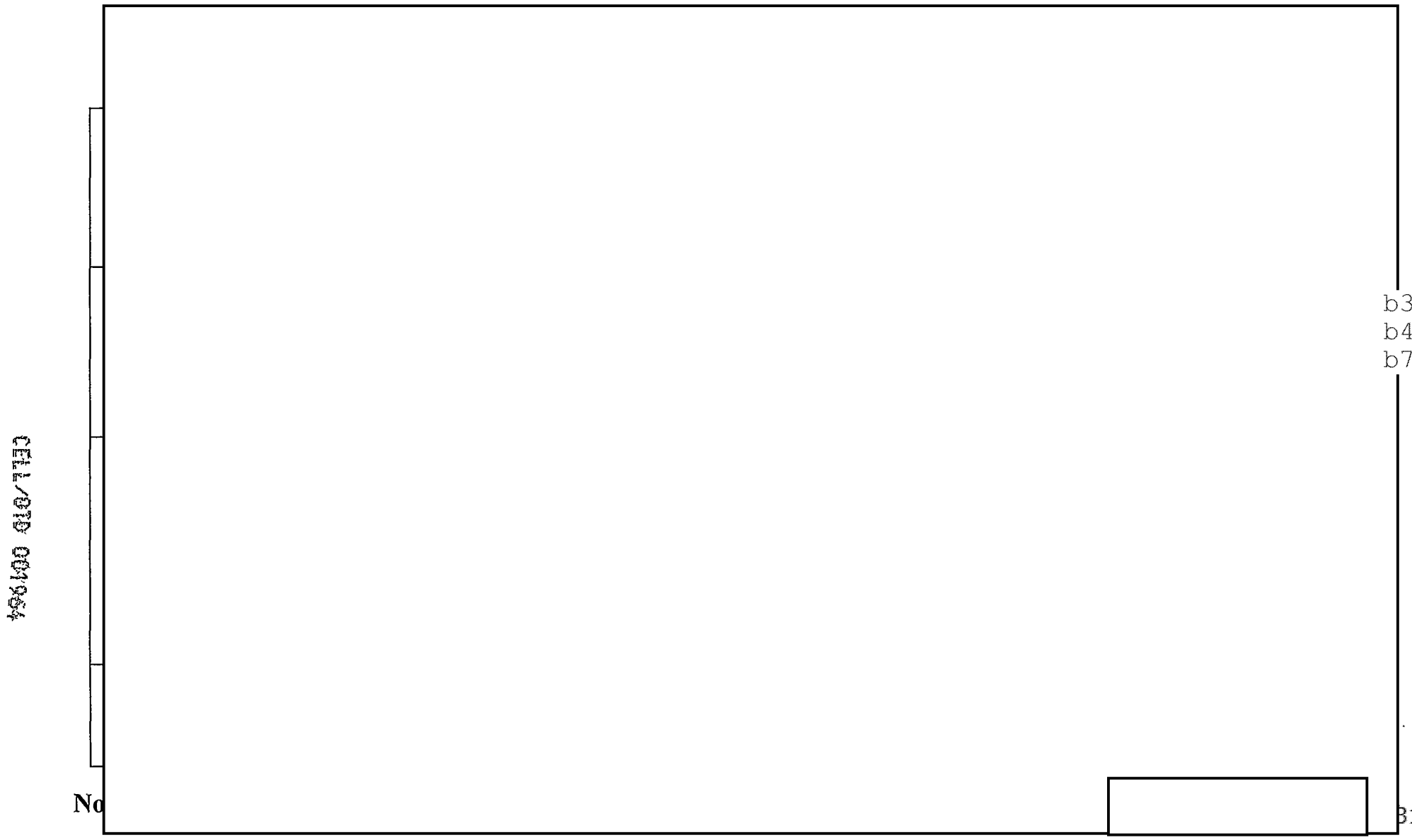
Solutions



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StingRay Quick Reference

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LoggerHead Quick Reference

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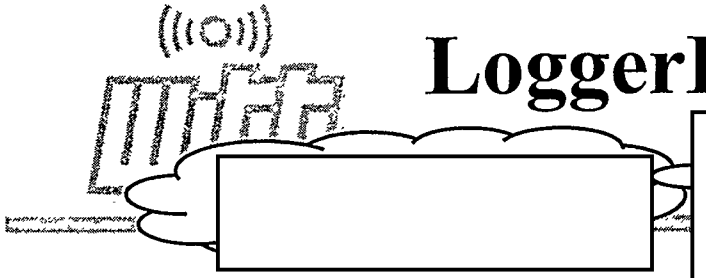

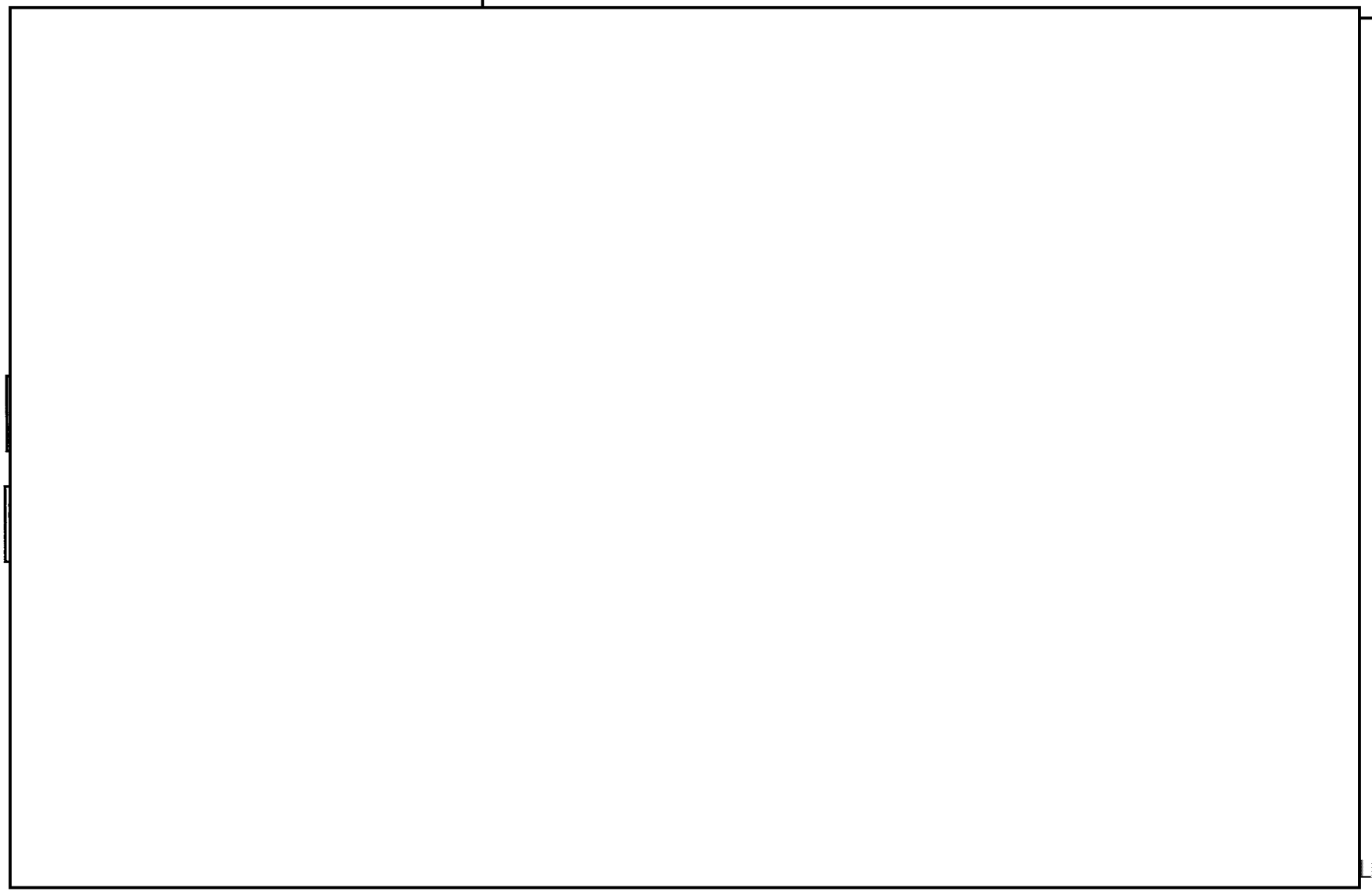

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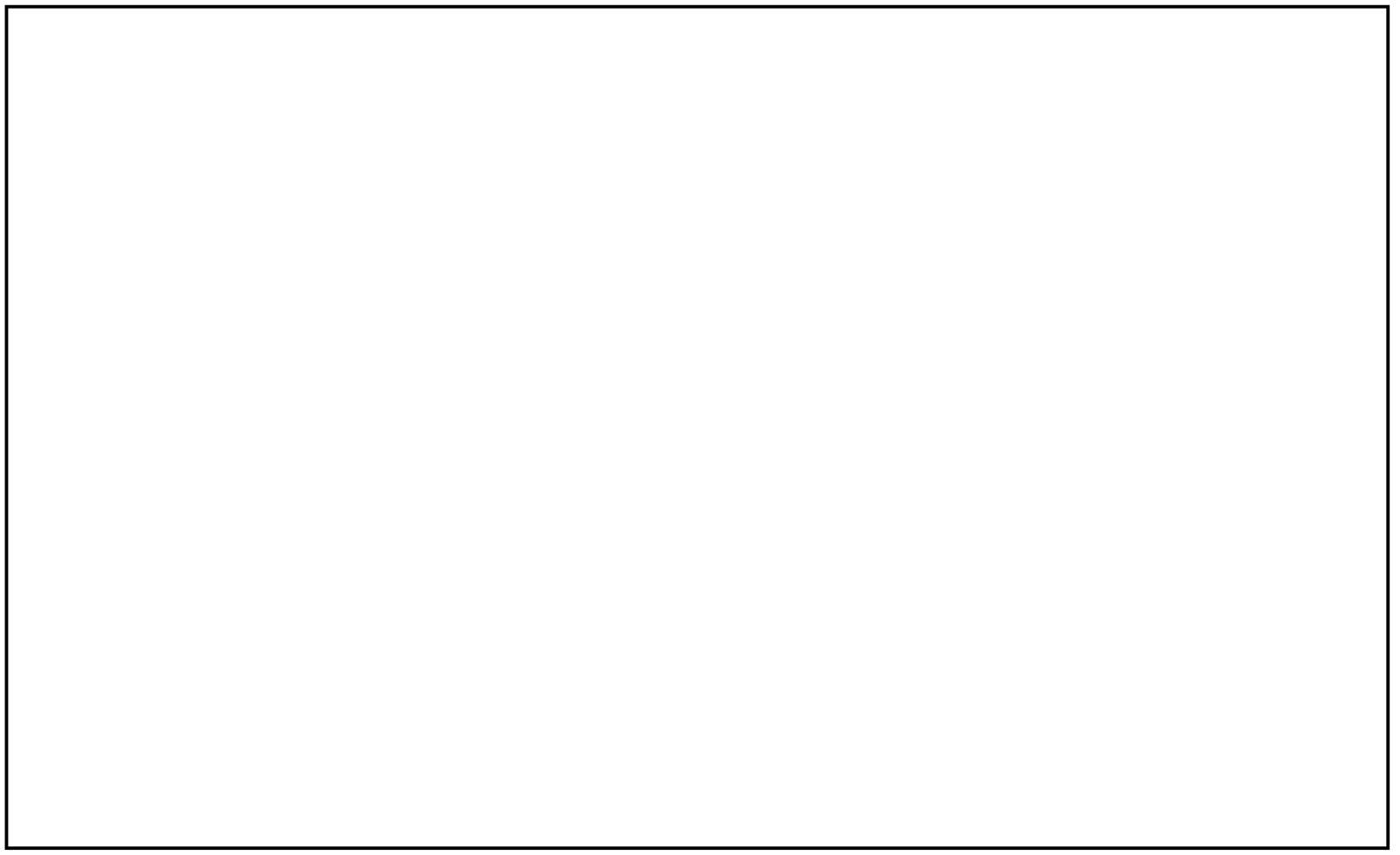
Internet Resources



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Welcoming Remarks

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Agenda – Day 1

Activity	Time	Activity Length	Presenter(s)
Welcoming Remarks	8:30 – 8:35 am	5 min	WITT
Discussion of Legal Issues	8:35 – 8:50 am	15 min	WITT
Website Update	8:50 – 9:00 am	10 min	
Mobile Phone Systems Review	9:00 – 9:10 am	10 min	
	9:10 – 9:30 am	20 min	
	9:30 – 9:50 am	20 min	WITT
Break	9:50 – 10:00 am	15 min	
	10:00 – 12:00 pm	2 hrs	WITT
Lunch	12:00 – 1:00 pm	1 hr	
	1:00 – 5:30 pm	4 hrs 30 min	WITT

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Agenda – Day 2

Activity	Time	Activity Length	Presenter(s)
Day 1 Review (Question and comments)	8:30 – 8:40 am	10 min	WITT
[redacted]	8:40 – 9:00 am	20 min	[redacted]
[redacted]	9:00 – 9:20 am	20 min	WITT
Break	9:20 – 9:30 am	10 min	
[redacted]	9:30 – 12:00 pm	2 hrs 30 min	WITT
Lunch	12:00 – 1:00 pm	1 hr	
[redacted]	1:00 – 5:30 pm	4 hrs 30 min	WITT

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9/6/00 010/7733

Agenda – Day 3

Activity	Time	Activity Length	Presenter(s)
Day 2 Review (Questions and comments)	8:30 – 8:40 am	10 min	WITT
Additional Training	8:40 – 11:30 pm	2 hr 50 min	WITT
Lunch	11:30 – 1:00 pm	1 hr 30 min	
Additional Training	1:00 – 3:00 pm	2 hrs	WITT
Wrap-up, Feedback Forms, and Closing Remarks	3:00 – 3:30 pm	30 min	WITT

Legal

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Legal Guidelines

- Legal considerations await the OGC's review, analysis, and approval
- Additional Legal and Policy issues being identified
- Updates and reference material will be posted on the WITT web site
- Any specific legal question, guidance, or advice should be referred to your CDC and/or to the OGC

2

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Preliminary Issues

- Pen Registers
- Title III
- Search Warrants
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WITT [redacted]

↳ Now under [redacted] not [redacted]

[redacted]

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Effective Tools – WITT Web Site

- PURPOSE: To provide information, interactive media, and data collection for [redacted] and WITT
- ACCESS: FBINET
- URL [redacted]
- NETWORK CLASSIFICATION: Secret

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Recent Additions

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Coming Soon

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Mobile Phone Systems Review

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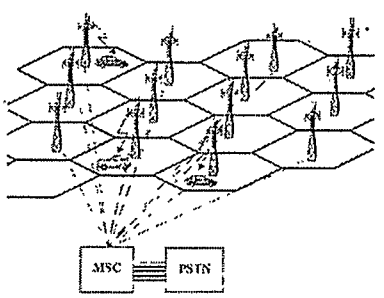
Cellular System Concept

- Cellular System allows the reuse of spectrum within a region by employing centrally connected base stations
- Each base station wirelessly connects to multiple mobiles within a designated geographic area (cell)
- Base stations connect to a Mobile Switching Center (MSC) and then to the Public Switched Telephone Network (PSTN)
- The system allows
  - Reuse of spectrum in regions, increasing the capacity of the system over a trunked radio system
  - Mobility of users in the system without loss of connectivity



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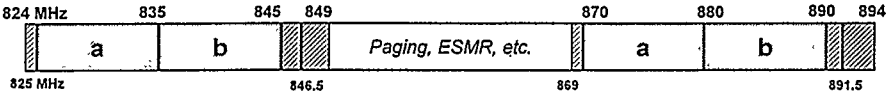
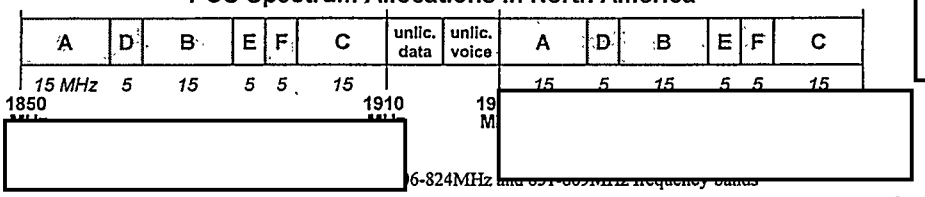
Frequency Bands

Communication between the mobiles and the network occur in two frequency bands in the United States*

Cellular Spectrum Allocations in North America



PCS Spectrum Allocations in North America



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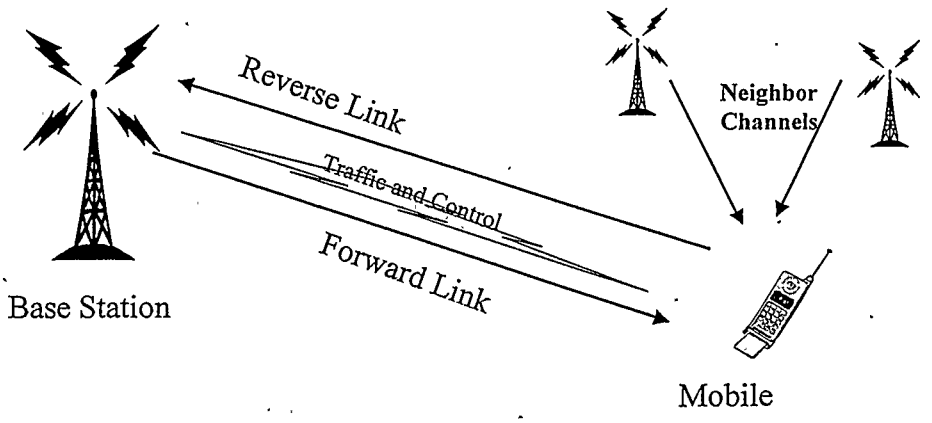
RF Channels

Cellular and PCS frequency bands are subdivided into Radio Frequency (RF) channels for communication between base stations and mobiles



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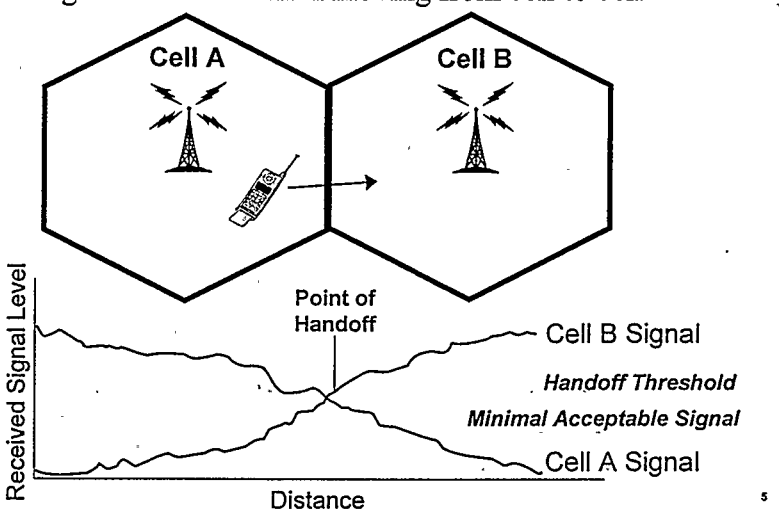
Mobile Handoff

To maintain seamless mobility in the system, mobiles must change assigned channels when moving from cell to cell



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Introduction to [redacted]

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Intro to [redacted]

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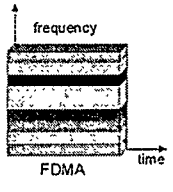
- **Frequency Division Multiple Access** (FDMA) uses frequency as the only channel discriminator



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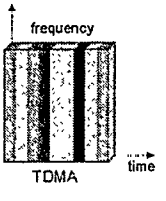
- **Time Division Multiple Access** (TDMA) uses frequency and time as channel discriminators



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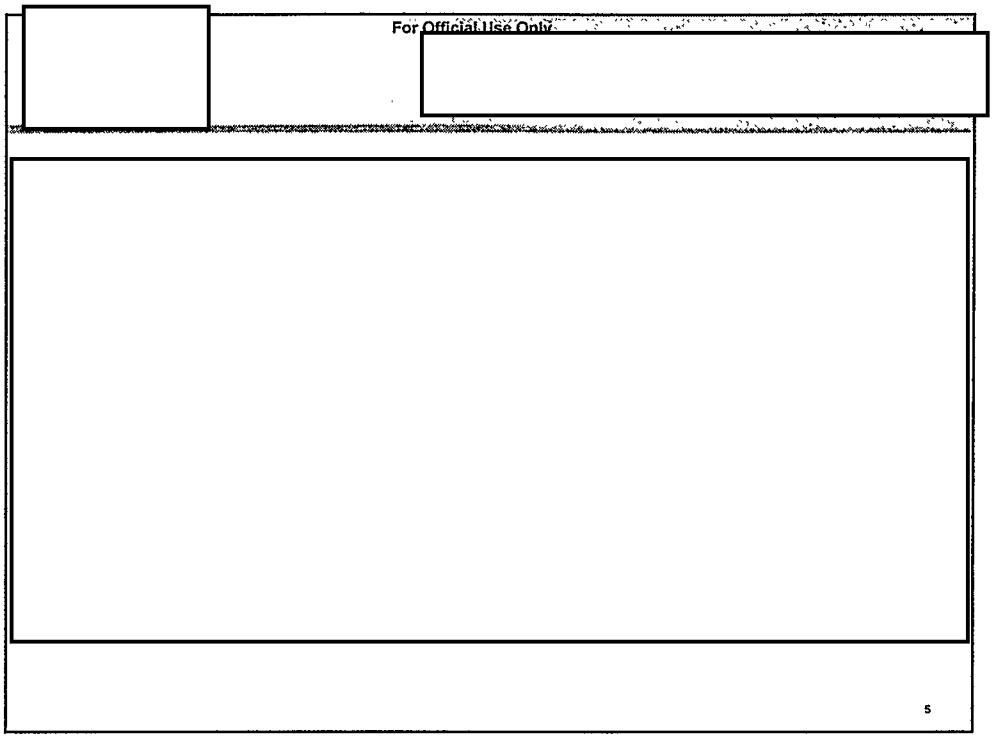

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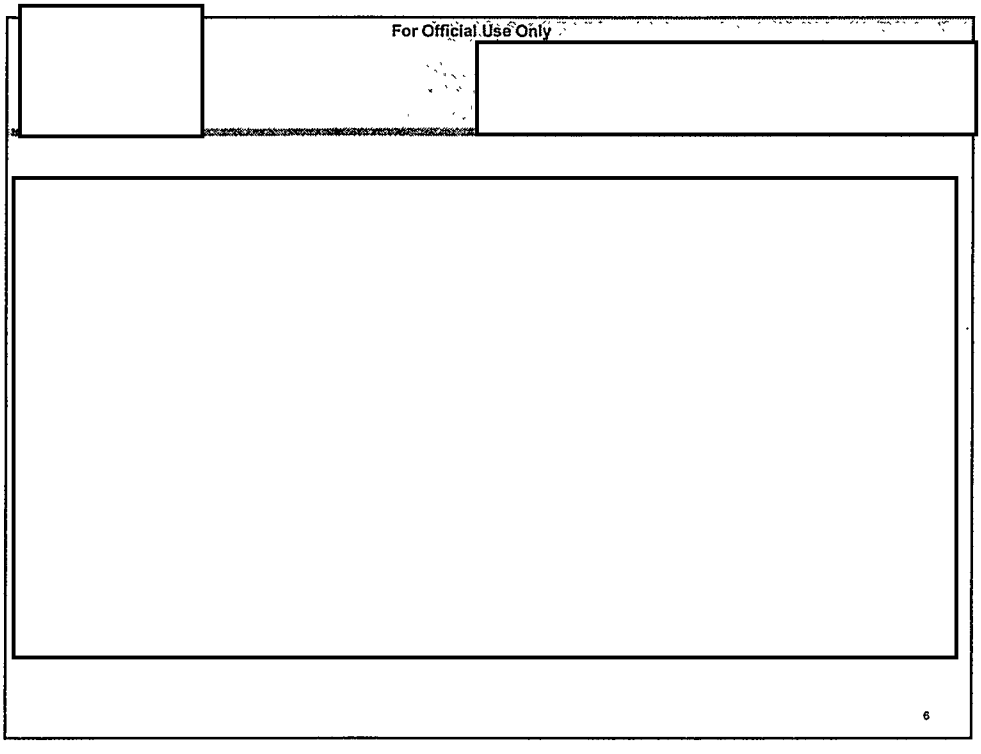

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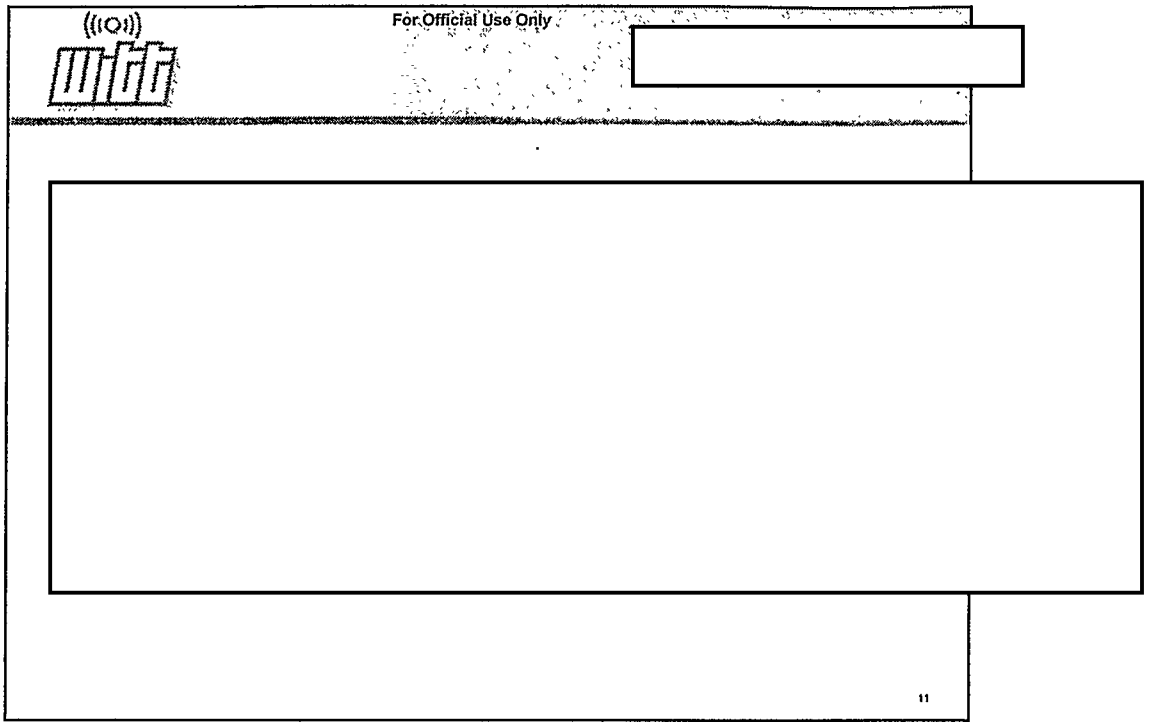
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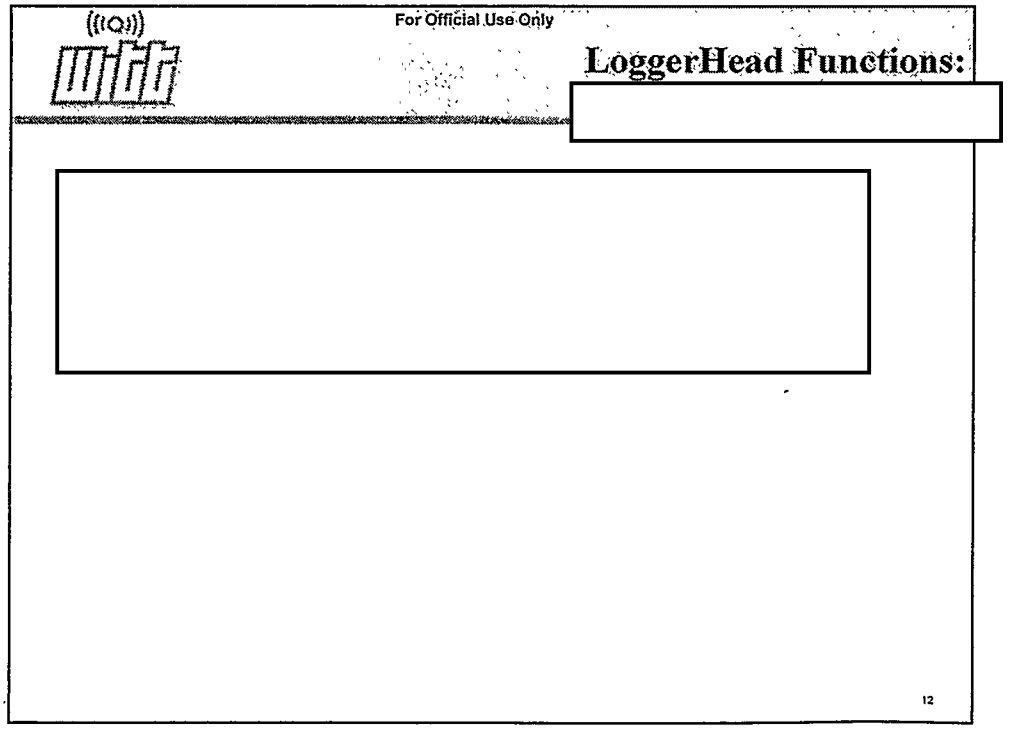
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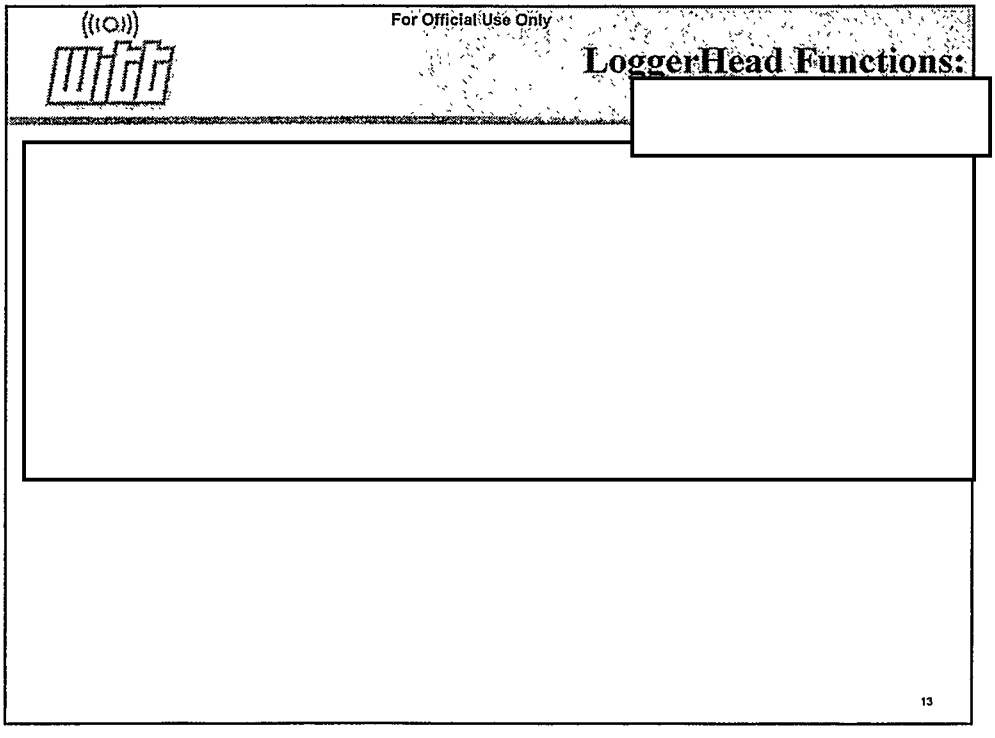

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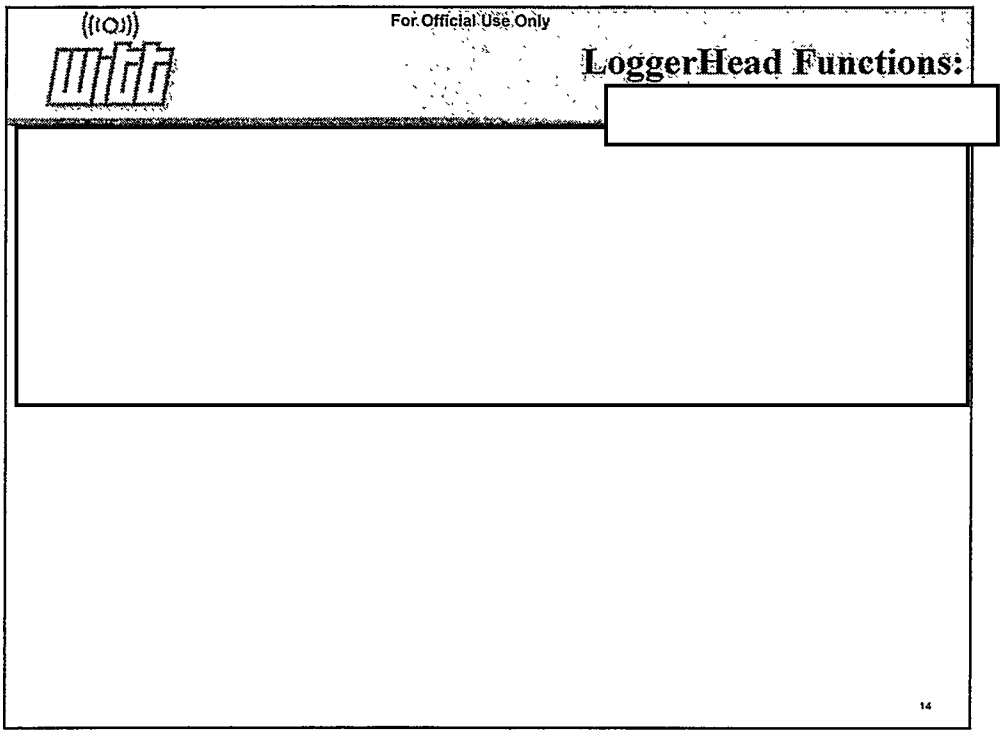

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LoggerHead Functions:

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LoggerHead Functions:

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LoggerHead Overview

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Introduction to LoggerHead

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- Loggerhead

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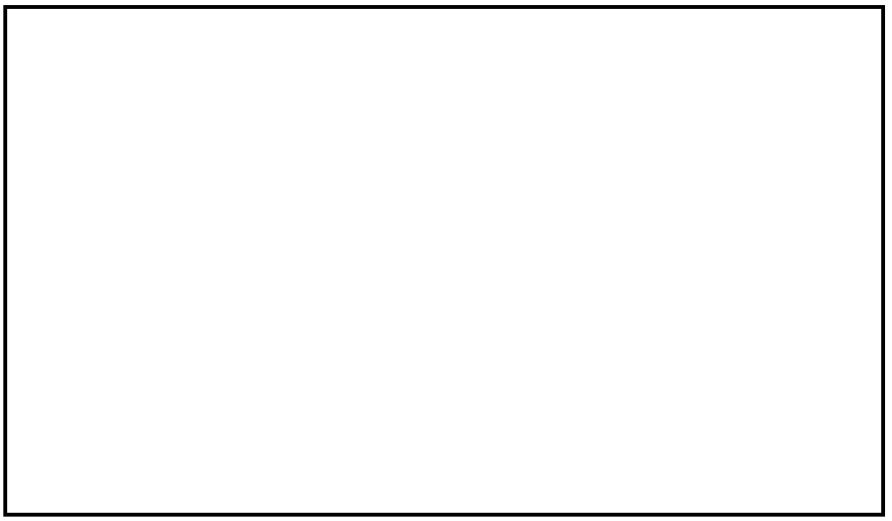
Who uses TDMA/AMPS?



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LoggerHead Top Panel

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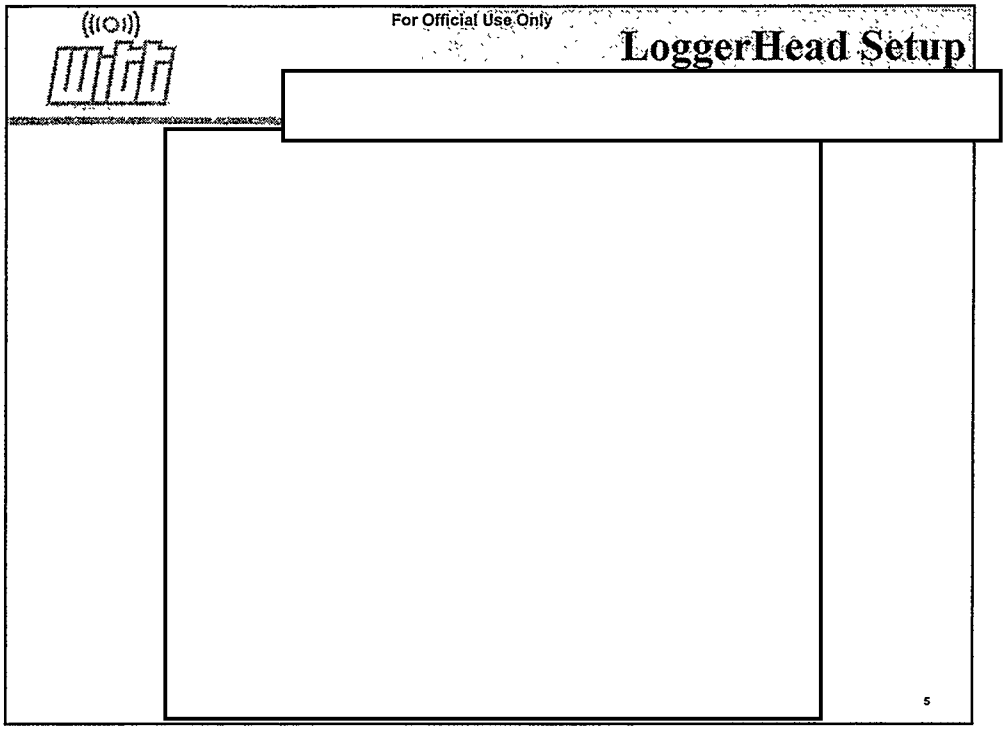

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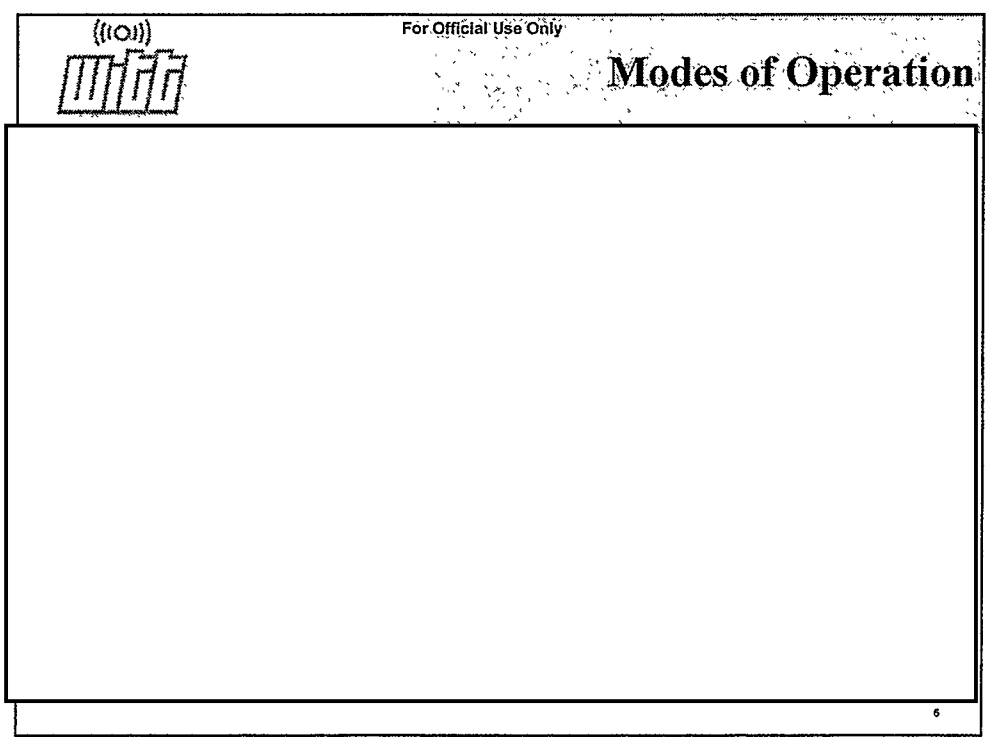

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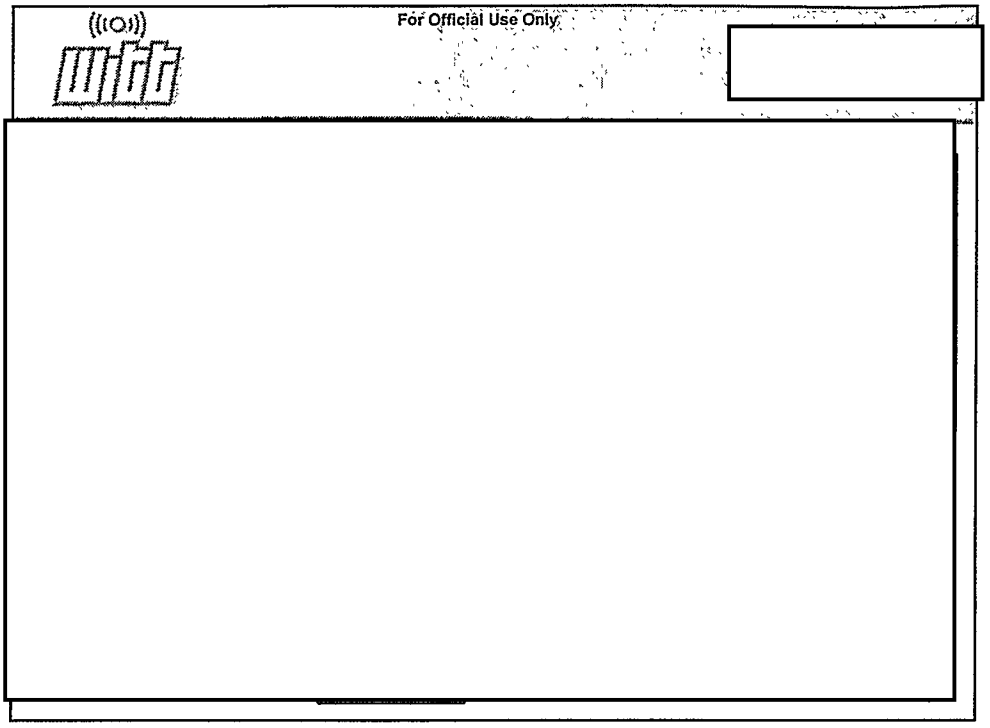

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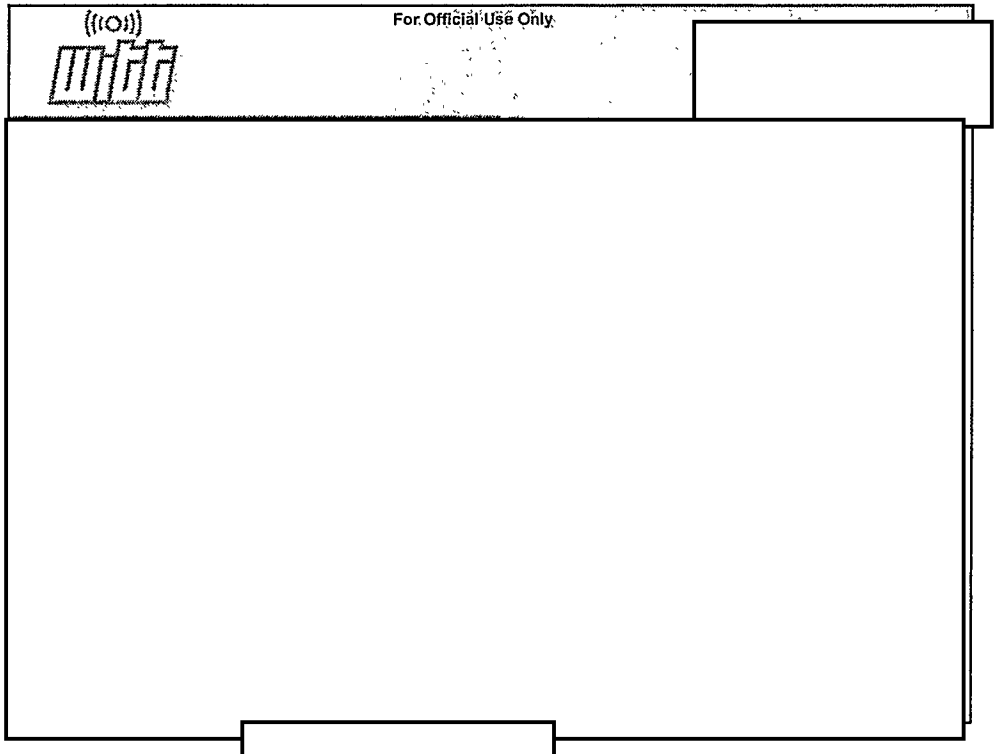

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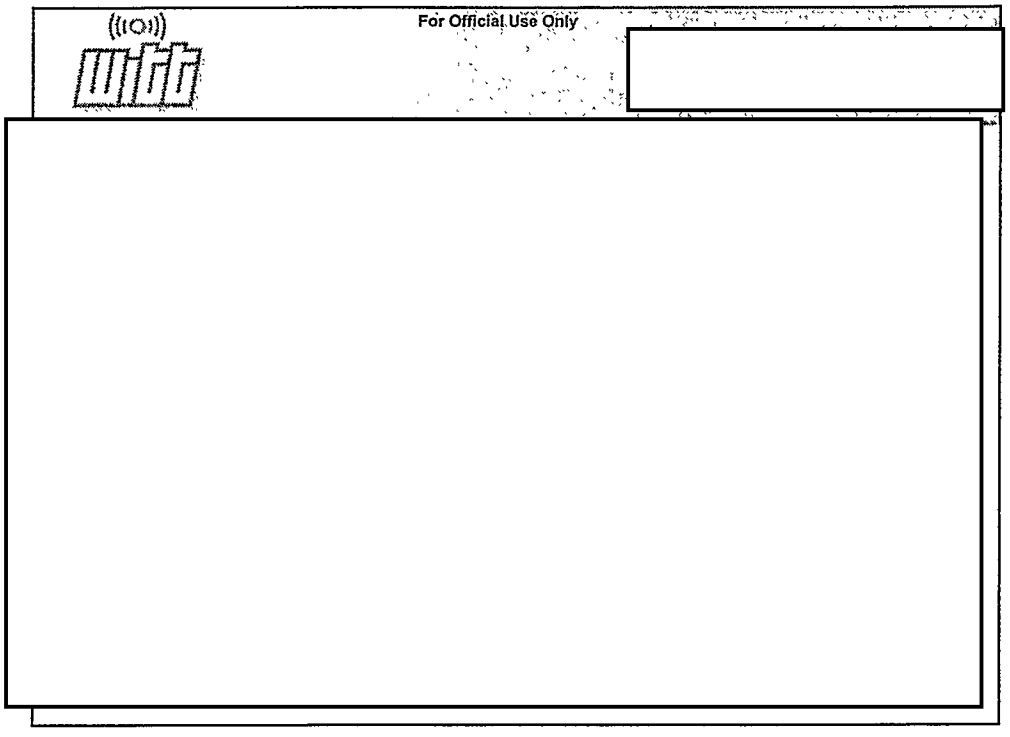

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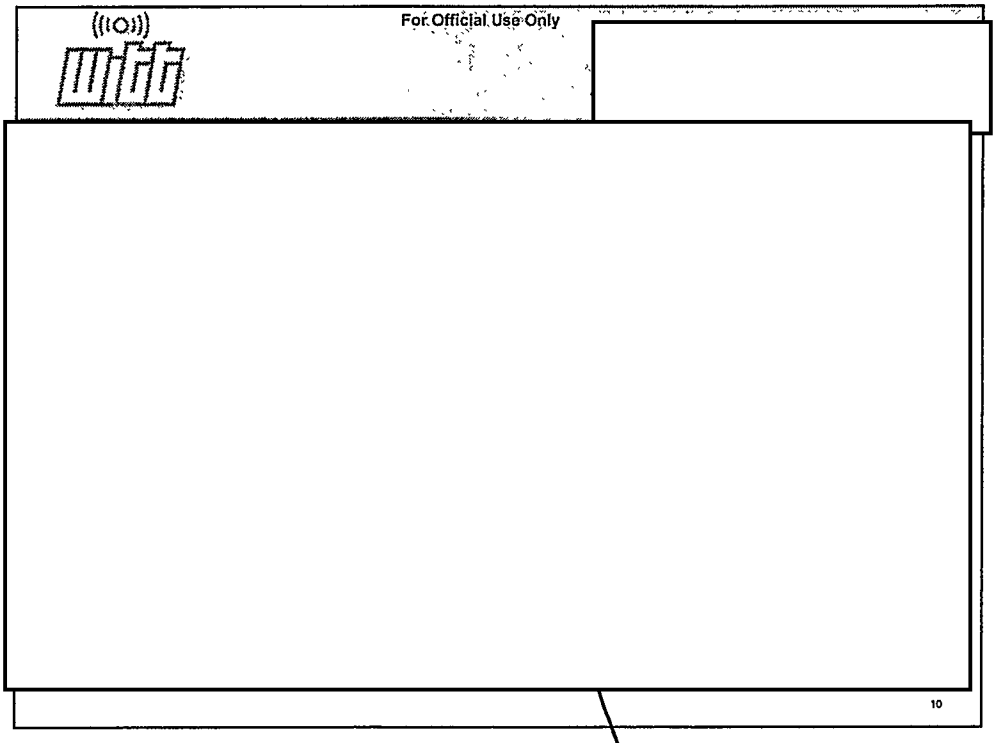

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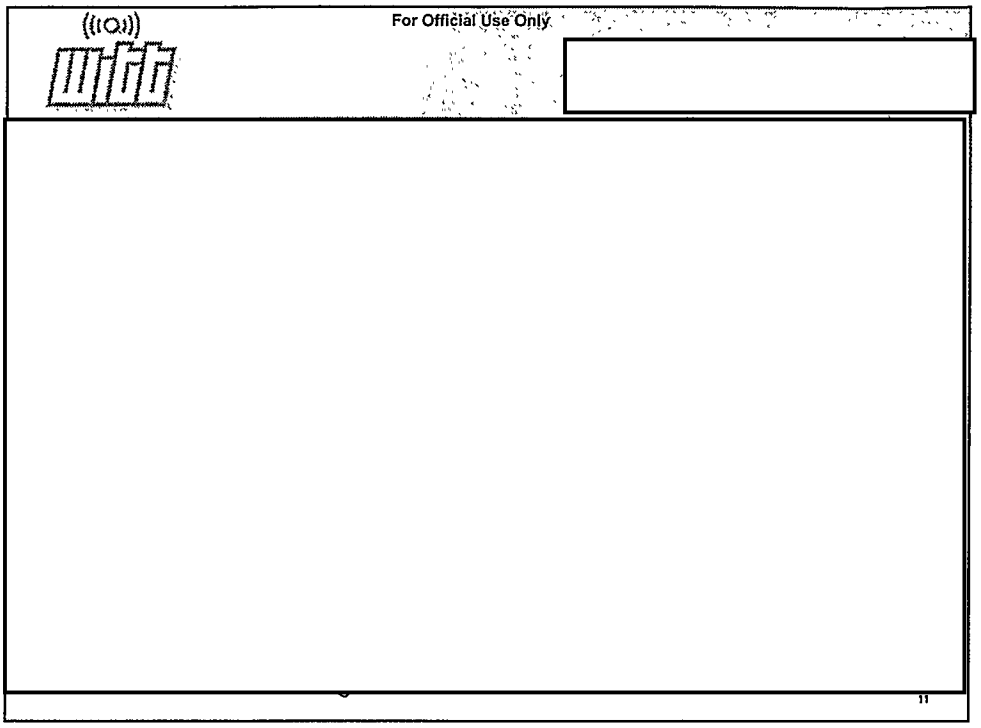

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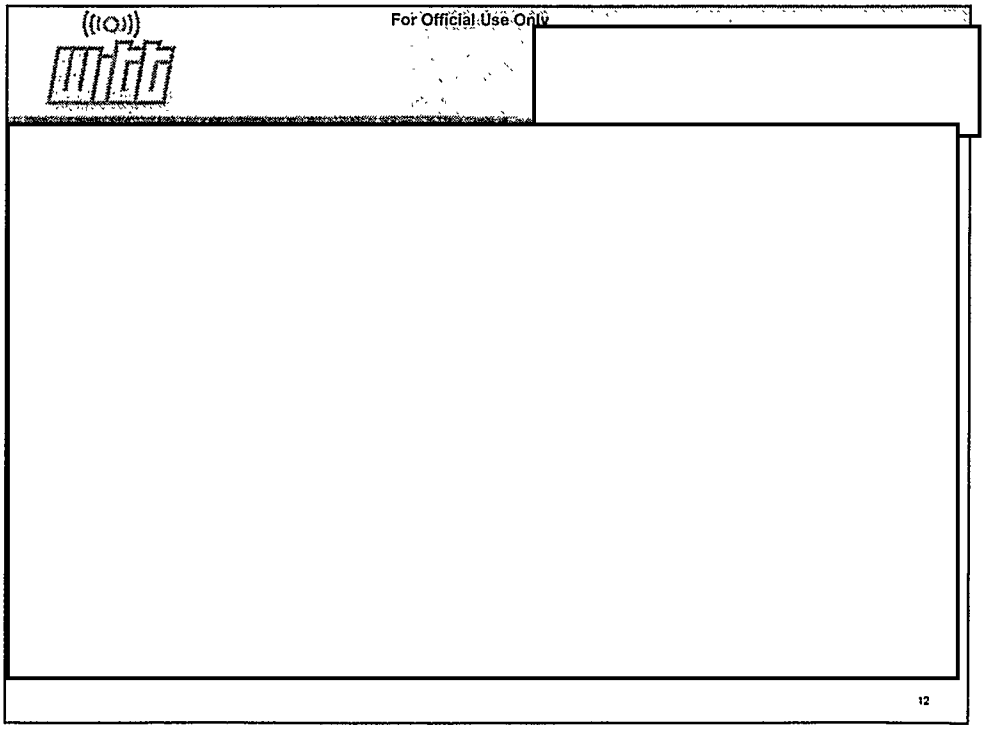

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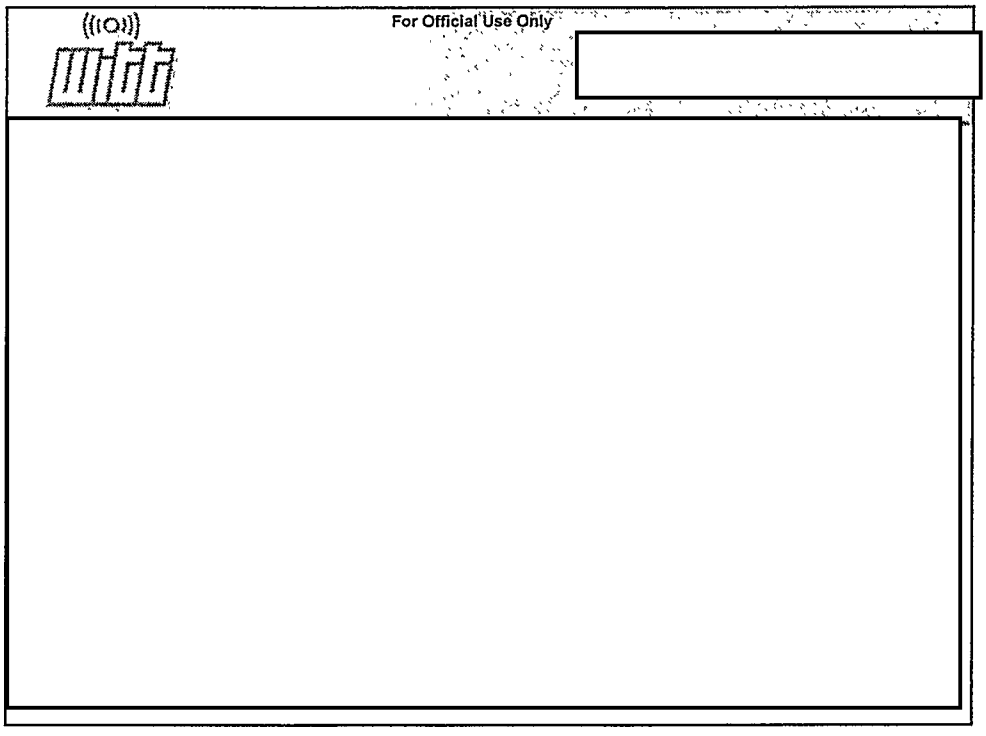

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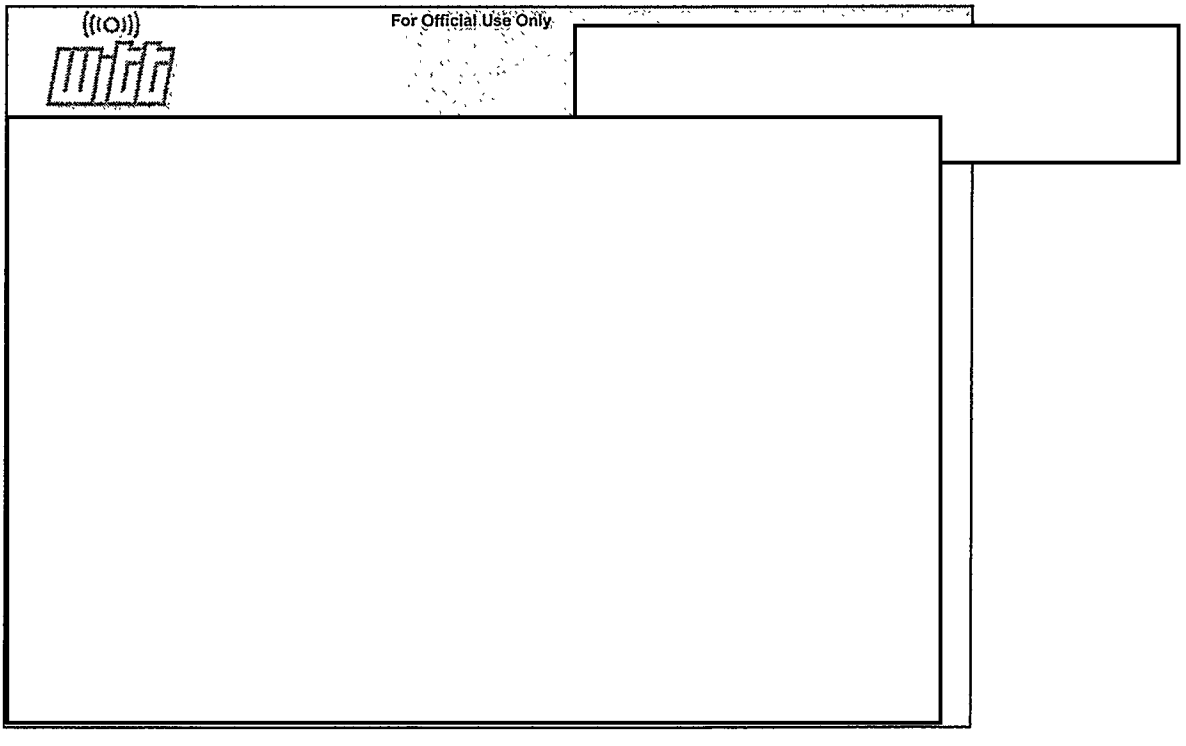

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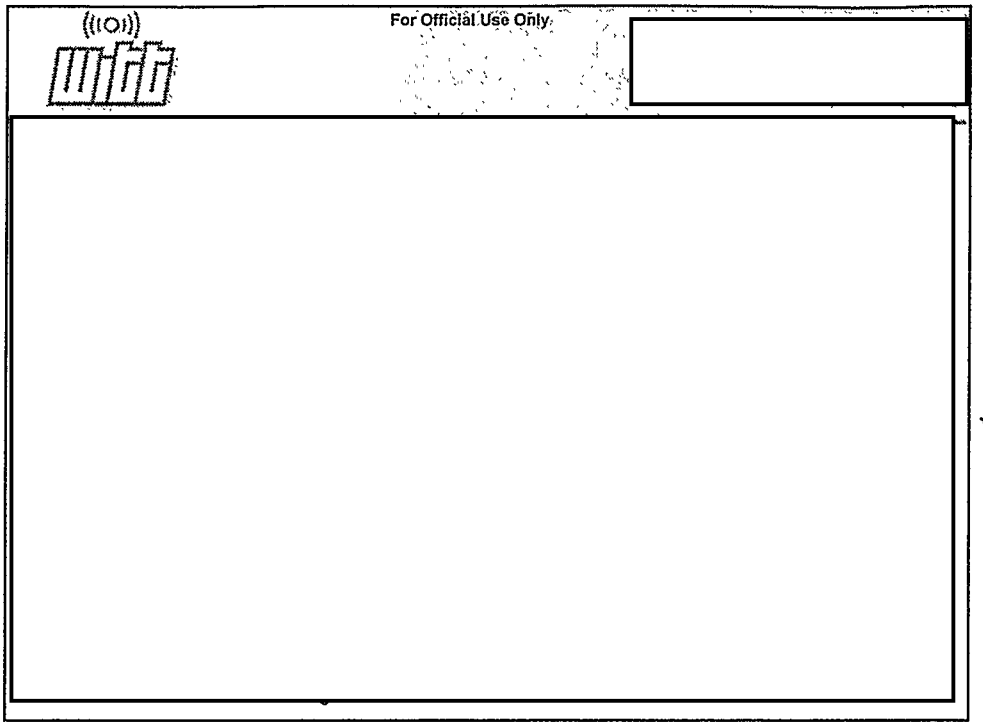

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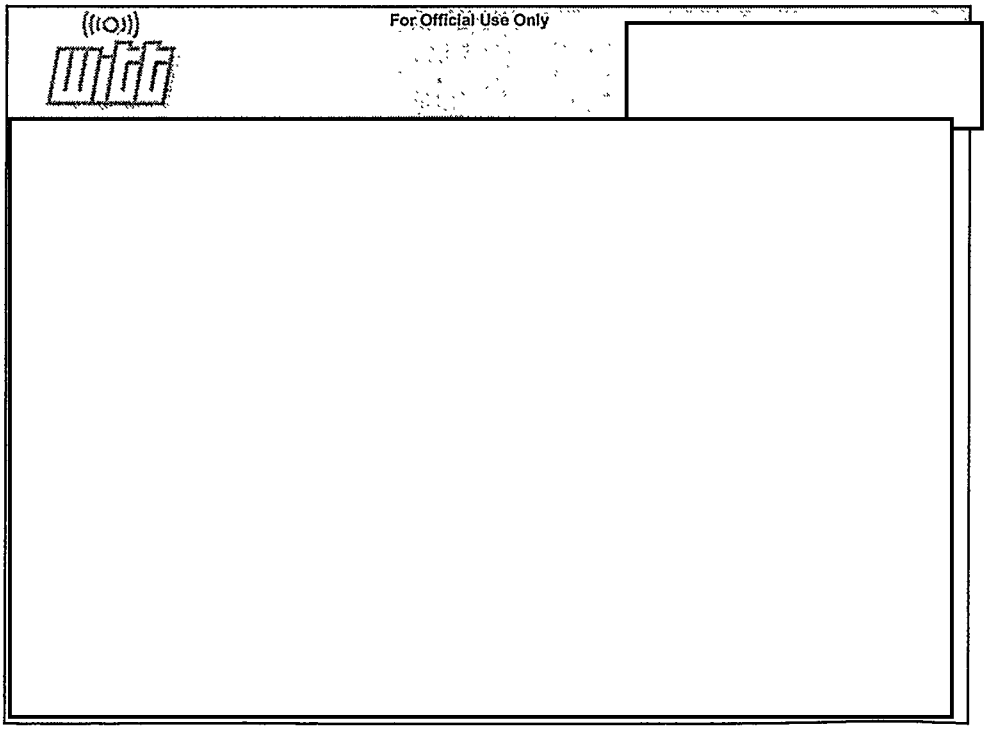

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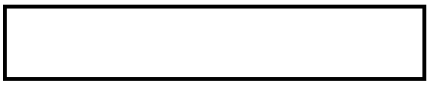
LoggerHead Lab Exercises



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Introduction

Goal: Learn LoggerHead operation in a controlled laboratory environment

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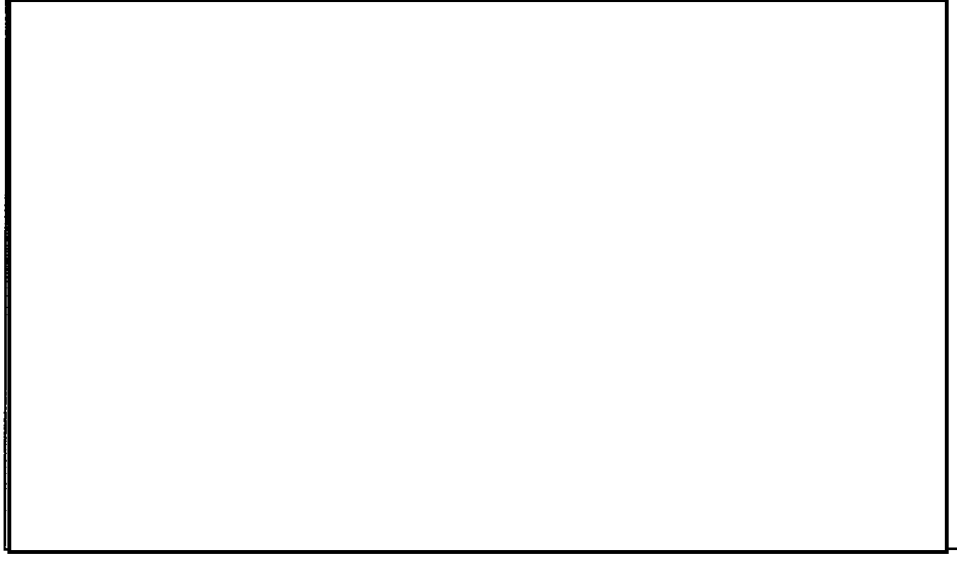

LoggerHead Field Exercises

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Introduction

Goal: Learn LoggerHead operation in a simulated case environment

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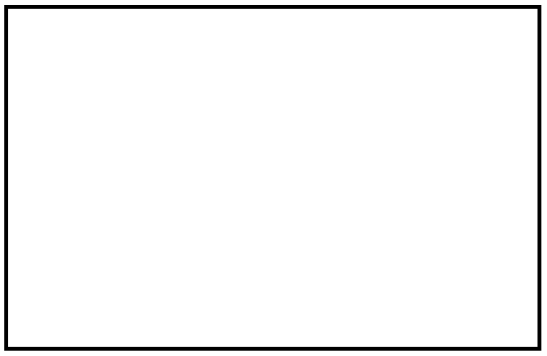

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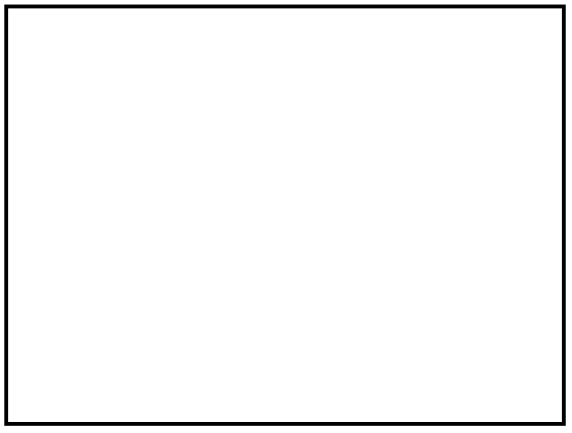
Scenario #2



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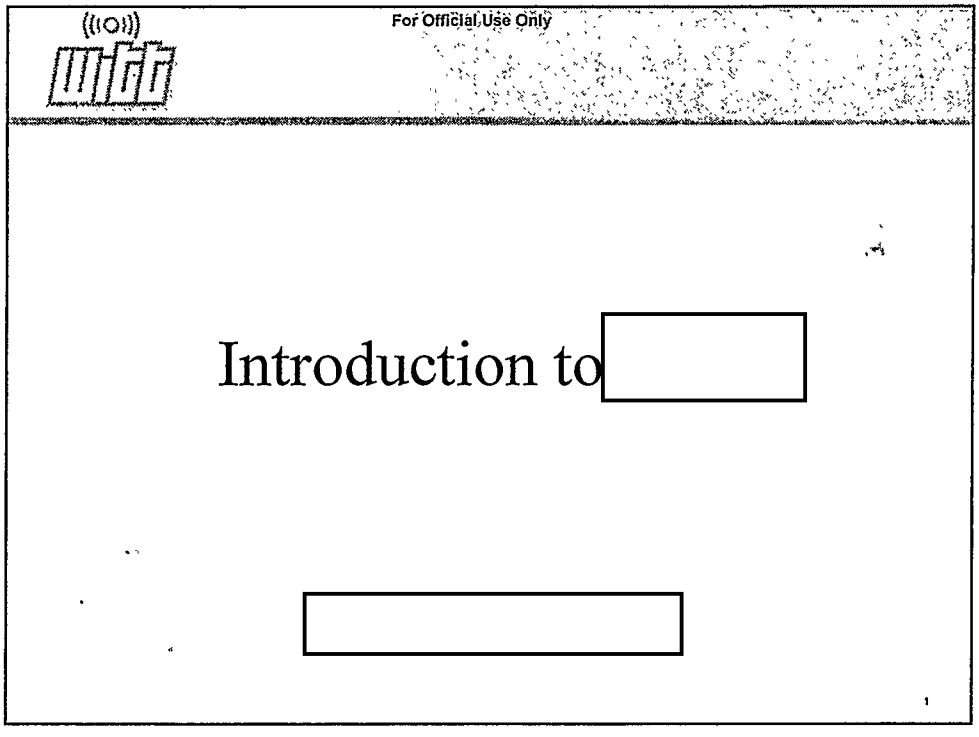
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Introduction to
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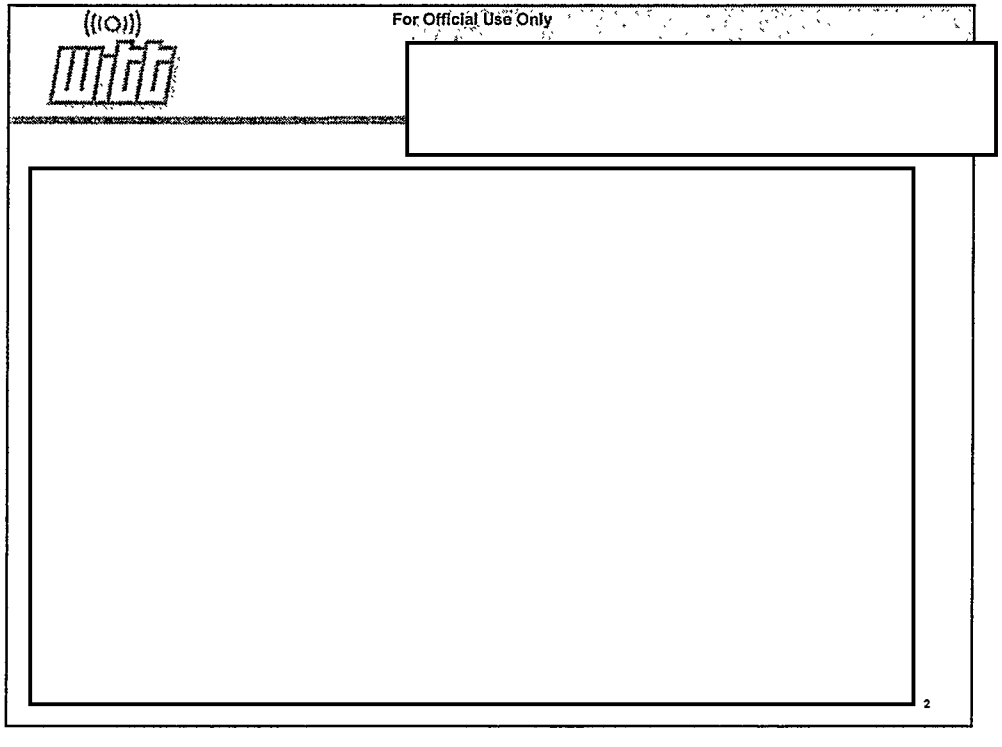
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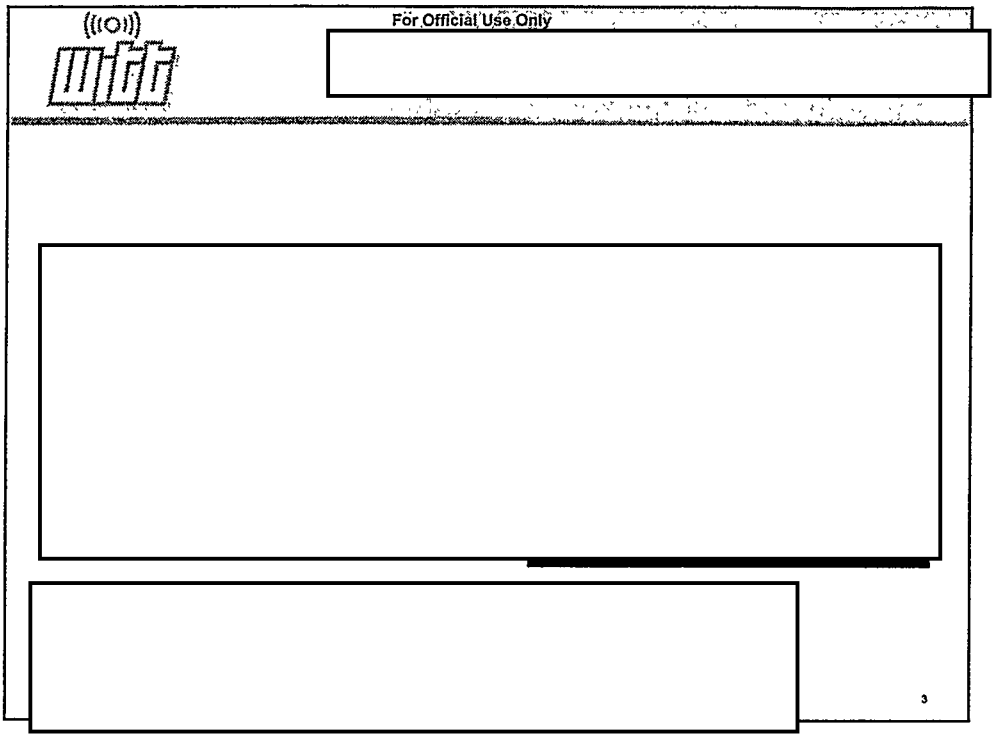

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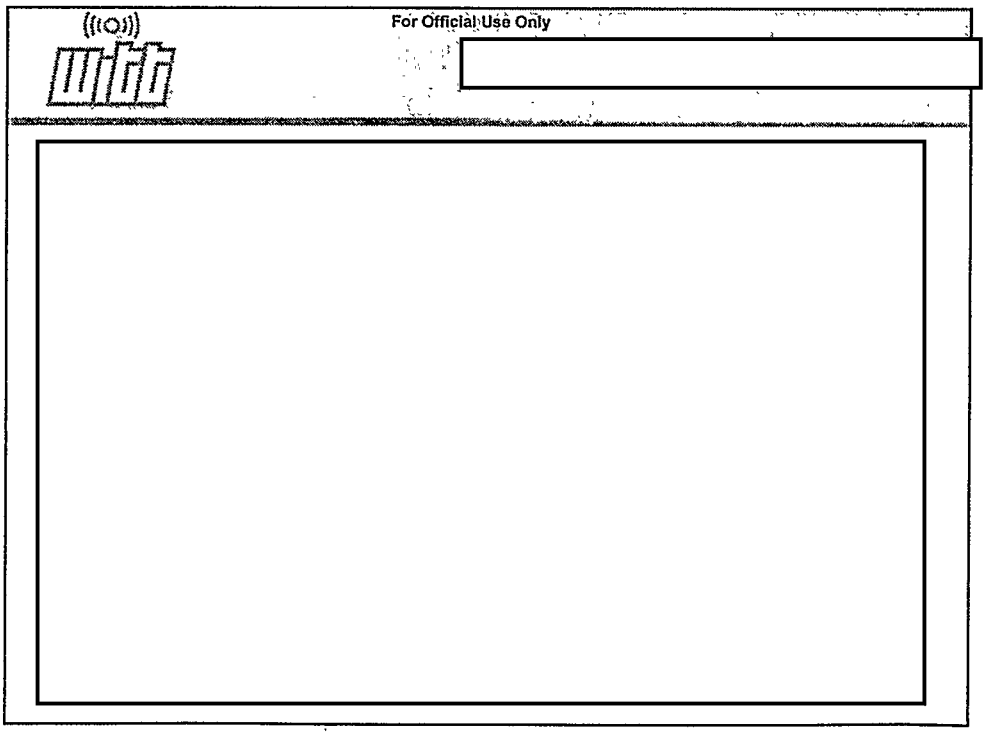

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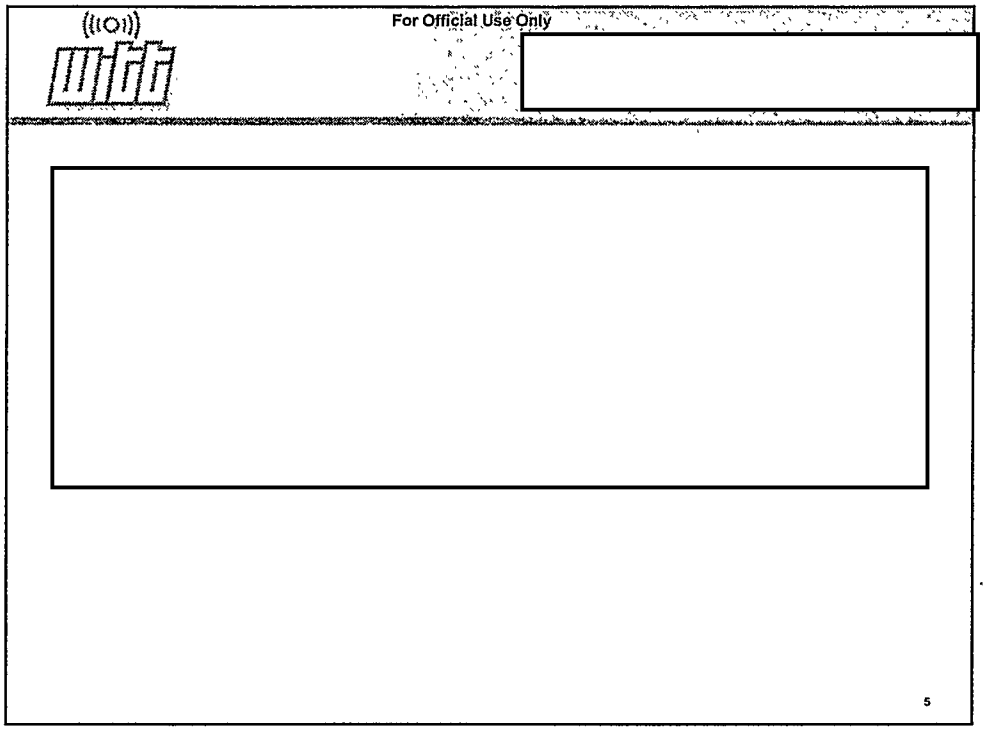

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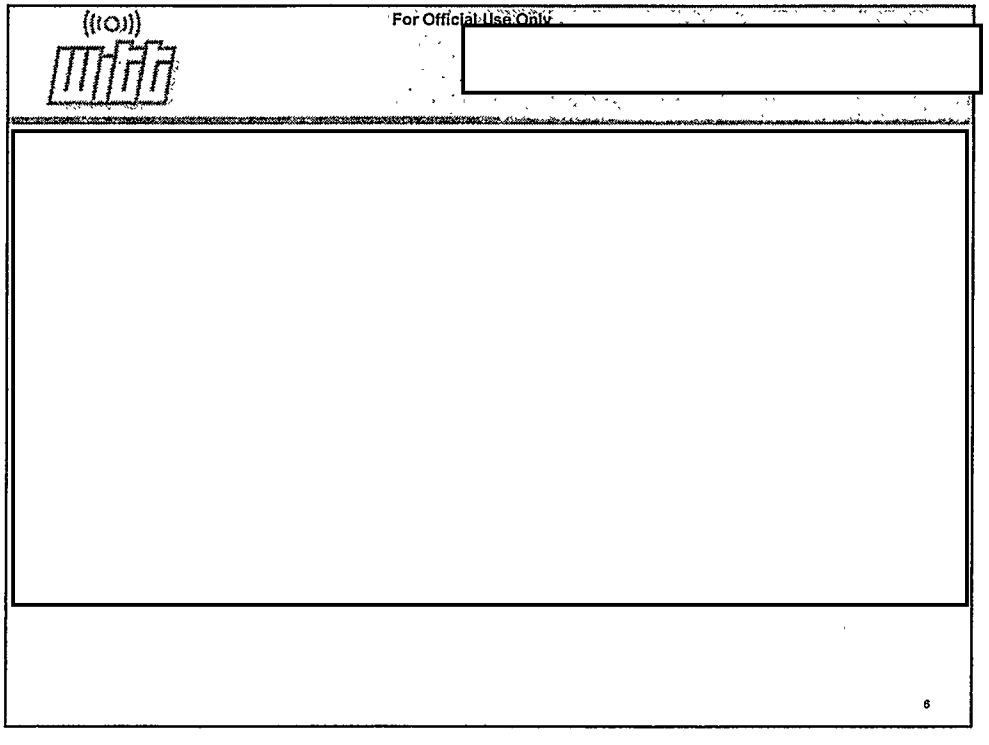

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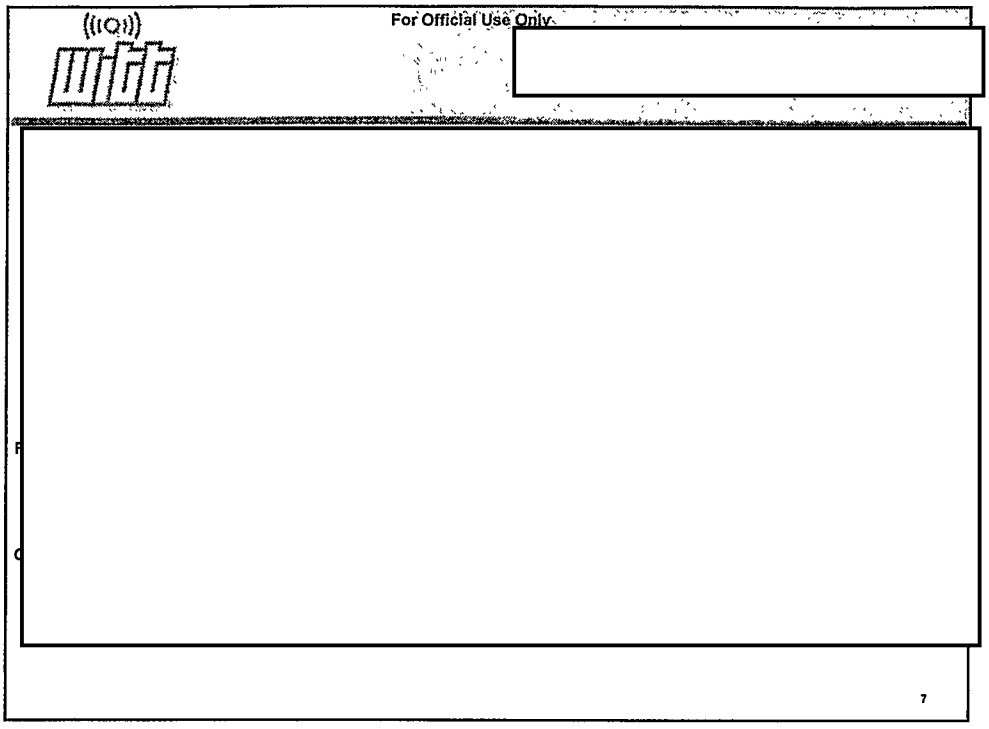

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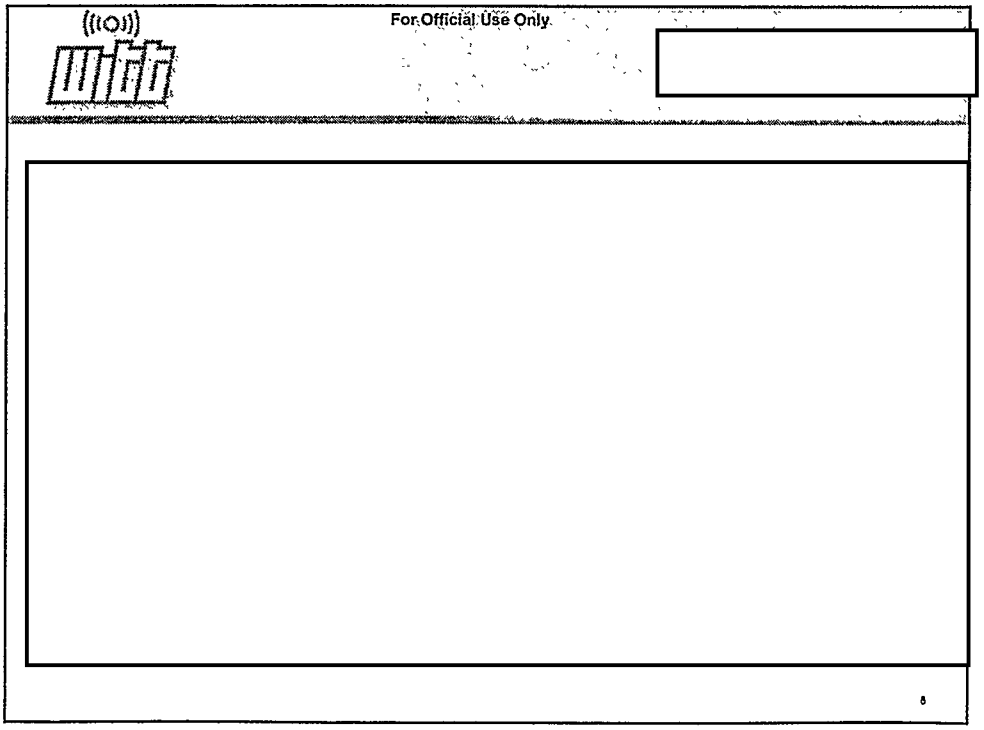

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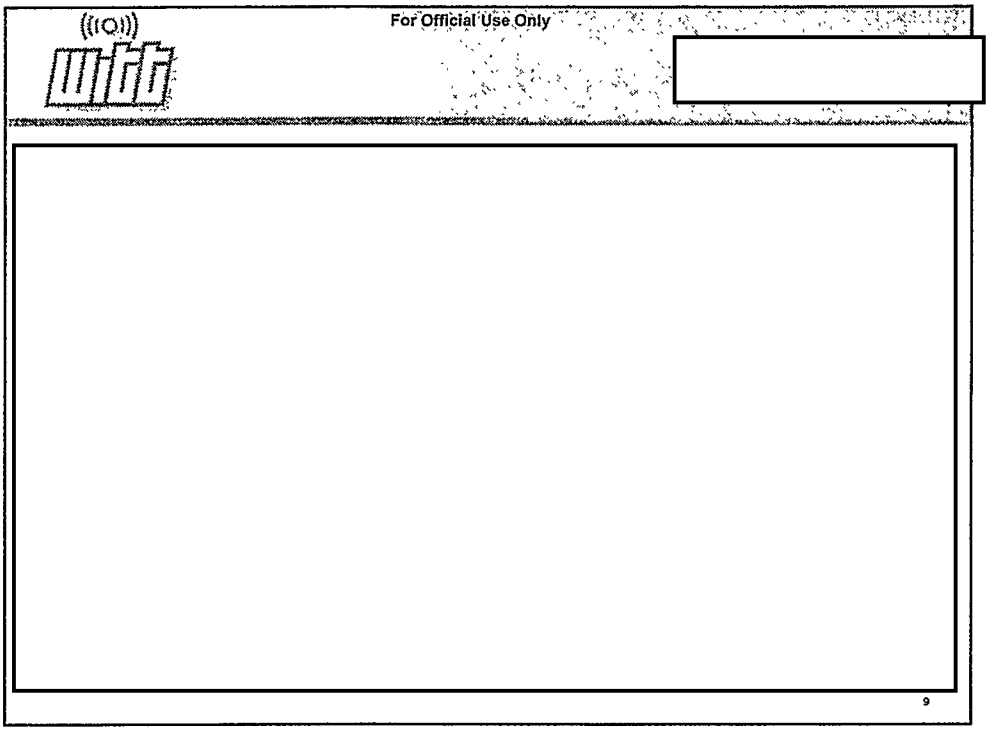

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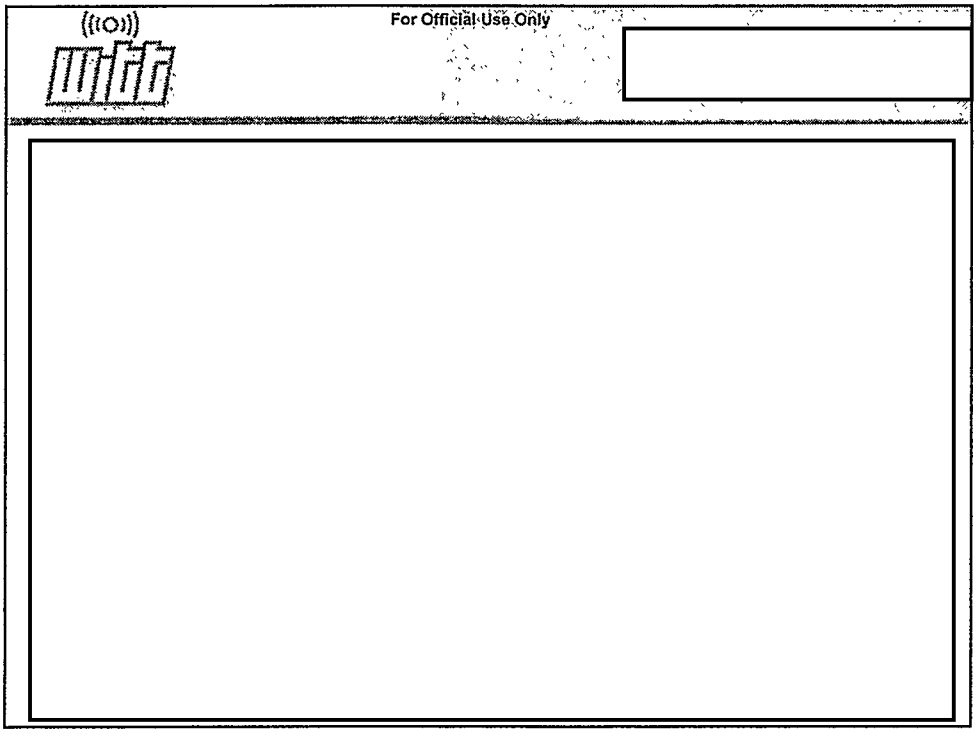

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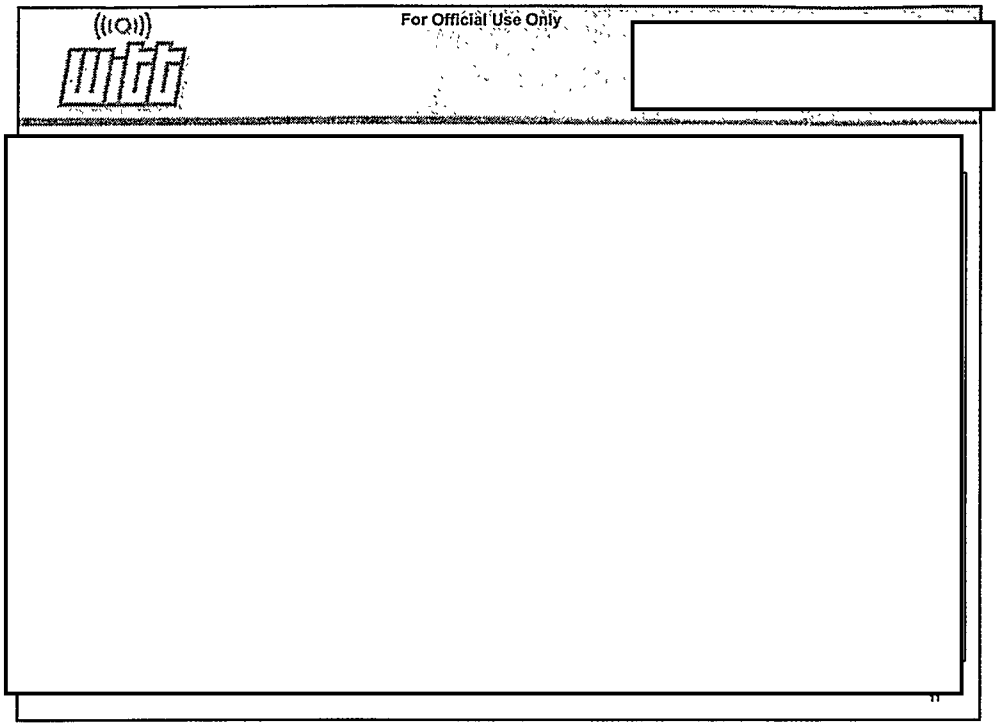

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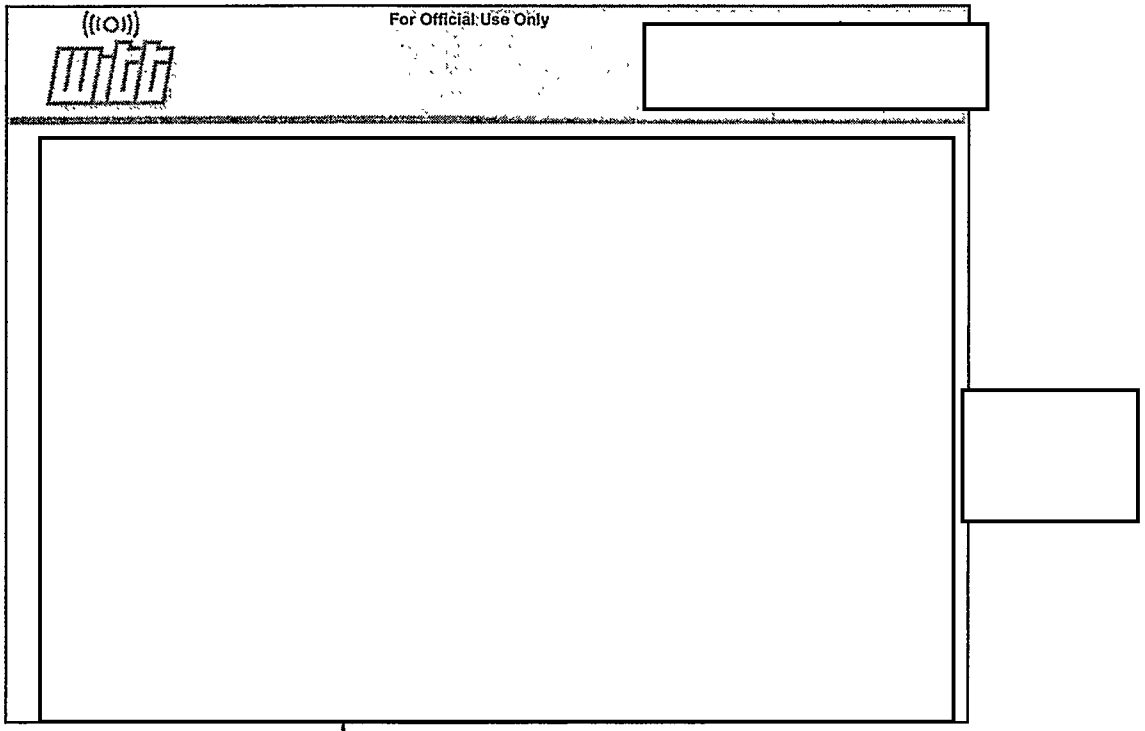

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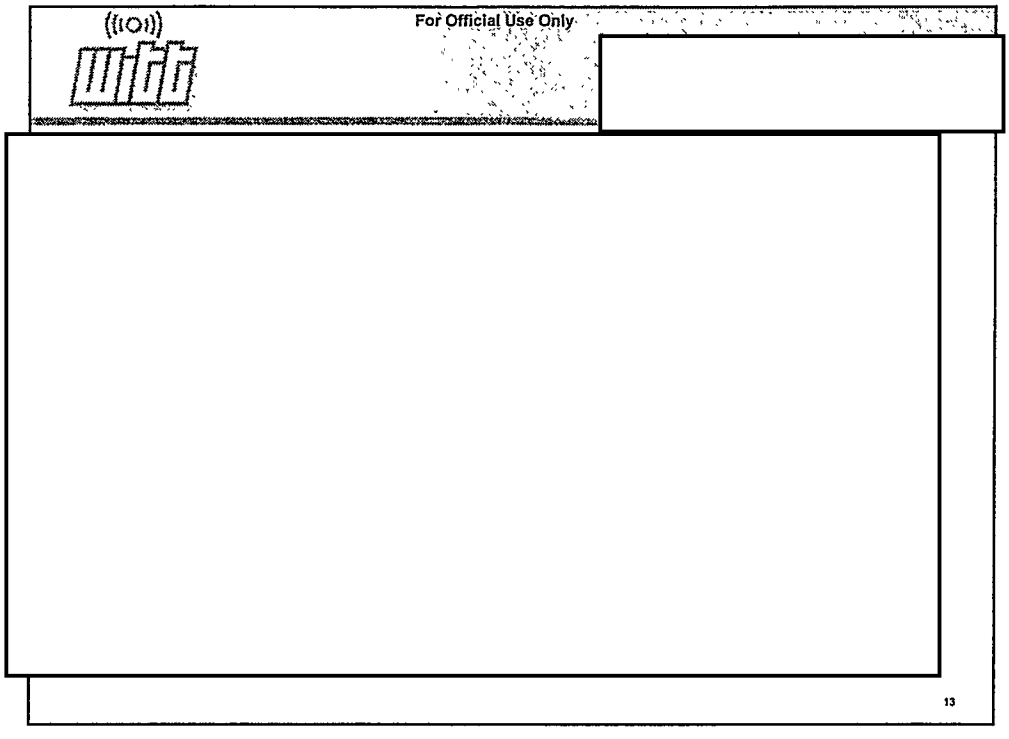

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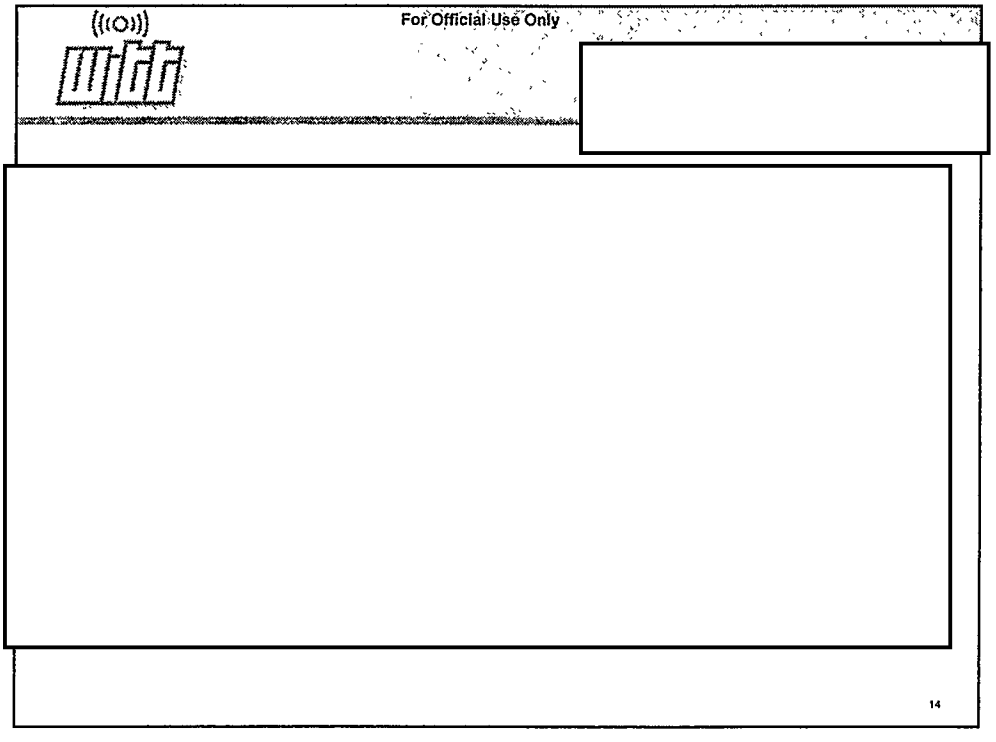

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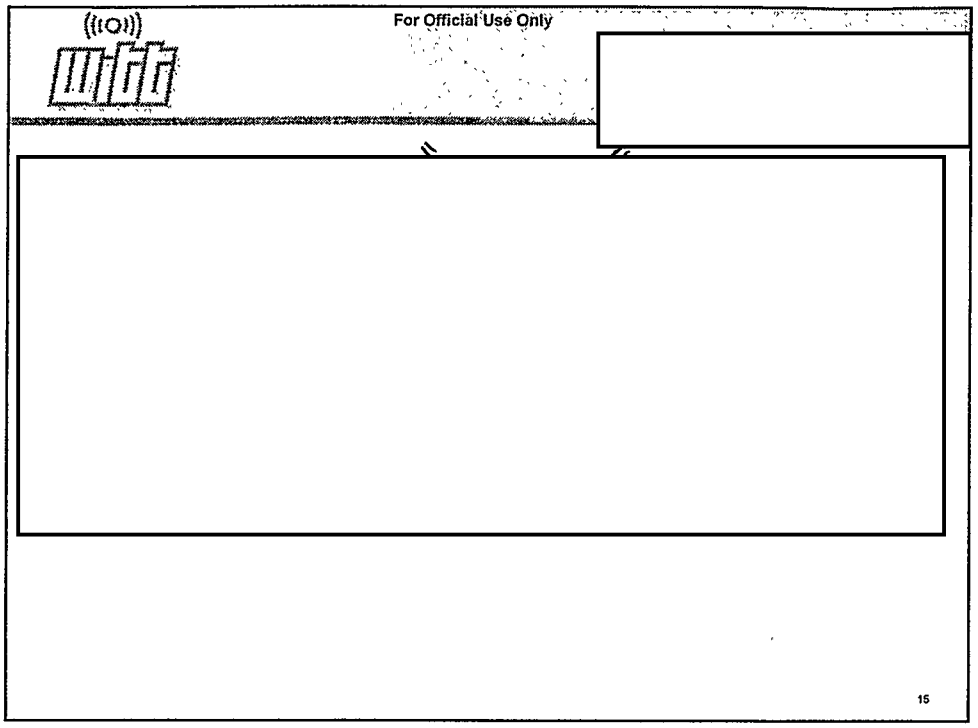

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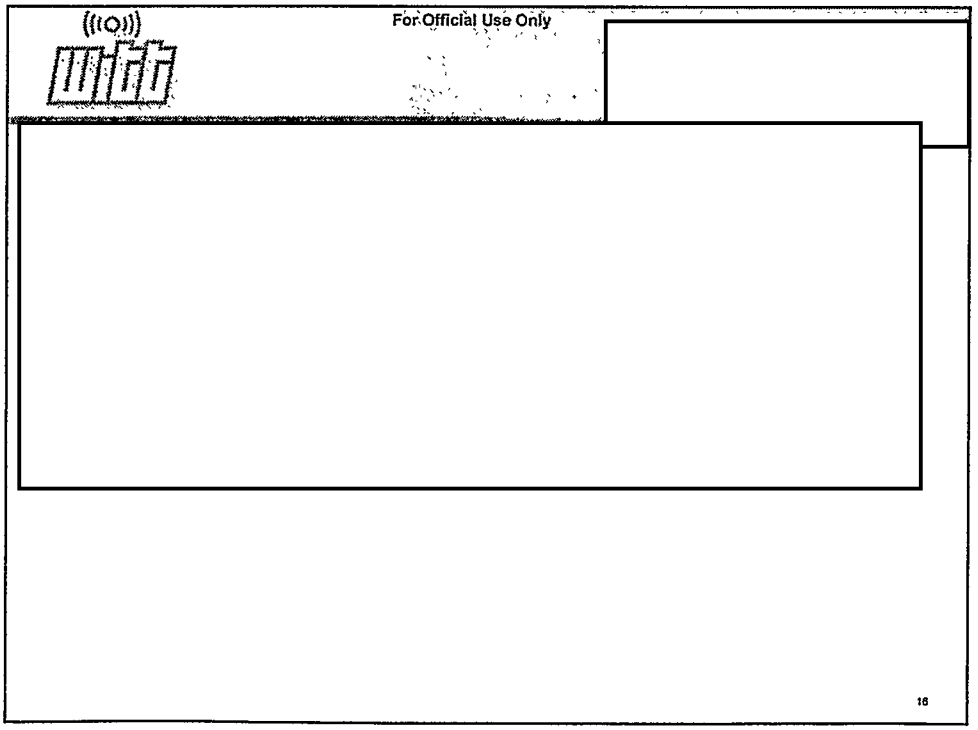

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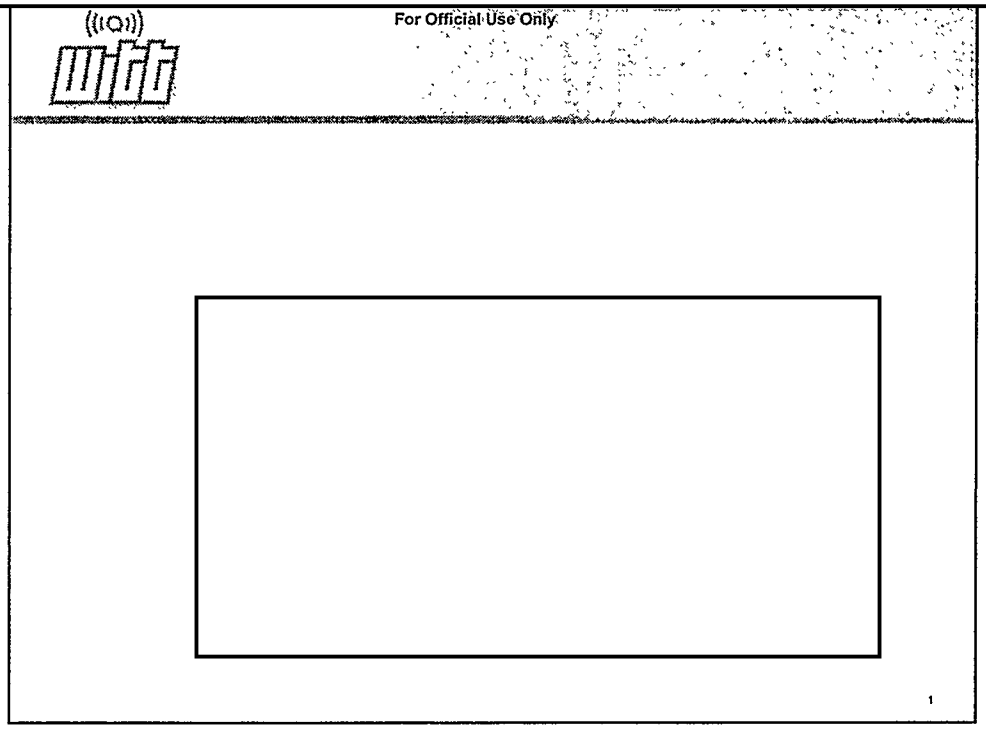

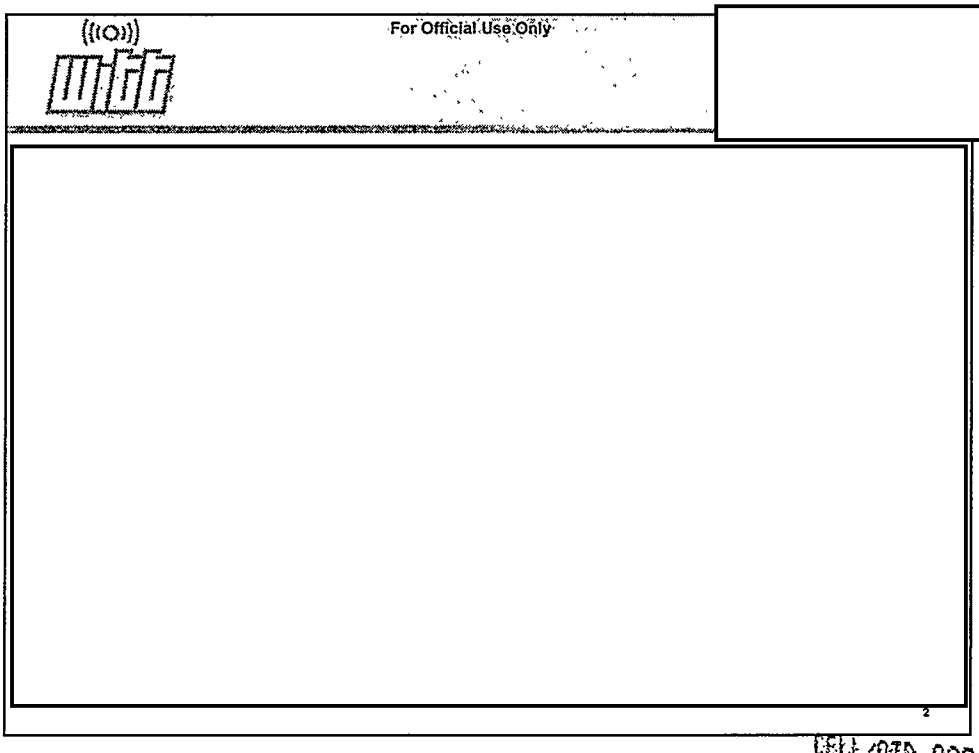

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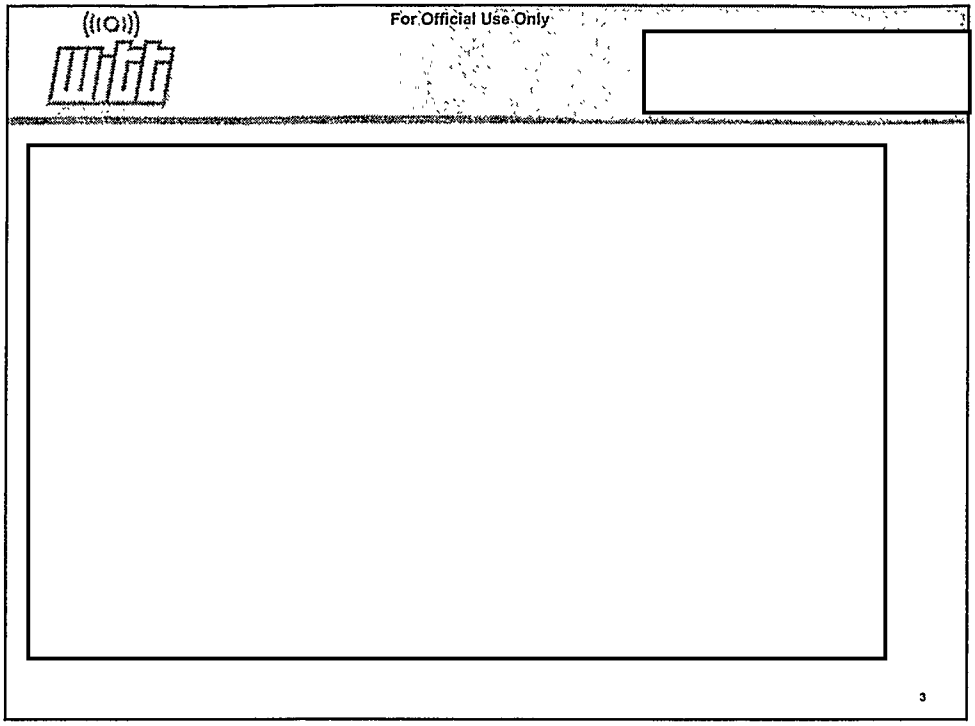

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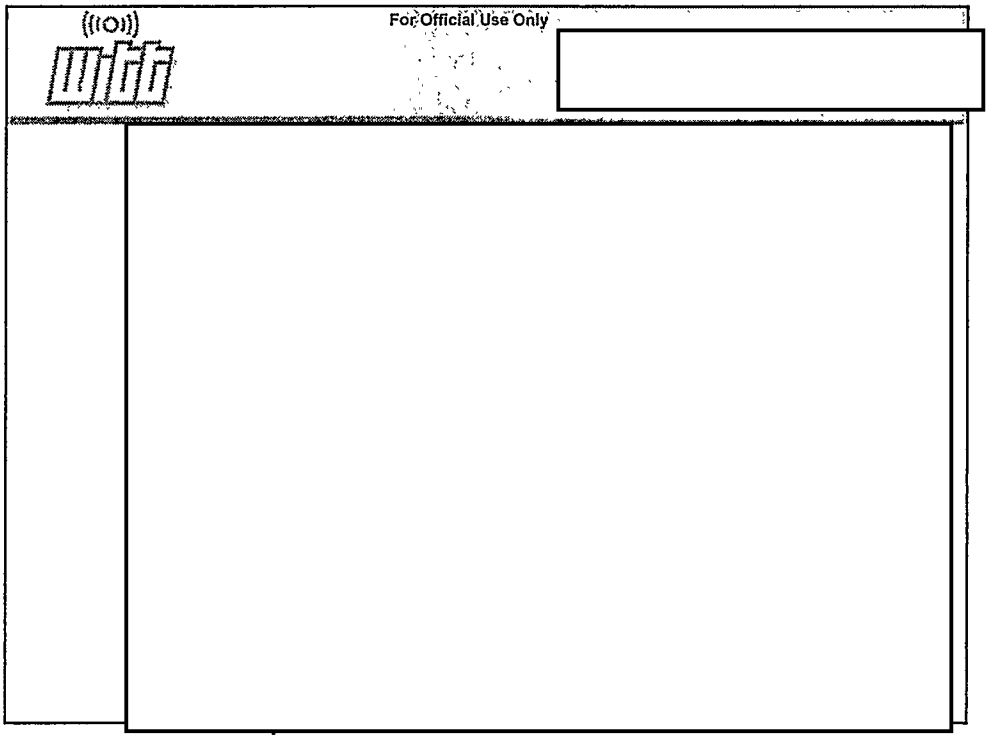

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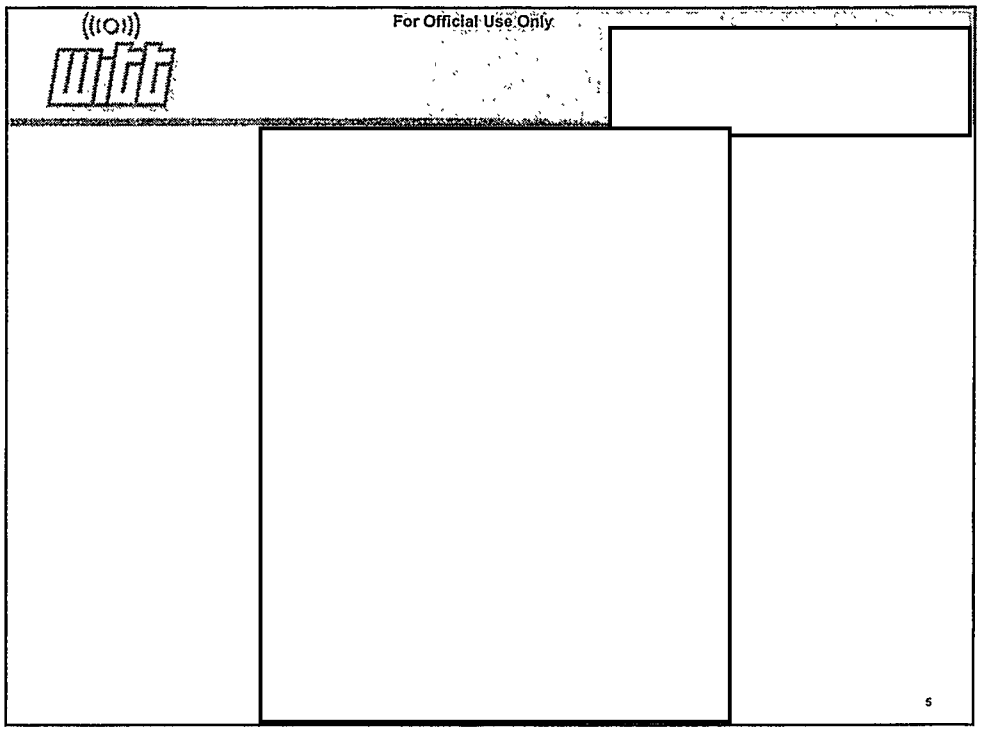

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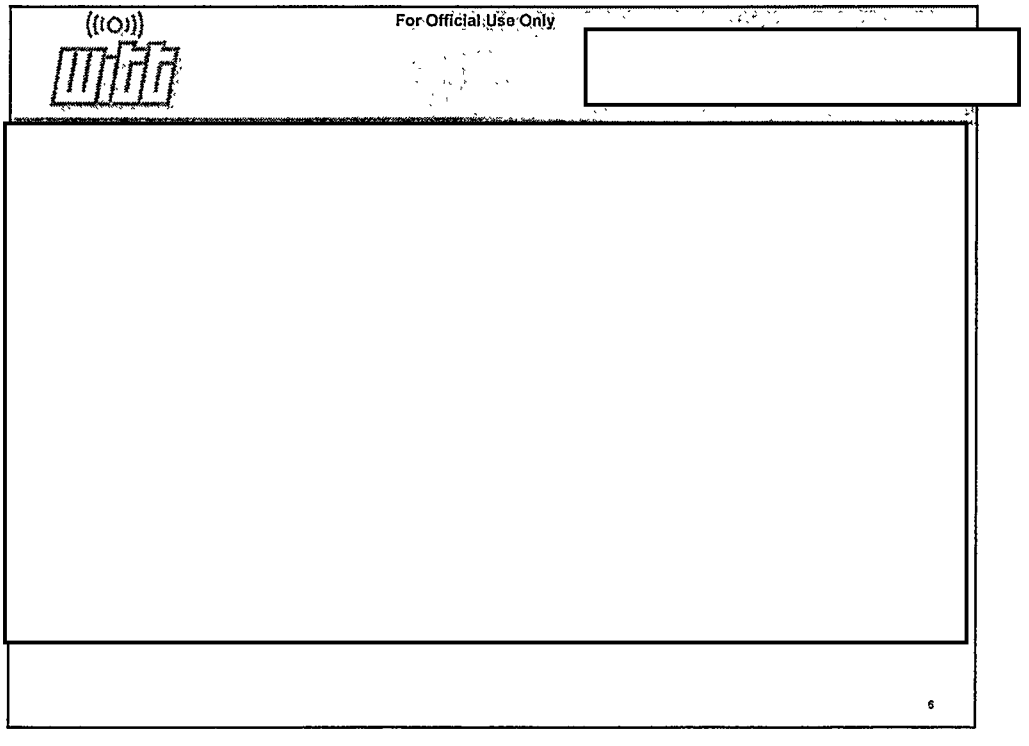

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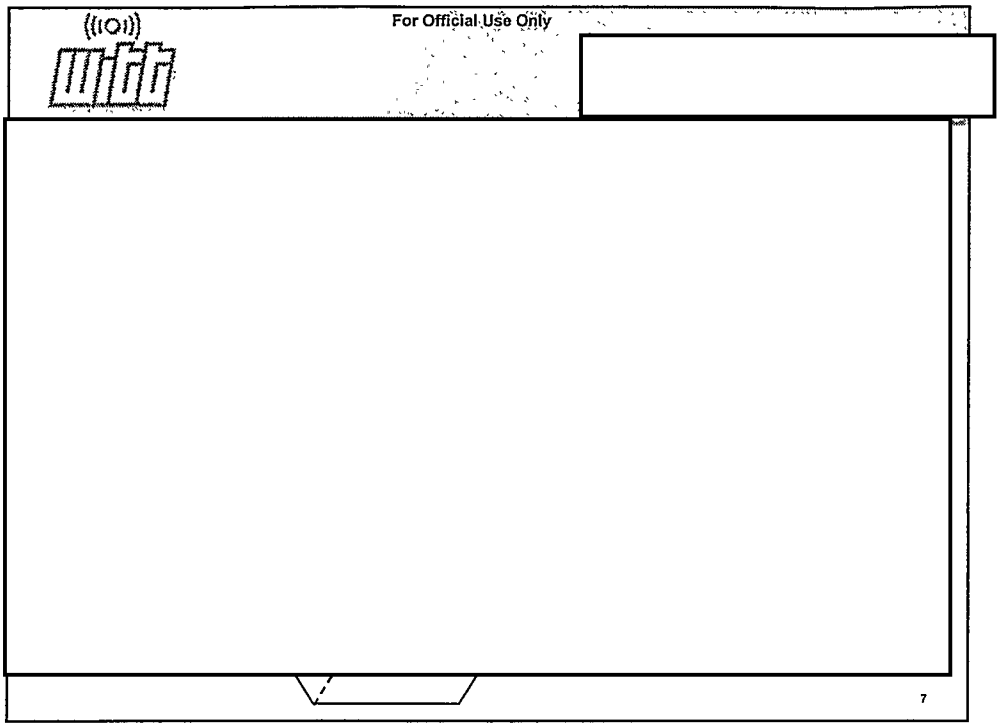

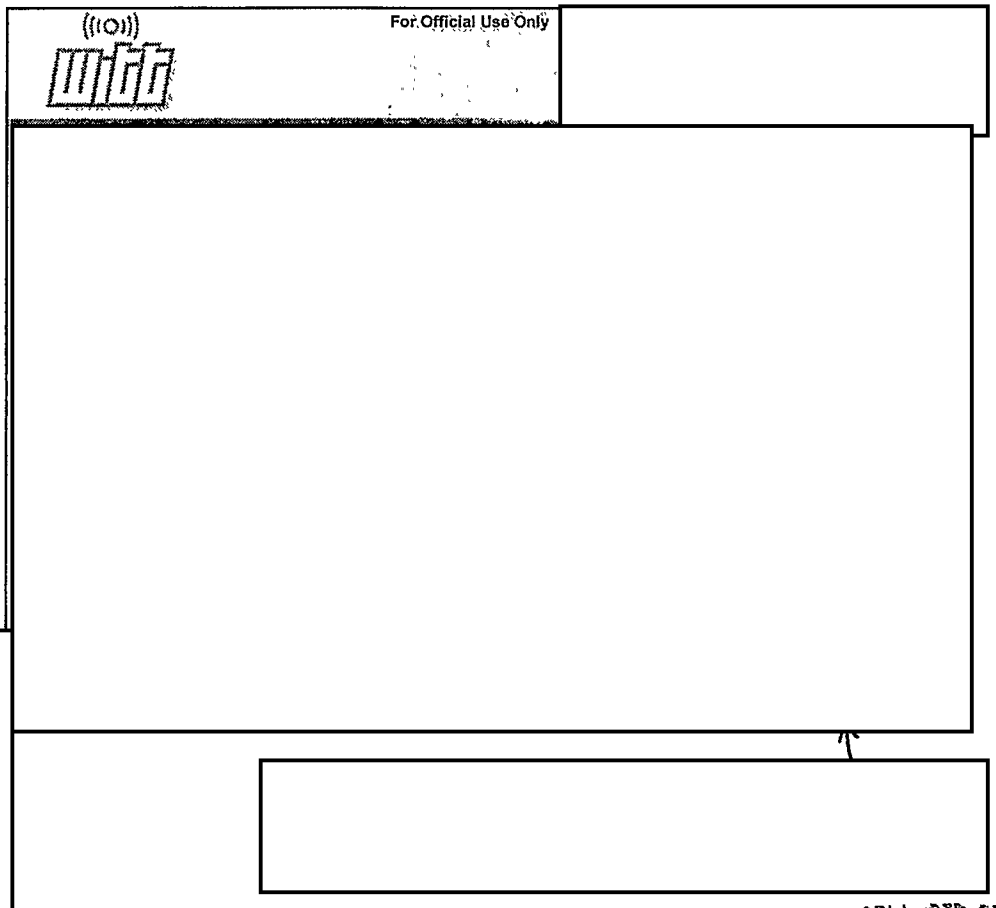

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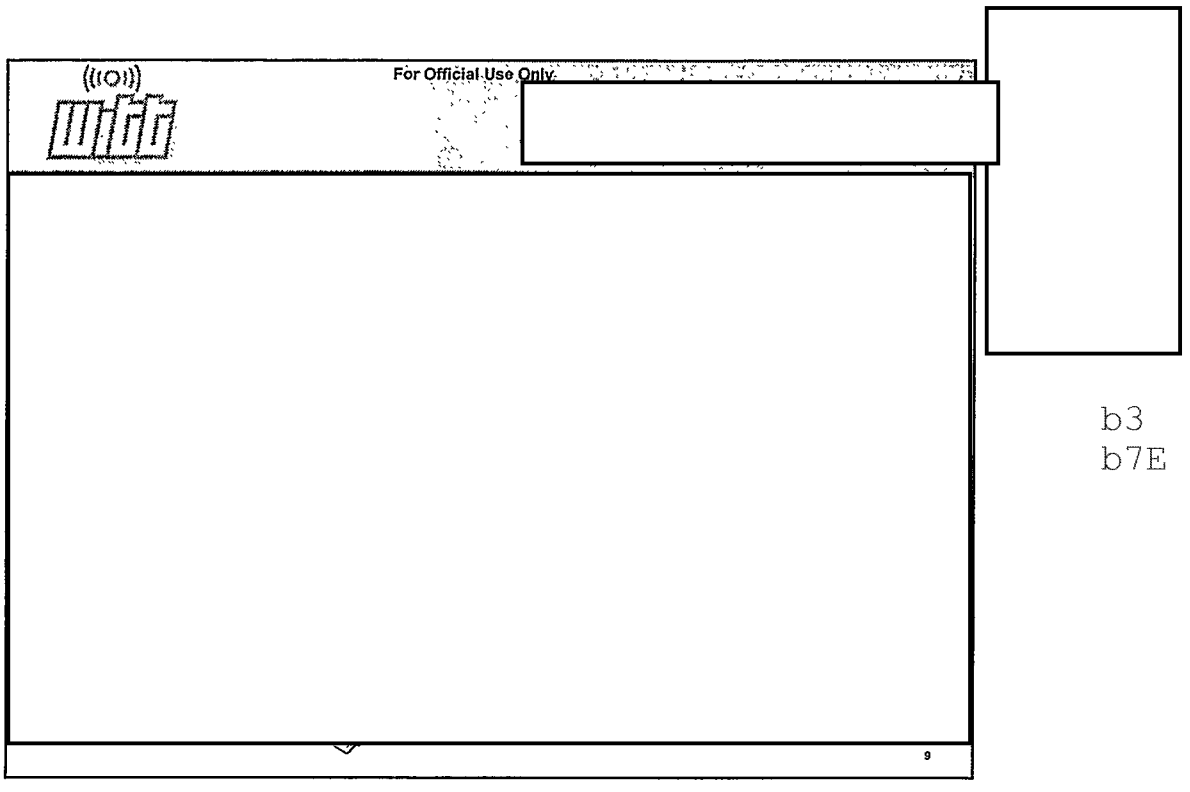

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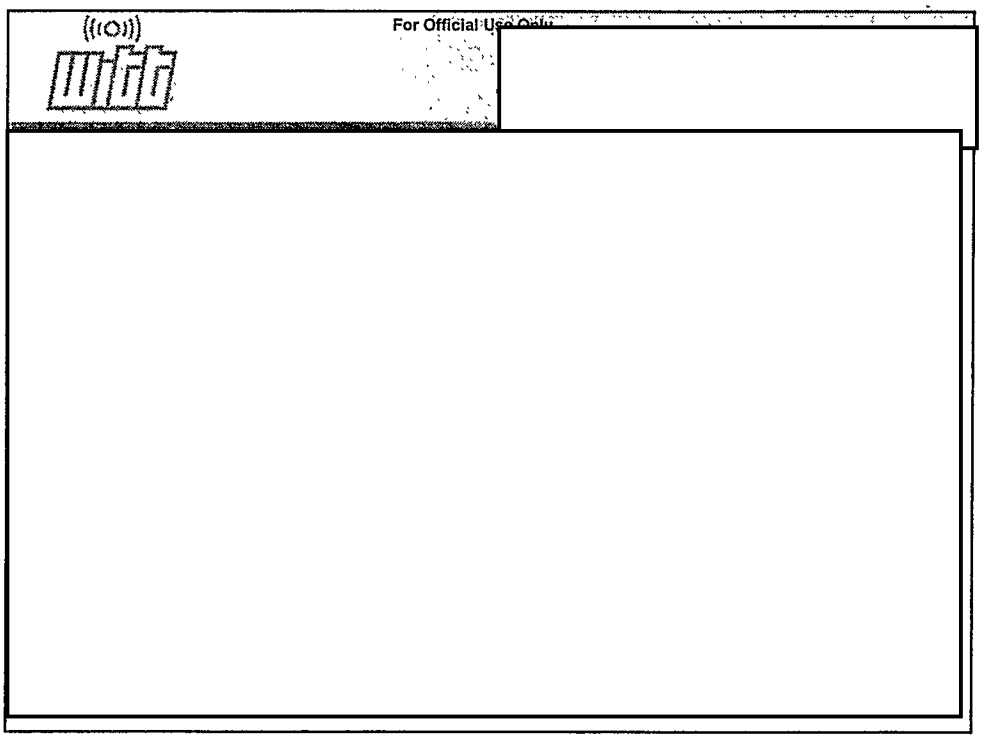

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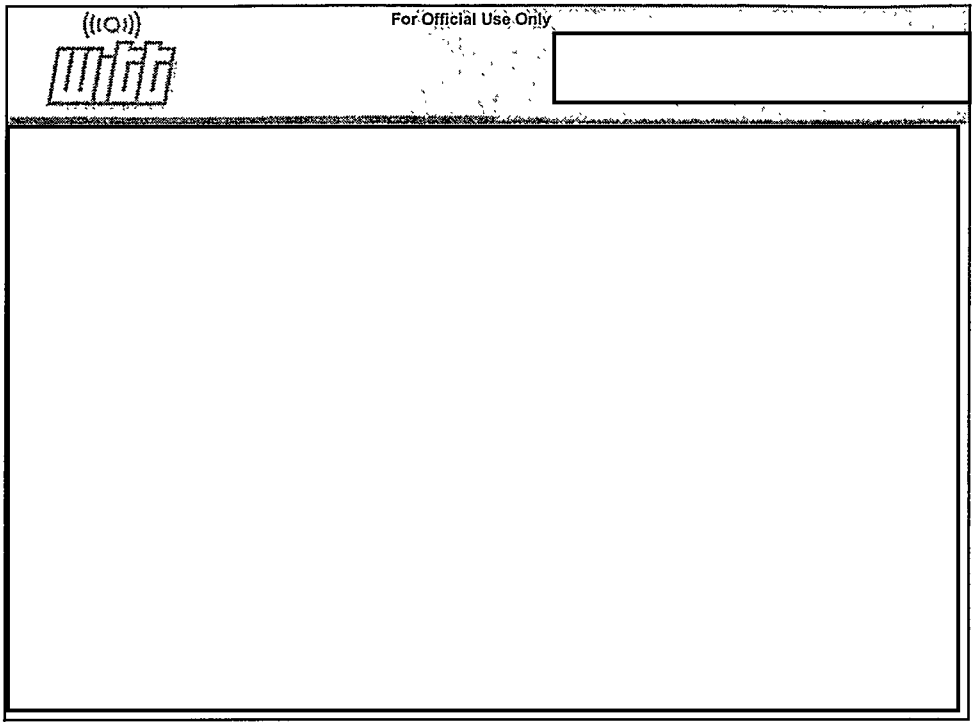

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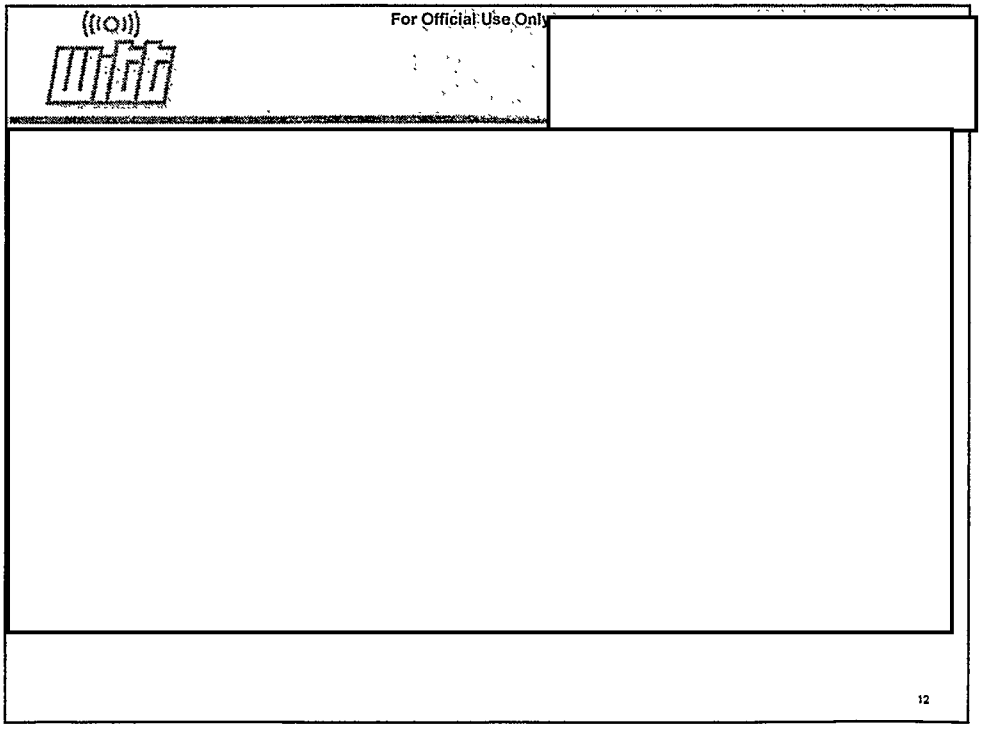

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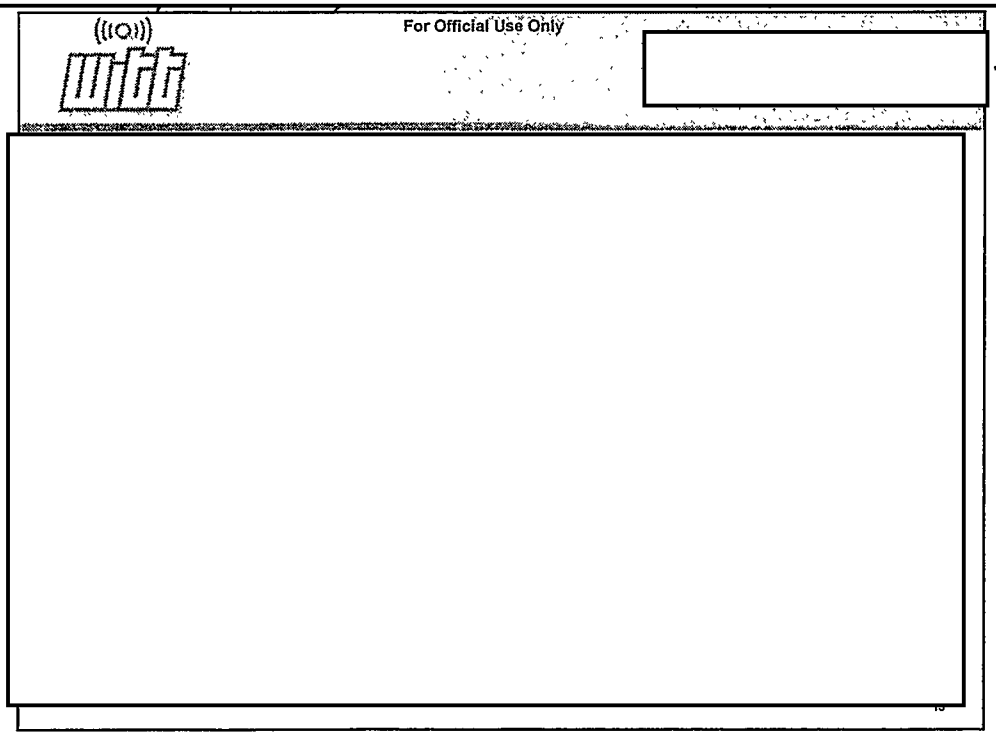
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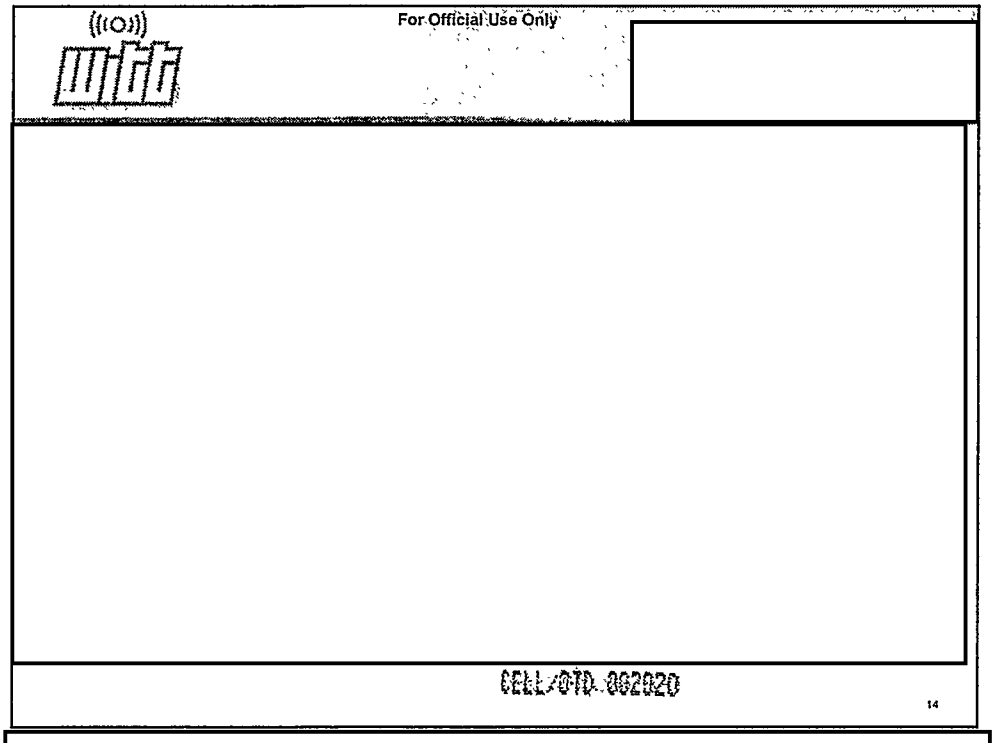
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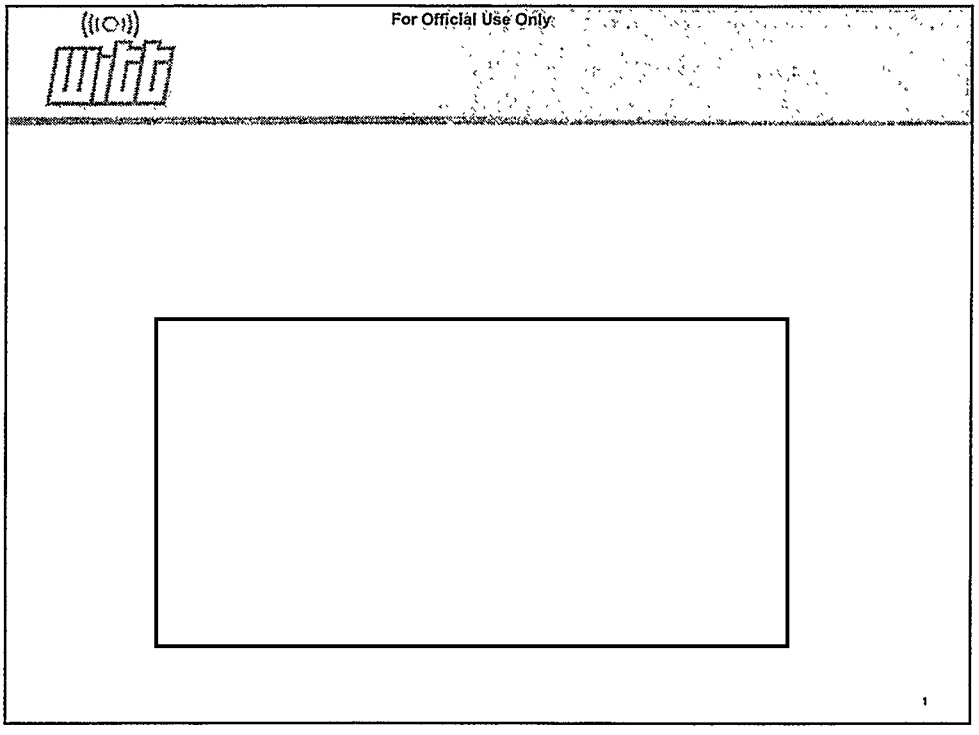

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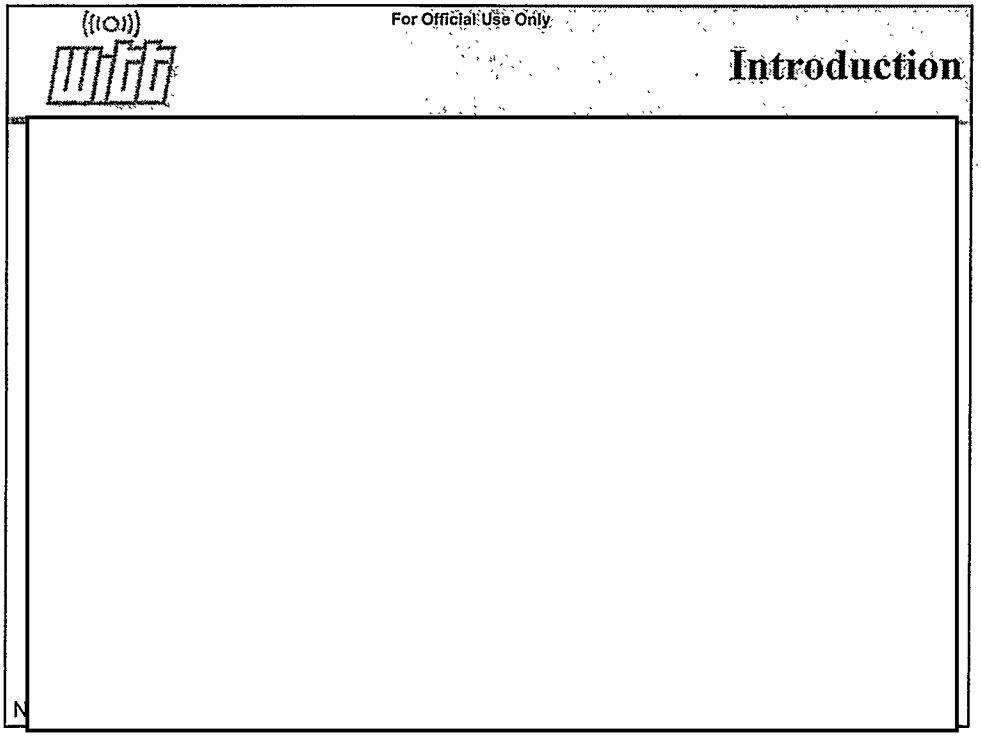

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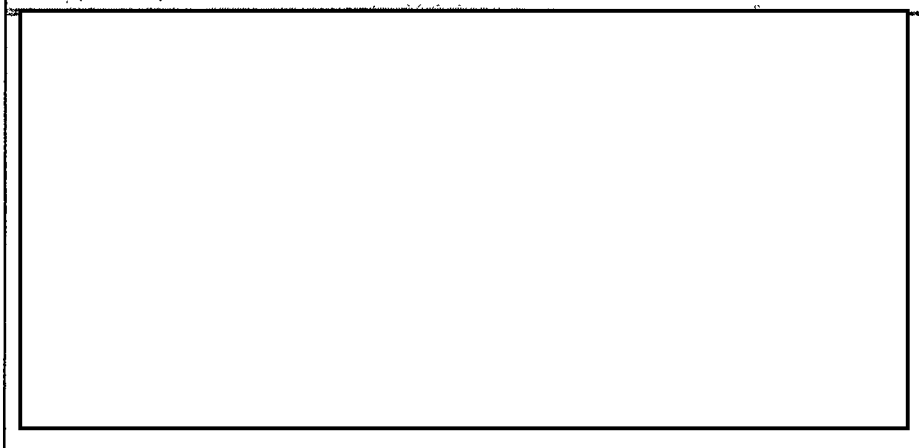
Introduction



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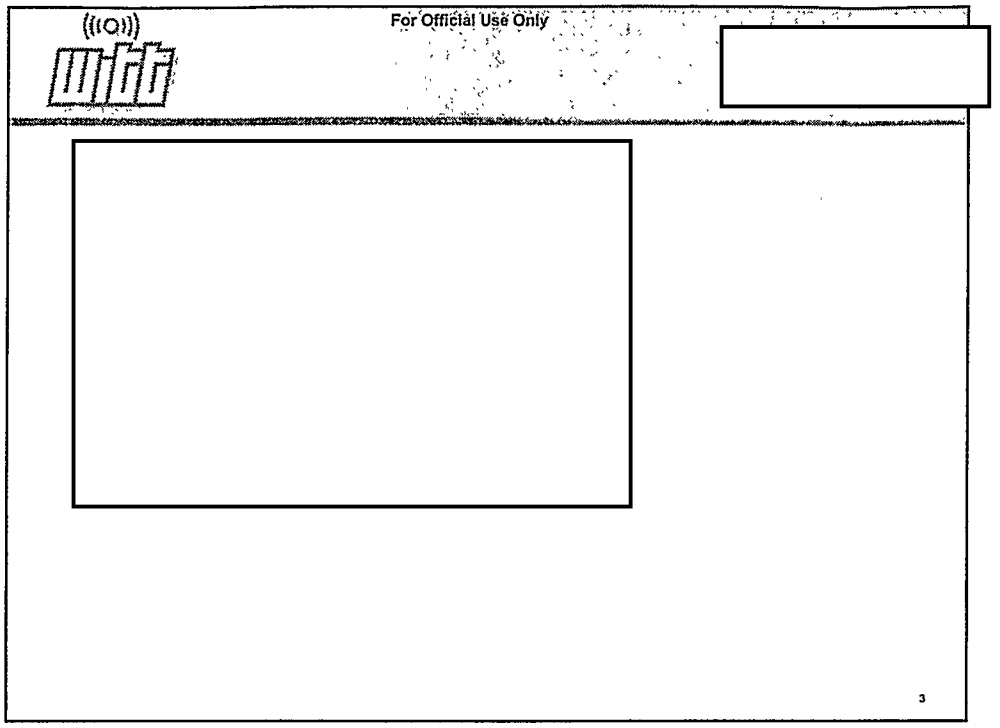

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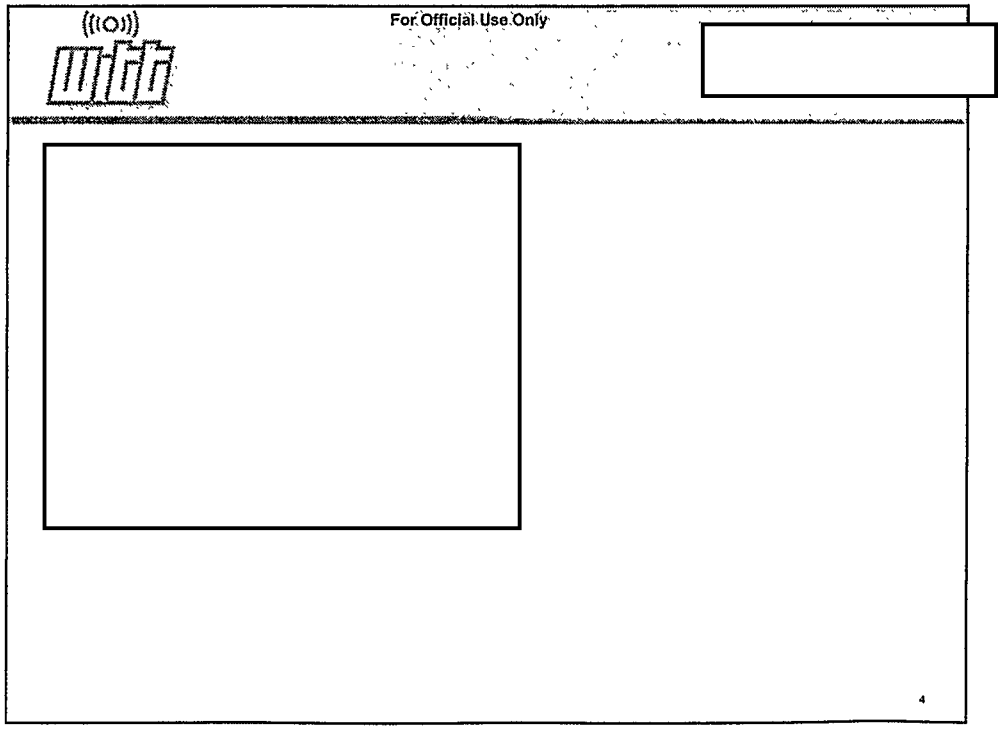

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CONOPS

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Surveillance Players

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CELLSITE-13252

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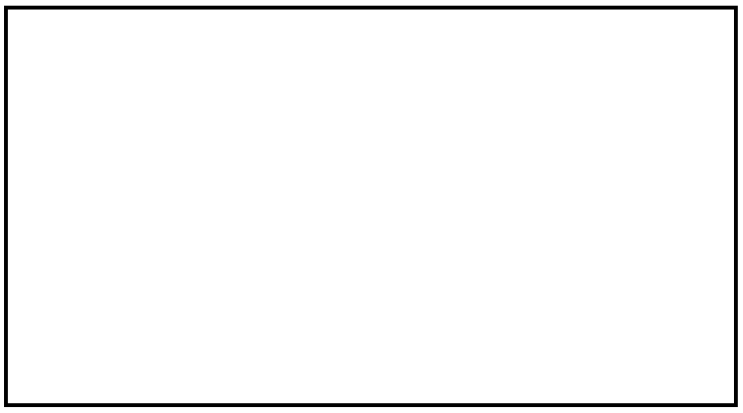
5 Scenarios



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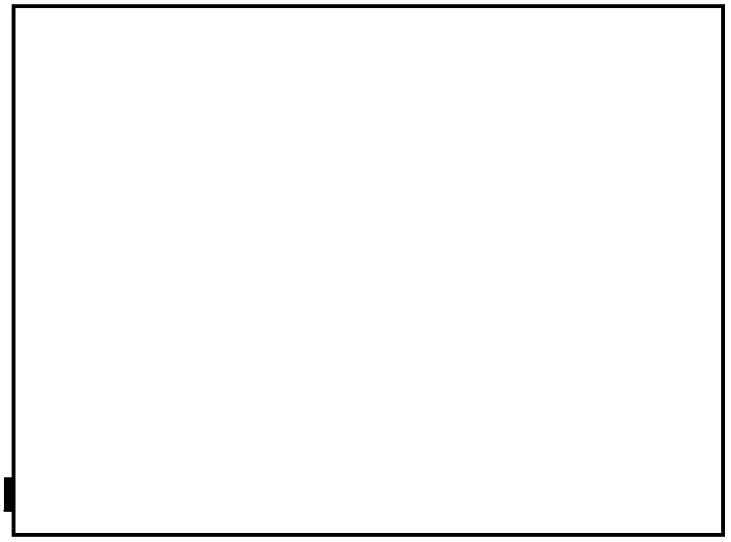

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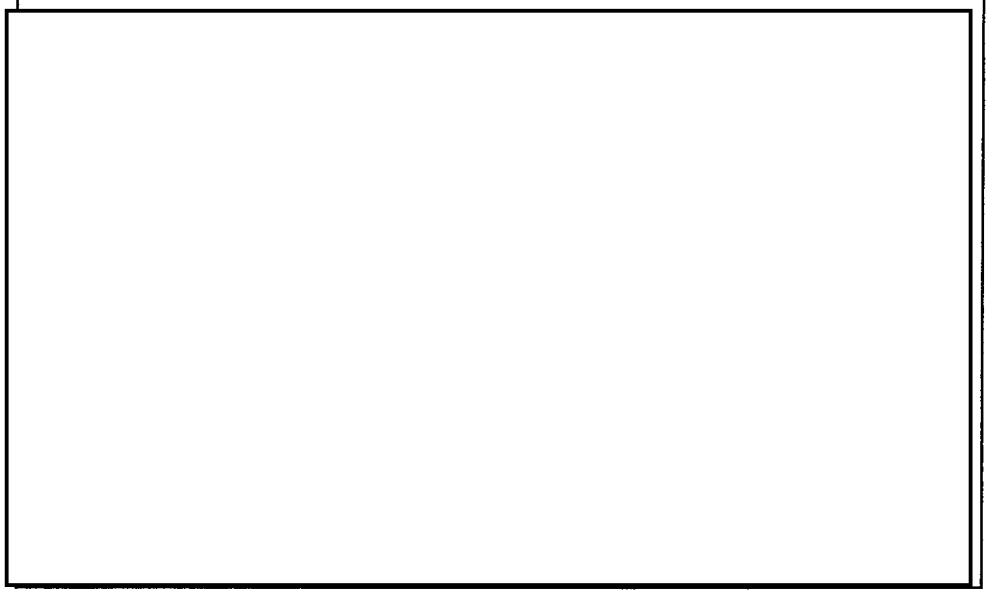

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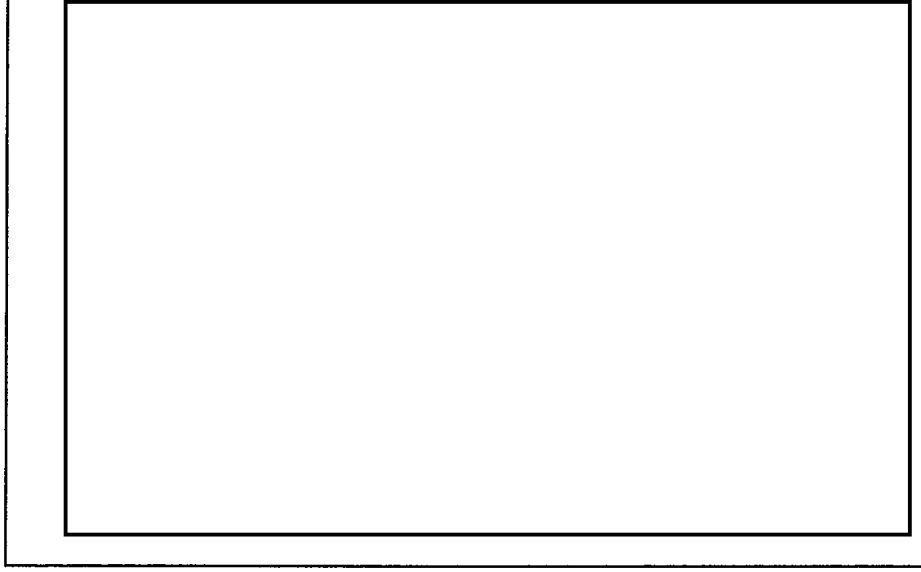

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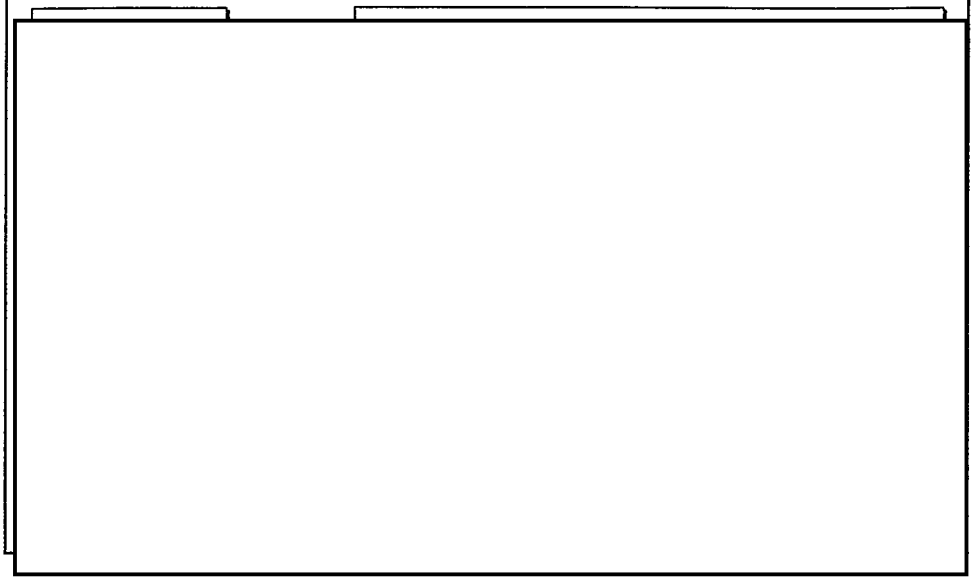
Scenario 2 -



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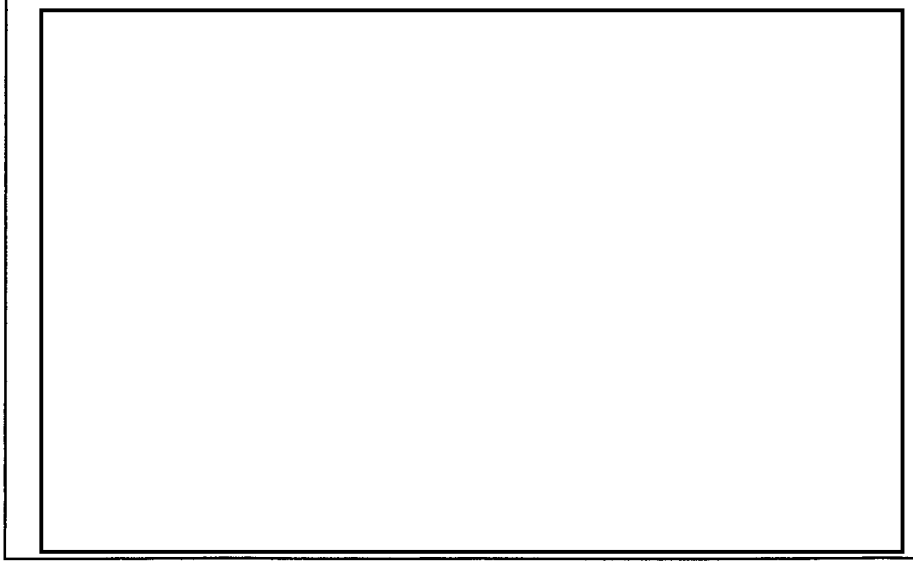

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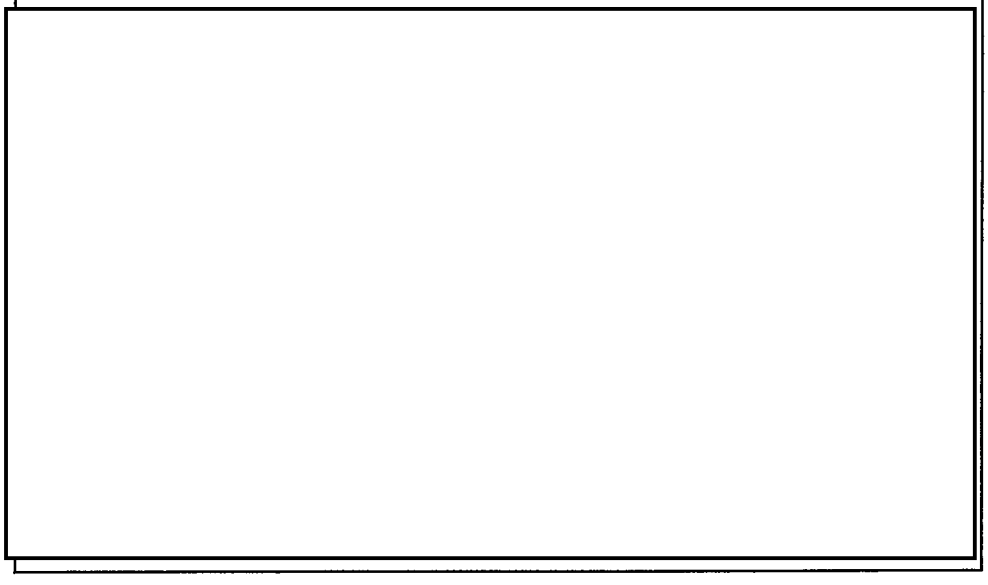
Scenario 3 –



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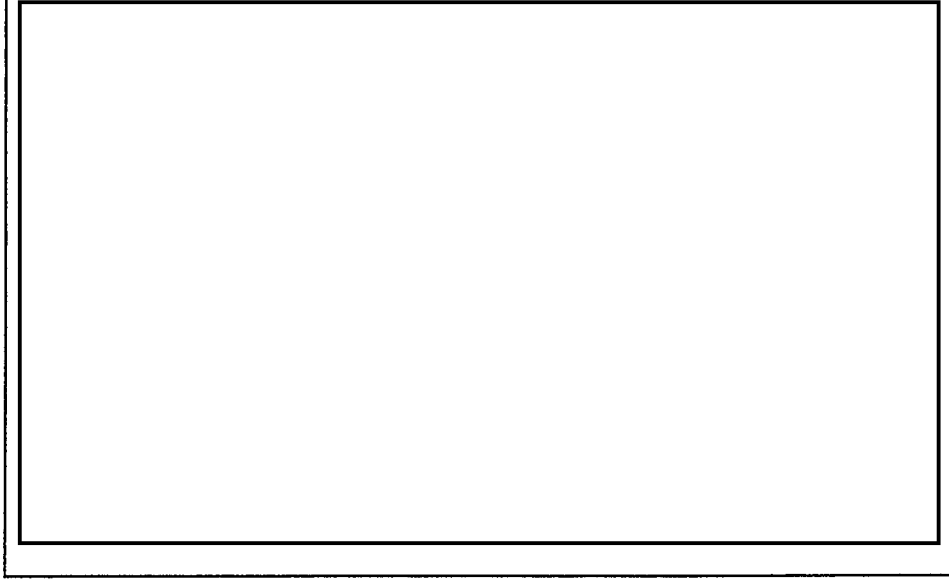

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Scenario 4 -

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For Official Use Only

Scenario 5 – CALEA Surveillance

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CELL/OTD 002837

CELLSITE-13257

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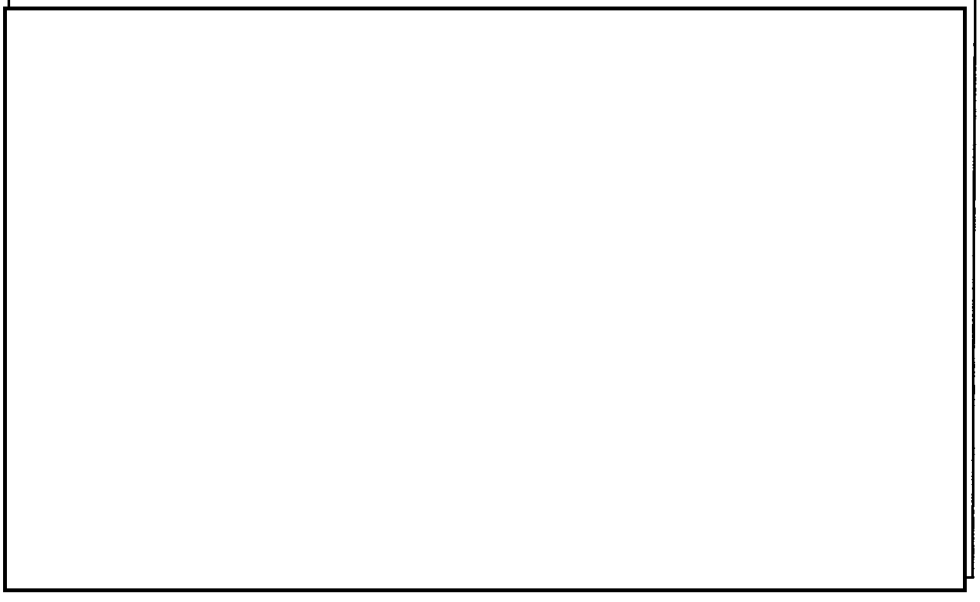
Scenario 5 – CALEA Surveillance



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Recent Case Studies – Sample Case 1

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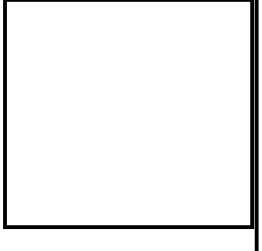

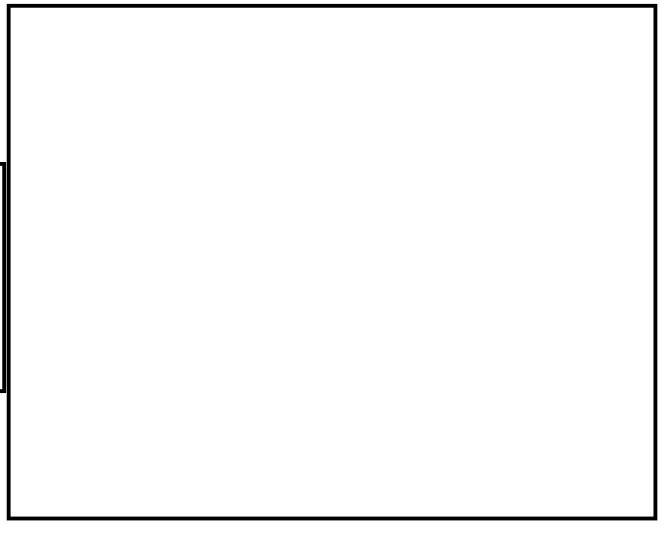

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Recent Case Studies – Sample Case 2

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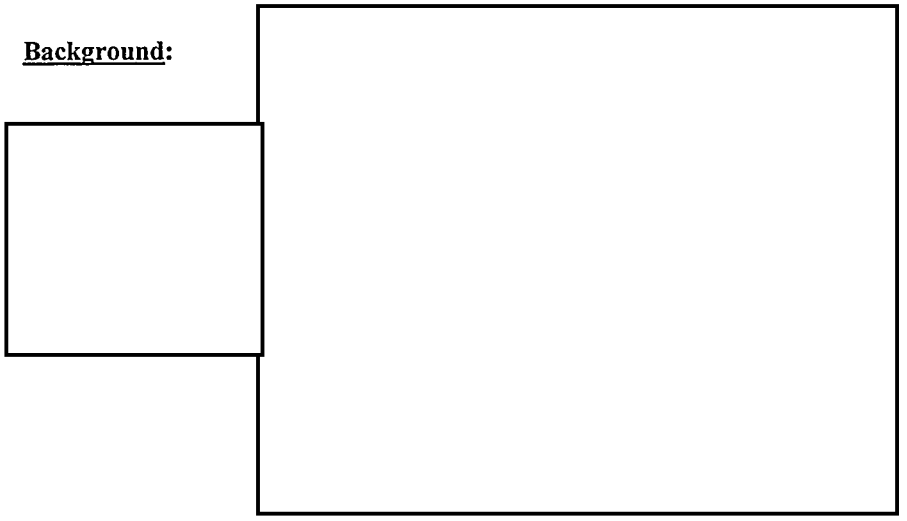

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Recent Case Studies – Sample Case 3

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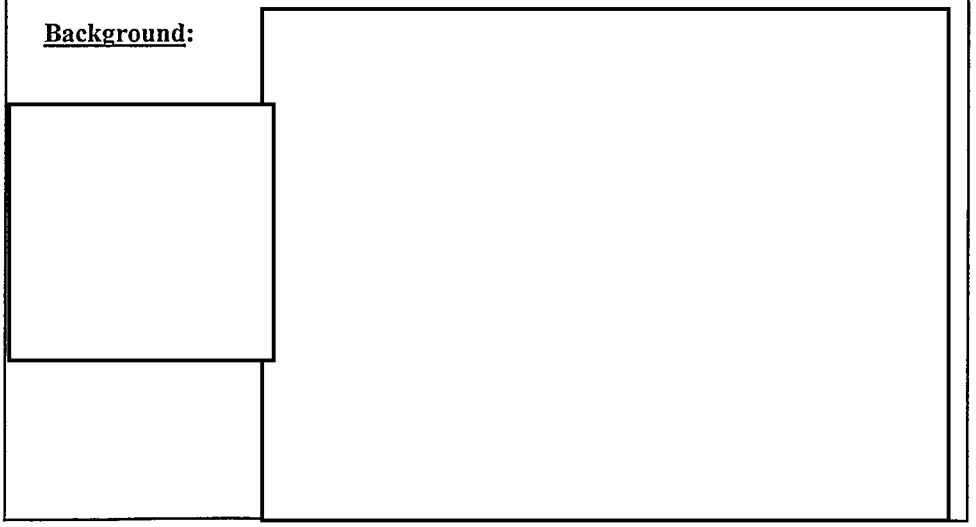

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Recent Case Studies – Sample Case 4

Background:

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Useful Acronyms

CELL/OTD 002183

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Acronyms

AMPS – **A**dvanced **M**obile **P**hone **S**ervice

ARFCN – **A**bsolute **R**adio **F**requency **C**hannel **N**umber

ATU – **A**dvanced **T**elephony **U**nit

BCCH – **B**roadcast **C**ontrol **CH**annel

BSC – **B**ase **S**tation **C**ontroller

BSIC – **B**ase **S**tation **I**dentity **C**ode

BSID – **B**ase **S**tation **ID**

BTS – **B**ase **T**ransceiver **S**tation

CDMA – **C**ode **D**ivision **M**ultiple **A**ccess

DAMPS – **D**igital **A**dvanced **M**obile **P**hone **S**ervice

DSSS – **D**irect **S**equence **S**pread **S**pectrum

DF – **D**irection **F**inding

ESN – **E**lectronic **S**erial **N**umber

FDMA – **F**requency **D**ivision **M**ultiple **A**ccess

GSM – **G**lobal **S**tandard for **M**obile **C**ommunication

HLR – **H**ome **L**ocation **R**egister

iDEN – **I**ntegrated **D**ispatch **E**nhanced **N**etwork

IMEI – **I**nternational **M**obile **E**quipment **I**dentity

IMSI – **I**nternational **M**obile **S**ubscriber **I**dentity

CELLSITE-13409

CELL/OTD 002184

Acronyms Cont'd

LAC – **L**ocation **A**rea **C**ode
MCC – **M**obile **C**ountry **C**ode
MIN – **M**obile **I**dentification **N**umber
MNC – **M**obile **N**etwork **C**ode **MIN** – **M**obile **I**dentification **N**umber
MS – **M**obile **S**tation
MSC/MTSO – **M**obile **S**witching **C**enter/ **M**obile **T**elephone **S**witching **O**ffice
NID – **N**etwork **ID**entification
PA – **P**ower **A**mplifier
PCS – **P**ersonal **C**ommunications **S**ervice
PN – **P**suedo **N**oise
PLMN – **P**ublic **L**and **M**obile **N**etwork
PSTN – **P**ublic **S**witched **T**elephone **N**etwork
PTT – **P**ush-**T**o-**T**alk
RF – **R**adio **F**requency
RSSI – **R**eceived **S**ignal **S**trength **I**ndication
SID – **S**ystem **I**dentification
SIM – **S**ubscriber **I**dentity **M**odule
TDMA – **T**ime **D**ivision **M**ultiple **A**ccess
TMSI – **T**emporary **M**obile **S**ubscriber **I**dentity

CELL/010/002185

Acronyms Cont'd

VLR – **V**isitor **L**ocation **R**egister

WITT – **W**ireless **I**ntercept and **T**racking **T**eam

CELL/OTD 002166

Glossary

CELL/OTD 002187

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Glossary

Access Channel – Reverse CDMA channel used by mobile stations for communicating to the base station

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Absolute Radio Frequency Channel Number (ARFCN) – Number used for describing GSM channels (PCS1900 uses ARFCN's 512-810)

Advanced Mobile Phone Service (AMPS) – First U. S. cellular standard; based on analog FDMA technology

Base [Transceiver] Station (BTS) – Fixed radio site communicating with mobiles within a geographical area

Base Station Controller (BSC) – Interface between base stations and the switch which conveys switch commands to the appropriate base station and base station requests to the switch

Base Station Identity Code (BSIC) – Number identifying individual base stations and their capabilities

Broadcast Control Channel (BCCH) – Channel used by the base station to send control data to GSM mobiles

Camped – When a mobile is not on a call but actively monitoring the paging or control channel

Cellular Phone – Portable radio used to communicate wirelessly in a network

Code Division Multiple Access (CDMA) – Spread spectrum technology which uses codes to differentiate signals sharing the same frequencies

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Control Channel – Radio channel on the forward or reverse link used to send command and requests

Glossary Cont'd

Direct Sequence Spread Spectrum – Technique employed in US cellular CDMA systems which uses codes shared between sender and receiver to spread transmitted data and send over the air

Direction Finding (DF) – A technique used to identify the location of a radio signal

Downlink – *See* **Forward Link**

Ec/Io – Ratio (in dB) between the Pilot Channel signal energy and the total interference in the received bandwidth

Electronic Serial Number (ESN) – Unique serial number programmed into the memory of a mobile phone by the manufacturer

Forward Link – From the base station to the mobile

Frequency Division Multiple Access (FDMA) – Multiplexing technique which uses frequency to distinguish users

Global Standard for Mobile Communications (GSM) – Cellular technology utilizing TDMA techniques which originated in Europe

Handoff – Process of switching a mobile unit from a voice or control channel of one cell to a new voice or control channel of another cell

Home Location Register (HLR) – Database containing mobile subscriber information for locally registered mobiles

Idle – *See* **Camped**

Integrated Dispatch Enhanced Network (iDEN) – Proprietary cellular technology utilized by Nextel

Intercept – Reception of communications between a subject and his serving network [redacted]

[redacted]

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CELLSITE-13414

CELL/OTD 002189

Glossary Cont'd

International Mobile Equipment Identity (IMEI) – Code uniquely identifying the mobile station hardware

International Mobile Subscriber Identity (IMSI) – Method of identifying stations in the land mobile service

Handoff – Transferring communication with a mobile station from one base station to another

[redacted] b3 b7E

Long PN Code – 42-bit pseudo-random code used to uniquely identify CDMA mobile stations on the uplink

Mobile Identification Number (MIN) – Telephone number associated with a mobile phone

Mobile Station – *See* **Cellular Phone**

Mobile Switching Center (MSC) – Switch connecting the cellular network to the PSTN which coordinates call routing in a given service area

Mobile Telephone Switching Office (MTSO) – *See* **Mobile Switching Center**

Multipath - Radio signals from the transmitter arriving at the receiver via a number of different paths

Neighbor Channel – One of a group channels that are probable candidates for handoff

Network Identification (NID) – Number uniquely identifying a network within a cellular system

Paging Channel – Walsh code channel in the CDMA forward channel used for transmission of control information and pages from the base station to the mobile

[redacted] b3 b7E

CELLSITE-13415

CELL/OTD 002190

Glossary Cont'd

Pilot Channel – Signal transmitted continuously by CDMA base stations allowing mobiles to acquire base station timing and assess signal quality

PN Code Offset – One of 512 time offset versions of the Short PN Code used to identify CDMA base station sectors in a network

Power Amplifier (PA) – Provides gain in a transmitter

Public Switch Telephone Network (PSTN) – Collection of interconnected voice-oriented public telephone networks

Radio Frequency (RF) – Radio signals between 9 kHz-300 GHz

Registration – Process by which a mobile station identifies its location and parameters to a base station

Reverse Link – From the mobile to the base station

Short PN Code – 15-bit pseudo-random code used to uniquely identify CDMA base station sectors in a network

Short PN Code Offset – *See* **PN Code Offset**

Sync Channel – Walsh code channel 32 in the CDMA forward channel which transports the synchronization message to the mobile

System Identification (SID) – Number uniquely identifying a cellular system

Temporary Mobile Station Identity (TMSI) – Temporary mobile station identification assigned by the base station

Time Division Multiple Access (TDMA) – Multiplexing technique which uses frequency and time to distinguish users

CELSITE-00219

Glossary Cont'd

Traffic Channel – Communicating path between a mobile station and base station used to transport call content and commands

Uplink – *See* **Reverse Link**

Visitor Location Register (VLR) – Database containing mobile subscriber information for mobiles active in the local system but registered in another cellular system

Walsh Codes – 64 orthogonal codes used to define CDMA communication subchannels on the forward link

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FOI/PA# 1212582-1

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DECLASSIFIED BY 65179 DMH/rs
ON 10-15-2012

(U) (S//NF) [redacted] QUESTIONS:

- (U) Is this a [redacted]
  - Yes, this is a [redacted]
- (U) (S//NF) Is the [redacted] For example: when the system is running a standard [redacted]
  - No this is a [redacted]
- (U) Does all [redacted] need to be [redacted]
  - No, do not [redacted]
- (U) Do you want the ability to [redacted]
  - No, we do not want [redacted]
- (U) (S//NF) Do you want support added to the [redacted]
  - No, but you should be able to [redacted]
- (U) What is the expectation for the SYSTEM [redacted] This was not included in the original [redacted] SOW or Proposal.
  - [redacted]

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DATE: 10-12-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 10-12-2037

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

ROUGH ORDER OF MAGNITUDE (ROM) ESTIMATE

Supplement 1 to [redacted] Task Order

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FEDERAL BUREAU OF INVESTIGATION

Derived From: NSISCG-20080301
Declassify On: 20351216

Derived From: NSISCG-20080301
Declassify On: 20351216

FEDERAL BUREAU OF INVESTIGATION

Supplement 1 to [redacted] Task Order

(U) INTRODUCTION

(U) ~~(S)~~ This purpose of this paper is to request the vendor to provide Rough Order of Magnitude (ROM) estimate for additional requirements for providing engineering services for the development of products described in the original Statement of Work in the [redacted] Task Order. The following shall provide an overall description of the additional requirements not addressed in the original Statement of Work in the [redacted] Task Order.

(U) DESCRIPTION OF REQUIREMENTS

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(U) ~~(S)~~ Specifically, the FBI is requesting the vendor to provide ROM estimate for developing, productizing, and delivering additional functionality to the "architecture" or SYSTEM that was previously proposed in the [redacted] Task Order. No changes shall be made to the previously agreed upon [redacted] Tasking, the enhancement below shall be provided as an addition to the original requirement.

(S) [redacted]

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Derived From: NSISCG-20080301
Declassify On: ~~20351216~~

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HEREIN IS UNCLASSIFIED
DATE 10-12-2012 BY 65179 DMH/rs

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

19 August 2011

Subject: [redacted] Contract [redacted]
New Tasking - [redacted]

Dear [redacted]

Please find enclosed a copy of the Statement of Work (SOW) for engineering services developed by the Federal Bureau of Investigation (FBI). The FBI is interested in obtaining a proposal for this new task to be performed in accordance with the subject Contract. Contractor shall provide technical and cost proposals to support tasking as set forth in the SOW. Labor rates and similar costs were agreed upon at the award of the Contract, as a result, the Cost Proposal shall be reflective of this. Estimates of hours per labor category are required at a minimum. This SOW provides for an intended new Task Order under the existing [redacted] contract; therefore, the FBI does not intend to reimburse the Offeror for any costs incurred in preparing a proposal.

If there are any question regarding this SOW please submit them to my office within the next five (5) business days. It is therefore requested that your company review the enclosed SOW and if the proposed contract vehicle is appropriate, Cost-Plus Fixed Fee (CPFF), a cost and technical proposal should be submitted in accordance with the terms and conditions of the FBI's Contract prior to but no later than September 6, 2011 at 1:00 PM EST. Unclassified proposals maybe email to [redacted] The FBI intends to award this requirement with current year funding. Award is contingent upon receipt of these funds.

Should you have any questions concerning this matter, please contact me at [redacted] [redacted] response may be faxed to [redacted] secure fax [redacted]

Sincerely,

[redacted]
Contracting Officer

Attached: Statement of Work for [redacted] Tasking

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STATEMENT OF WORK

ALL INFORMATION CONTAINED
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DATE 10-12-2012 BY 65179 DMH/rs

[redacted] Program

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[redacted] Task Order 1

1 (U//LES) SCOPE

1.1 (U//LES) Task Overview

(U//LES) The objective of the [redacted] task will be to modify and or adapt the [redacted] systems to support investigators in [redacted]

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1.2 (U) Task Deliverables

- (U) Weekly Status Report (See Section 3.3)
- (U) Monthly Program Review (See Section 3.3)
- (U) System Testing Plan (See Section 3.2)
- (U) System Demonstration at contractor facility (See Section 3.2)
- (U) Final Technical Summary Report (See Section 3.2)
- (U) [redacted]

1.3 (U//LES) Sub Task 1

(U) The vendor shall perform analysis, modeling, and testing to verify the capability of the [redacted] This requirement shall include the following:

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a) [redacted]

b)

c)

d) **(U)** The work performed in this task shall include engineering and prototyping mechanical housings to result in the integration of electrical and mechanical improvements into a single package.

1.4 (U//LES) Sub Task 2

(U//LES) The vendor shall produce a [redacted] that demonstrates [redacted] This requirement shall include:

a) [redacted]

b) [redacted]

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c) (U) The performance specifications of developments under this task shall be in accordance with [redacted]

2 (U//LES) Sub Task Milestones and Requirements

2.1 (U//LES) Sub Task Milestones

- (U) The initial kick off meeting shall be held no later than 30 days after contract award.
- (U) A Preliminary design review shall be held 2 months after contract award. The vendor shall deliver a PDR report to the Contracting Officer's Technical Representative (COTR) no later than 2 weeks after completion of the meeting.
- (U) A Critical design review shall be held 6 months after contract award. The vendor shall deliver a CDR report to the COTR no later than 2 weeks after completion of the meeting.
- (U//LES) The vendor shall conduct a demonstration / user acceptance test of the [redacted] to the COTR and approved government attendees. The vendor shall deliver a full report of the conduct of the test and user acceptance/rejection with a mitigation plan in the case of COTR rejection. Testing shall be conducted no later than 2 weeks prior to the end of the period of performance.
- (U) The vendor shall deliver an acceptance test plan to the COTR 2 weeks prior to the demonstration / user acceptance test.
- (U//LES) The vendor shall deliver to the COTR a report of analysis, modeling and testing that verifies the capability of the [redacted] This report shall not be an assemblage of power point slides, although their use in support of written narrative is acceptable. This report shall be due at the end of the period of performance.
- (U) Transition of deliverables shall be coordinated with the COTR at the end of the period of performance.

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CELLSITE-15924

2.2 (U) Sub Task Requirements

- (U) The vendor shall provide personnel with the requisite knowledge, technical background and skills to successfully complete the tasks described in this SOW. These qualities shall include but are not limited to:
  - [redacted]

3 (U) Requirements

3.1 Security Standards and Regulations

(U) Refer to [redacted] Statement of Work section 2.3 for guidance.

(U) SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

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3.2 (U) Contractor Furnished Documentation

(U) PDR report (as described in Section 2)
(U) CDR report (as described in Section 2)
(U) Final report of analysis, modeling and testing (as described in Section 2)
(U) Refer to [redacted] Statement of Work section 2.6 for any additional documentation not explicitly stated in this SOW.

3.3 (U) Status Reporting

(U) Refer to [redacted] Statement of Work Section 3.3 for guidance

3.4 (U) Formal Meetings

(U) Refer to [redacted] Statement of Work Section 3.4 for guidance

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3.5 (U) Government Furnished Equipment

(U) The government does not anticipate the need for any Government Furnished Equipment (GFE) on this task. However, if the purchase of equipment is required the vendor shall obtain written authorization from the government Contracting Officer prior to any individual purchase equal to or exceeding $50,000.00. The Contracting Officer may lower or raise the $50,000.00 threshold at his/her discretion. If the CO and COTR approve such a purchase the item shall become property of the government, and as such will be maintained in accordance to currently existing property accountability procedures. The COTR will determine final disposition of any such items at the end of the period of performance of this task.

3.6 (U) Period of Performance

(U) The vendor shall propose the most efficient and cost effective schedule to complete this requirement for government consideration. All deliverables and milestones are expected to be proposed at their specified date in the above deliverable / milestone schedule or otherwise adjusted by the vendor and justified. Based on the needs of the government and complexity of the requirement, the government recommends a period no longer than 12 months. This recommended period includes 90 days to allow for review, preparation and submission of deliverables and closeout activities by government personnel.

3.7 (U) Place of Performance

(U) The vendor shall perform all work under this task at the vendor's facilities. Therefore the government expects no travel charges.

4 (U) Contact Information

4.1 (U) Government Points of Contact

- Contracting Officer
  [redacted]
  Federal Bureau of Investigation
  Headquarters; Room 6853
  935 Pennsylvania Ave. NW
  Washington, DC 20535
  [redacted]

- Contracting Officer's Technical Representative
  [redacted]
  ERF Bldg 27958A
  Quantico, VA 22135
  [redacted]

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CELLSITE-15926

STATEMENT OF WORK

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[redacted] Program

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[redacted] Task Order 1 Rev

1 (U//LES) SCOPE

1.1 (U//LES) Task Overview

(U//LES) The objective of the [redacted] task will be to modify and or adapt the [redacted] systems to support investigators in [redacted]

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1.2 (U) Task Deliverables

- (U) Weekly Status Report (See Section 3.3)
- (U) System Demonstration at contractor facility (See Section 3.2)
- (U) Final Technical Summary Report (See Section 3.2)
- (U) [redacted]

1.3 (U//LES) Sub Task 1

(U) The vendor shall perform analysis, modeling, and testing to verify the capability of the [redacted] This requirement shall include the following:

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a) [redacted]

b) [redacted]

c) [redacted]

d) **(U)** The work performed in this task shall include engineering and prototyping mechanical housings to result in the integration of electrical and mechanical improvements into a single package.

e) **(U)** The work performed under this task shall serve as the basis for a [redacted] It shall leverage

CELLSITE-15927

experience gained from [redacted] but shall not be a [redacted]

f) **(U)** The work performed under this task shall detail the process required to create an [redacted] that is superior in performance to [redacted] b3 b7E

I. (U) [redacted]
II. (U)
III. (U)
IV. (U)
V. (U)

1.4 (U//LES) Sub Task 2

(U//LES) The vendor shall produce a [redacted] that demonstrates [redacted] This requirement shall include:

a) [redacted] b3 b7E

b)

c) **(U)** The performance specifications of developments under this task shall be in accordance with Stingray [redacted]

1.5 (U//LES) Sub Task 3

(U//LES) The vendor shall provide a proof of concept implementation of an [redacted]

a) **(U//LES)** The [redacted] developed under this task shall provide everything necessary for [redacted] on government owned equipment. b3 b7E

b) **(U)** Work under this task shall build on prior experience and research gained on vendor IRAD.

c) **(U)** The development requirements shall be in accordance to the eventual use of this [redacted]

2 (U//LES) Sub Task Milestones and Requirements

2.1 (U//LES) Sub Task Milestones

- (U) The initial kick off meeting shall be held no later than 30 days after contract award.
- (U//LES) The vendor shall conduct a demonstration of the [redacted] to the COTR and approved government attendees. The vendor shall deliver a full report of the conduct of the test with a future

mitigation/milestone plan based on the test results and follow on work to productize. Testing shall be conducted no later than 2 weeks prior to the end of the period of performance.

- (U//LES) The vendor shall deliver to the COTR a report of analysis, modeling and testing that verifies the capability of the [redacted] This report shall not be an assemblage of power point slides, although their use in support of written narrative is acceptable. This report shall be due at the end of the period of performance. b3 b7E
- (U) Transition of deliverables shall be coordinated with the COTR at the end of the period of performance.

2.2 (U) Sub Task Requirements

- (U) The vendor shall provide personnel with the requisite knowledge, technical background and skills to successfully complete the tasks described in this SOW. These qualities shall include but are not limited to:
  - [redacted]

3 (U) Requirements

3.1 Security Standards and Regulations

(U) Refer to [redacted] Statement of Work section 2.3 for guidance. b3 b7E

(U) SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

3.2 (U) Contractor Furnished Documentation

(U) Final report of analysis, modeling and testing (as described in Section 2)
(U) Refer to [redacted] Statement of Work section 2.6 for any additional documentation not explicitly stated in this SOW.

3.3 (U) Status Reporting

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(U) Refer to [redacted] Statement of Work Section 3.3 for guidance

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3.4 (U) Formal Meetings

(U) Refer to [redacted] Statement of Work Section 3.4 for guidance

3.5 (U) Government Furnished Equipment

(U) The government does not anticipate the need for any Government Furnished Equipment on this task. However, if the additional purchase of equipment is required the vendor shall obtain written authorization from the government Contracting Officer prior to any individual purchase equal to or exceeding $50,000.00. The Contracting Officer may lower or raise the $50,000.00 threshold at his/her discretion. If the CO and COTR approve such a purchase the item shall become property of the government, and as such will be maintained in accordance to currently existing property accountability procedures. The COTR will determine final disposition of any such items at the end of the period of performance of this task.

3.6 (U) Period of Performance

(U) The vendor shall propose the most efficient and cost effective schedule to complete this requirement for government consideration. All deliverables and milestones are expected to be proposed at their specified date in the above deliverable / milestone schedule or otherwise adjusted by the vendor and justified. Based on the needs of the government and complexity of the requirement, the government recommends a period no longer than 12 months. This recommended period includes 90 days to allow for review, preparation and submission of deliverables and closeout activities by government personnel.

3.7 (U) Place of Performance

(U) The vendor shall perform all work under this task at the vendor's facilities. Therefore the government expects no travel charges.

4 (U) Contact Information

4.1 (U) Government Points of Contact

- Contracting Officer
  [redacted]
  Federal Bureau of Investigation
  Headquarters; Room 6853

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CELLSITE-15930

935 Pennsylvania Ave. NW
Washington, DC 20535
[redacted]

- Contracting Officer's Technical Representative
[redacted]
ERF Bldg 27958A
Quantico, VA 22135
[redacted]

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CELLSITE-15931

STATEMENT OF WORK

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[redacted] Program

[redacted] Task Order 1

1 (U//LES) SCOPE

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1.1 (U//LES) Task Overview

(U//LES) The objective of the [redacted] task will be to modify and or adapt the [redacted] to support investigators in [redacted]

1.2 (U) Task Deliverables

- (U) Weekly Status Report (See Section 3.3)
- (U) Monthly Program Review (See Section 3.3)
- (U) System Testing Plan (See Section 3.2)
- (U) System Demonstration at contractor facility (See Section 3.2)
- (U) Final Technical Summary Report (See Section 3.2)
- (U) [redacted]

1.3 (U//LES) Sub Task 1

(U) The vendor shall perform analysis, modeling, and testing to verify the capability of the [redacted] This requirement shall include the following:

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a) [redacted]

b)

c)

d) **(U)** The work performed in this task shall include engineering and prototyping mechanical housings to result in the integration of electrical and mechanical improvements into a single package.

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1.4 (U) Sub Task 2

(U) The vendor shall produce a [redacted] that demonstrates [redacted] This requirement shall include:

a) [redacted]

b) [redacted]

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c) **(U)** The performance specifications of developments under this task shall be in accordance with Stingray [redacted]

2 (U) Sub Task Milestones and Requirements

2.1 (U) Sub Task Milestones

- (U) The initial kick off meeting shall be held no later than 30 days after contract award.
- (U) A Preliminary design review shall be held 2 months after contract award. The vendor shall deliver a PDR report to the Contracting Officer's Technical Representative (COTR) no later than 2 weeks after completion of the meeting.
- (U) A Critical design review shall be held 6 months after contract award. The vendor shall deliver a CDR report to the COTR no later than 2 weeks after completion of the meeting.
- (U) The vendor shall conduct a demonstration / user acceptance test of the [redacted] to the COTR and approved government attendees. The vendor shall deliver a full report of the conduct of the test and user acceptance/rejection with a mitigation plan in the case of COTR rejection. Testing shall be conducted no later than 2 weeks prior to the end of the period of performance.
- (U) The vendor shall deliver an acceptance test plan to the COTR 2 weeks prior to the demonstration / user acceptance test.
- (U) The vendor shall deliver to the COTR a report of analysis, modeling and testing that verifies the capability of the [redacted] This report shall not be an assemblage of power point slides, although their use in support of written narrative is acceptable. This report shall be due at the end of the period of performance.
- (U) Transition of deliverables shall be coordinated with the COTR at the end of the period of performance.

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2.2 (U) Sub Task Requirements

CELLSITE-15933

- (U) The vendor shall provide personnel with the requisite knowledge, technical background and skills to successfully complete the tasks described in this SOW. These qualities shall include but are not limited to:
  - o [redacted]
  - o
  - o
  - o
  - o

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3 (U) Requirements

3.1 Security Standards and Regulations

(U) Refer to [redacted] Statement of Work section 2.3 for guidance.

(U) SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

3.2 (U) Contractor Furnished Documentation

(U) PDR report (as described in Section 2)
(U) CDR report (as described in Section 2)
(U) Final report of analysis, modeling and testing (as described in Section 2)
(U) Refer to [redacted] Statement of Work section 2.6 for any additional documentation not explicitly stated in this SOW.

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3.3 (U) Status Reporting

(U) Refer to [redacted] Statement of Work Section 3.3 for guidance

3.4 (U) Formal Meetings

(U) Refer to [redacted] Statement of Work Section 3.4 for guidance

3.5 (U) Government Furnished Equipment

(U) The government does not anticipate the need for any Government Furnished Equipment (GFE) on this task. However, if the purchase of equipment is required

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the vendor shall obtain written authorization from the government Contracting Officer prior to any individual purchase equal to or exceeding $50,000.00. The Contracting Officer may lower or raise the $50,000.00 threshold at his/her discretion. If the CO and COTR approve such a purchase the item shall become property of the government, and as such will be maintained in accordance to currently existing property accountability procedures. The COTR will determine final disposition of any such items at the end of the period of performance of this task.

3.6 (U) Period of Performance

(U) The vendor shall propose the most efficient and cost effective schedule to complete this requirement for government consideration. All deliverables and milestones are expected to be proposed at their specified date in the above deliverable / milestone schedule or otherwise adjusted by the vendor and justified. Based on the needs of the government and complexity of the requirement, the government recommends a period no longer than 12 months. This recommended period includes 90 days to allow for review, preparation and submission of deliverables and closeout activities by government personnel.

3.7 (U) Place of Performance

(U) The vendor shall perform all work under this task at the vendor's facilities. Therefore the government expects no travel charges.

4 (U) Contact Information

4.1 (U) Government Points of Contact

- Contracting Officer
  [redacted]
  Federal Bureau of Investigation
  Headquarters; Room 6853
  935 Pennsylvania Ave. NW
  Washington, DC 20535
  [redacted]

- Contracting Officer's Technical Representative
  [redacted]
  ERF Bldg 27958A
  Quantico, VA 22135
  [redacted]

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CELLSITE-15935

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U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

22 September 2011

[redacted]

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Contract: [redacted]
Subject: Award of [redacted] Task Order

Good Afternoon [redacted]

Enclosed for you records are copies of all award documentation for engineering services required under Subtask 1 of the [redacted] Task Order. Documentation includes a copy of SF-30 Modification awarding and funding the Task Order under [redacted] and Purchase Order [redacted]

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The SOW, formerly identified as [redacted] Task Order 1, and [redacted] Cost and Technical proposals are incorporated into the Contract through this modification.

Any questions concerning this matter, please forward to the above address to my attention, e-mail to [redacted], or you may call me at [redacted]

Sincerely,

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[redacted]
Contracting Officer
Science and Technology Contracts Unit

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AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE OF PAGES
	1 | 1

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicble)
Mod 1	Sep 22, 2011		

6. ISSUED BY CODE

Federal Bureau of Investigation
[redacted] Room 6853
935 Pennsylvania Ave. NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) CODE

Same as Item 6.

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

[redacted]

CODE FACILITY CODE

(X) 9A. AMENDMENT OF SOLICIATION NO.

9B. DATED (SEE ITEM 11)

(X) 10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted]

10B. DATED (SEE ITEM 13) Sep 15, 2009

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11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE

☐ A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.

☐ B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).

☐ C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:

☒ D. OTHER (Specify type of modification and authority)
FAR 43.103(a) "Bilateral" and FAR 32.7 "Funding"

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is to award Subtask 1 of [redacted] a new Task Order under the above Contract. This modification provides [redacted] for Phase 1; [redacted] for Phase 2; and [redacted] of incremental funding for Phase 3 of Subtask 1 through PO [redacted] for a total of [redacted] The Period of Performance for this effort is 9/22/11-9/22/12. The following documents are hereby incorporated into the Contract: FBI [redacted] SOW dated 9/1/11 and [redacted] Cost and Technical Proposal documentation dated 9/8/11. All work is to be conducted in accordance with the SOW and Terms and Conditions of the Contract. Contractor exceeds funding at own risk. All technical guidance is to come from [redacted] COTR. Invoice to COTR.

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Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)
	[redacted] Contracting Officer
15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign) — 15C. DATE SIGNED	16B. UNITED STATES OF AMERICA (Signature of Contracting Officer) — 16C. DATE SIGNED

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

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STATEMENT OF WORK

[redacted] Program

[redacted] Task Order 2 [redacted]

1 SCOPE

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1.1 *Task Overview*

This Task Order requires that the Contractor provide engineering services to the Operational Technology Division's (OTD) [redacted] through development and execution of [redacted]

The FBI is the principal investigative arm of the United States Department of Justice. It is charged with gathering and reporting facts, locating witnesses, and obtaining evidence in cases involving Federal jurisdiction. The mission of the FBI's OTD is to provide forensic services to the FBI and other law enforcement agencies and to support their ability to conduct lawfully authorized electronic surveillance. To that end, the OTD is engaged in a number of development projects and activities that focus on developing the forensic, collection, surveillance, and tactical communications capabilities required for law enforcement to accomplish its objectives. The projects supported through the [redacted]

The focus of this overall effort is to provide the services required to [redacted] to support specific case requirements for [redacted] The [redacted] shall be designed to ensure FBI [redacted] can effectively [redacted]

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The purpose of this SOW is to describe the tasking necessary to support the FBI's requirement to [redacted] The task shall be achieved through engineering support to the [redacted]

1.2 Deliverables: Pre-Award and Post-Award

1.2.1 Task Order Proposal Instructions, Pre-Award

As a part of the proposal for this effort, the Contractor shall provide the following documents:

- Project Management Plan (See Section 2.2)

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- [redacted] Documentation (See Section 1.3.1(a))
- [redacted] (Section 1.3.1(a) and 1.3.1 (b))
  - [redacted]

1.2.2 Task Order Deliverables, Post-Award

The FBI intends to award the following on a firm fixed-price basis:

- [redacted] identified in Section 1.3.1(b) in accordance with the requirements of Section 1.3.1.
- Monthly Status Reporting (See Section 2.2) – to minimize administrative burdens and costs, this information may be provided as part of the ongoing monthly Contract reporting

1.3 Category of Efforts

The FBI currently owns [redacted] that have been used by [redacted] and [redacted] for [redacted] in support of FBI investigations. OTD's [redacted] is also a user of the [redacted] for similar usage but different operational goals than [redacted] The FBI's goal is to field all [redacted] to the [redacted] The Key Areas below detail the FBI's needs that shall at a minimum be met. The Contractor is to provide a technical approach to at a minimum meet these needs and may provide alternative strategies for review.

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1.3.1 Key Areas

1.3.1 [redacted]

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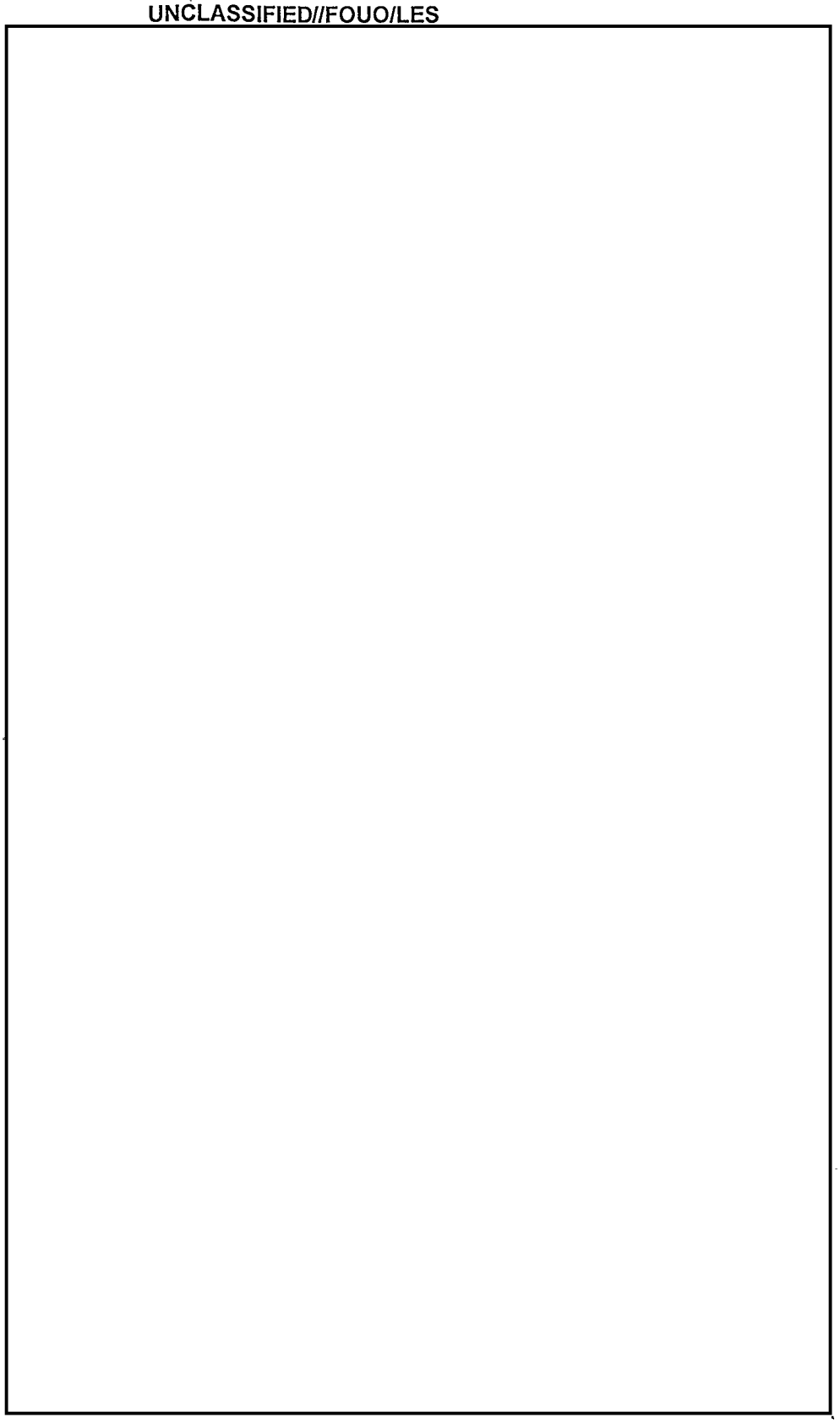
1.3.1



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1.3.1

2 Requirements

CELLSITE-15956

2.3 Security Standards and Regulations

Refer to [redacted] Statement of Work section 2.3 for guidance.

SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

2.4 Contractor Furnished Documentation

Refer to [redacted] Statement of Work sections 2.6 and 3.2 for guidance.

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Project management plan shall consist of the Contractor's proposed solution to include the composition of required project team, complete task schedule, and total labor and non-labor costs for fully implementing the proposed solution.

Status Reporting

Refer to [redacted] Statement of Work Section 3.3 for guidance.

2.5 Formal Meetings

Refer to [redacted] Statement of Work Section 3.4 for guidance.

2.6 Government Points of Contact

FBI Contracting Officer's Technical Representative (COTR)

[redacted]
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A
Quantico, VA 22135
[redacted]

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[redacted] **Technical Point of Contact (TPOC)**

[redacted]
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A
Quantico, VA 22135
[redacted]

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STATEMENT OF WORK

[redacted] Program

[redacted] Task Order 2 [redacted]

1 SCOPE

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1.1 *Task Overview*

This Task Order requires that the Contractor provide engineering services to the Operational Technology Division's (OTD) [redacted]

The FBI is the principal investigative arm of the United States Department of Justice. It is charged with gathering and reporting facts, locating witnesses, and obtaining evidence in cases involving Federal jurisdiction. The mission of the FBI's OTD is to provide forensic services to the FBI and other law enforcement agencies and to support their ability to conduct lawfully authorized electronic surveillance. To that end, the OTD is engaged in a number of development projects and activities that focus on developing the forensic, collection, surveillance, and tactical communications capabilities required for law enforcement to accomplish its objectives. The projects supported through the [redacted]

The focus of this overall effort is to provide the engineering services required to [redacted] to support specific case requirements for [redacted] to ensure [redacted] can effectively [redacted]

b3
b7E

The purpose of this SOW is to describe the tasking necessary to support the FBI's requirement to [redacted] The task shall be achieved through engineering support to the [redacted]

1.2 Deliverables: Pre-Award and Post-Award

1.2.1 Task Order Proposal Instructions, Pre-Award

As a part of the proposal for this effort, the Contractor shall provide the following documents:

CELLSITE-15969

- Project Management Plan (See Section 2.2)
- [redacted] Documentation (See Section 1.3.1(a))
- [redacted] (Section 1.3.1(a) and (b))

1.2.2 Task Order Deliverables, Post-Award

The FBI intends to award the following on a firm fixed-price basis:

- [redacted] identified in Section 1.3.1(b) in accordance with the requirements of 1.3.1.
- Monthly Status Reporting (See Section 2.2) – this information may be provided as part of the ongoing monthly Contract reporting

1.3 Category of Efforts

The FBI currently owns [redacted] that have been used by [redacted] and [redacted] for [redacted] in support of FBI investigations. OTD's [redacted] is also a user of the [redacted] for similar usage but different operational goals than [redacted] The FBI's goal is to field all [redacted] to the [redacted] The Key Areas below detail the FBI's needs that shall at a minimum be met. The Contractor is to provide a technical approach to at a minimum meet these needs and may provide alternative strategies for review.

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1.3.1 Key Areas

a) [redacted]

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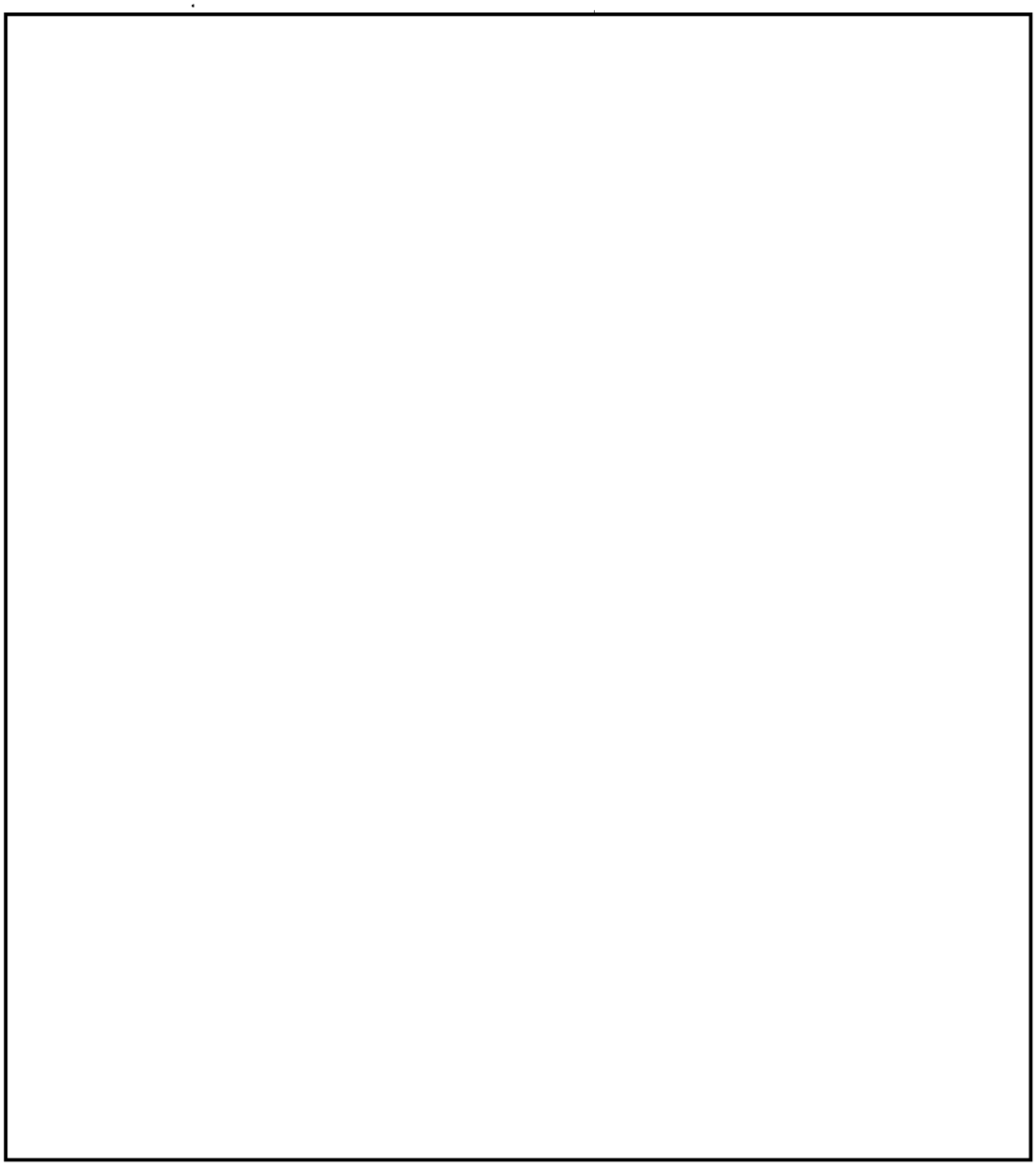
CELLSITE-15970



b3
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2 Requirements

2.1 Security Standards and Regulations

Refer to [redacted] Statement of Work section 2.3 for guidance.

SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up

CELLSITE-15971

procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

2.2 Contractor Furnished Documentation

Refer to [redacted] Statement of Work sections 2.6 and 3.2 for guidance.

Project management plan shall consist of the Contractor's proposed solution to include the composition of required project team, complete task schedule, and total labor and non-labor costs for fully implementing the proposed solution.

Status Reporting

Refer to [redacted] Statement of Work Section 3.3 for guidance.

b3
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2.3 Formal Meetings

Refer to [redacted] Statement of Work Section 3.4 for guidance.

2.4 Government Points of Contact

FBI Contracting Officer's Technical Representative

[redacted]
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A
Quantico, VA 22135
[redacted]

b3
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[redacted] **Technical Point of Contact**

[redacted]
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A
Quantico, VA 22135
[redacted]

CELLSITE-15972

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DATE 10-12-2012 BY 65179 DMH/rs

STATEMENT OF WORK

[redacted] Program

[redacted] Task Order 2 [redacted]

1 SCOPE

b3
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1.1 *Task Overview*

This Task Order requires that the Contractor provide engineering services to the Operational Technology Division's (OTD) [redacted] for the [redacted]

The FBI is the principal investigative arm of the United States Department of Justice. It is charged with gathering and reporting facts, locating witnesses, and obtaining evidence in cases involving Federal jurisdiction. The mission of the FBI's OTD is to provide forensic services to the FBI and other law enforcement agencies and to support their ability to conduct lawfully authorized electronic surveillance. To that end, the OTD is engaged in a number of development projects and activities that focus on developing the forensic, collection, surveillance, and tactical communications capabilities required for law enforcement to accomplish its objectives. The projects supported through [redacted]

The focus of this overall effort is to provide the services required to [redacted] to support specific case requirements for [redacted] can effectively [redacted]

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The purpose of this SOW is to describe the tasking necessary to support the FBI's requirement to [redacted] The task shall be achieved through engineering support to the [redacted]

1.2 Deliverables: Pre-Award and Post-Award

1.2.1 Task Order Proposal Instructions, Pre-Award

As a part of the proposal for this effort, the Contractor shall provide the following documents:

- Project Management Plan (See Section 2.2)

CELLSITE-15973

- [redacted] Documentation (See Section 1.3.1(a))
- [redacted] (Section 1.3.1(a) and (b))
  - [redacted]

1.2.2 Task Order Deliverables, Post-Award

The FBI intends to award the following on a firm fixed-price basis:

- [redacted] identified in Section 1.3.1(b) in accordance with the requirements of 1.3.1
- Monthly Status Reporting (See Section 2.2) – to minimize administrative burdens and costs, this information may be provided as part of the ongoing monthly Contract reporting

1.3 Category of Efforts

The FBI currently owns [redacted] that have been used by [redacted] and [redacted] for [redacted] in support of FBI investigations. OTD's [redacted] is also a user of the [redacted] for similar usage but different operational goals than [redacted] The FBI's goal is to field all [redacted] to the [redacted] The Key Areas below detail the FBI's needs that shall at a minimum be met. The Contractor is to provide a technical approach to at a minimum meet these needs and may provide alternative strategies for review.

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1.3.1 Key Areas

[redacted]

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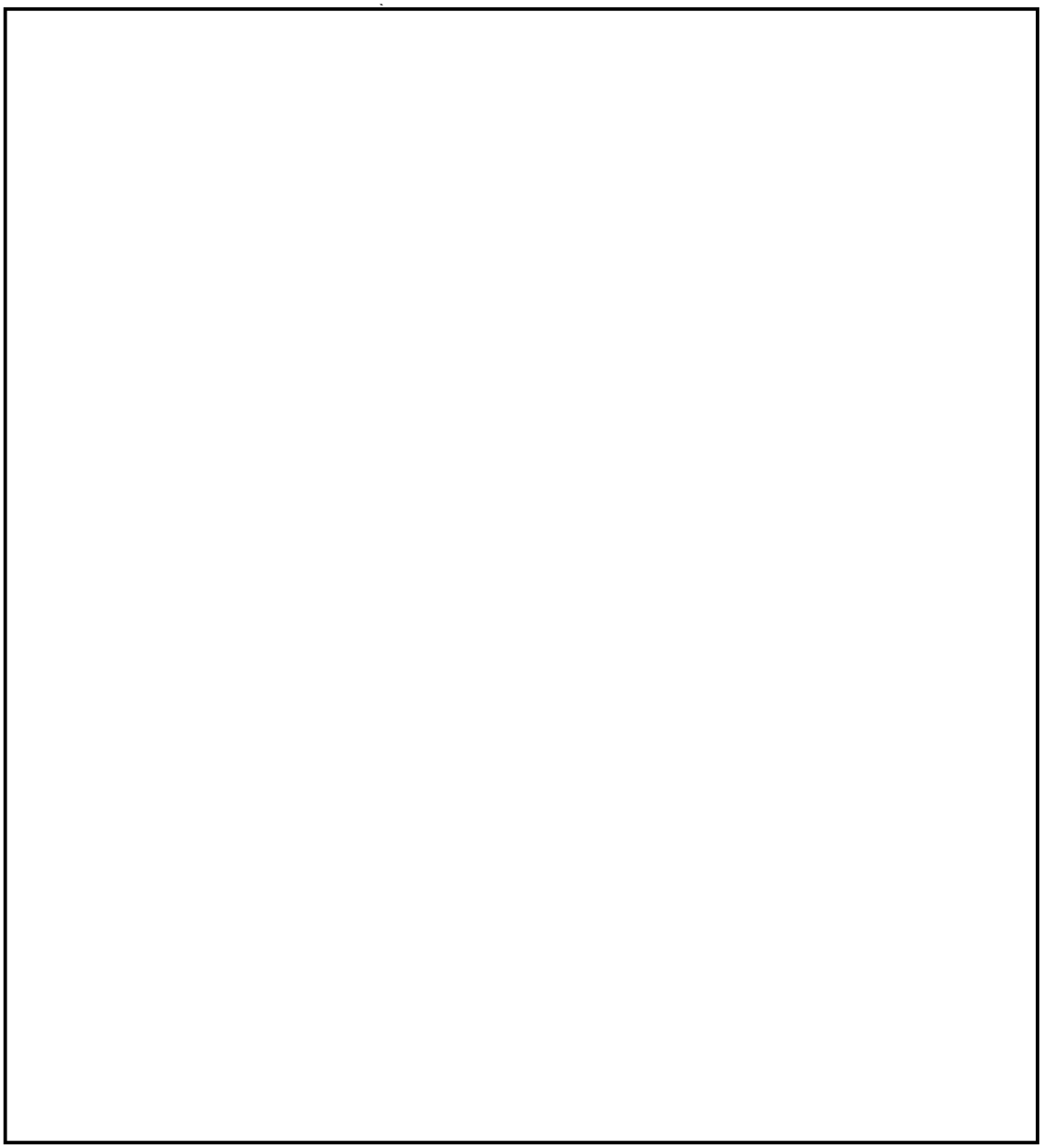

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2 Requirements

2.1 Security Standards and Regulations

Refer to [ ] Statement of Work section 2.3 for guidance.

SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

CELLSITE-15975

2.2 Contractor Furnished Documentation

Refer to [redacted] Statement of Work sections 2.6 and 3.2 for guidance.

Project management plan shall consist of the Contractor's proposed solution to include the composition of required project team, complete task schedule, and total labor and non-labor costs for fully implementing the proposed solution.

Status Reporting

b3
b7E

Refer to [redacted] Statement of Work Section 3.3 for guidance.

2.3 Formal Meetings

Refer to [redacted] Statement of Work Section 3.4 for guidance.

2.4 Government Points of Contact

FBI Contracting Officer's Technical Representative

[redacted]
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A
Quantico, VA 22135
[redacted]

[redacted] **Technical Point of Contact**

b3
b6
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b7E

[redacted]
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A
Quantico, VA 22135
[redacted]

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TR # for [redacted] FY13 [redacted] @ [redacted] EA $ [redacted]

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Development Tasks

b3
b7E

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Group	Est Time	Contract Type	Est Price	
	1 week	fixed price	$	
	3 weeks	fixed price	$	
	1 week	fixed price	$	
	1 month	cost plus	$	
	?	cost plus	$	
	2 weeks	cost plus	$	
	?	?	$	
	1 week	fixed price	$	
		TOTAL	$	

b3
b4
b7E

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STATEMENT OF WORK

[redacted] Program

[redacted] Task Order 2 [redacted]

1 SCOPE

b3
b7E

1.1 *Task Overview*

This Task Order requires that the Contractor provide engineering services to the Operational Technology Division's (OTD) [redacted] for the [redacted]

The FBI is the principal investigative arm of the United States Department of Justice. It is charged with gathering and reporting facts, locating witnesses, and obtaining evidence in cases involving Federal jurisdiction. The mission of the FBI's OTD is to provide forensic services to the FBI and other law enforcement agencies and to support their ability to conduct lawfully authorized electronic surveillance. To that end, the OTD is engaged in a number of development projects and activities that focus on developing the forensic, collection, surveillance, and tactical communications capabilities required for law enforcement to accomplish its objectives. [redacted]

The focus of this overall effort is to provide the engineering services required to [redacted] to support specific case requirements for [redacted] can effectively [redacted]

b3
b7E

The purpose of this SOW is to describe the tasking necessary to support the FBI's requirement to [redacted] The task shall be achieved through engineering support to the [redacted]

1.2 Deliverables: Pre-Award and Post-Award

1.2.1 Task Order Proposal Instructions, Pre-Award

As a part of the proposal for this effort, the Contractor shall provide the following documents:

CELLSITE-15986

- Project Management Plan (See Section 2.2)
- [redacted] Documentation (See Section 1.3.1(a))
- [redacted] (Section 1.3.1(a) and (b))

1.2.2 Task Order Deliverables, Post-Award

The FBI intends to award the following on a firm fixed-price basis:

- [redacted] identified in Section 1.3.1(b) in accordance with the requirements of 1.3.1.
- Monthly Status Reporting (See Section 2.2) – this information may be provided as part of the ongoing monthly Contract reporting

1.3 Category of Efforts

The FBI currently owns [redacted] that have been used by [redacted] and [redacted] for [redacted] in support of FBI investigations. OTD's [redacted] is also a user of the [redacted] for similar usage but different operational goals than [redacted] The FBI's goal is to field all [redacted] to the [redacted] The Key Areas below detail the FBI's needs that shall at a minimum be met. The Contractor is to provide a technical approach to at a minimum meet these needs and may provide alternative strategies for review.

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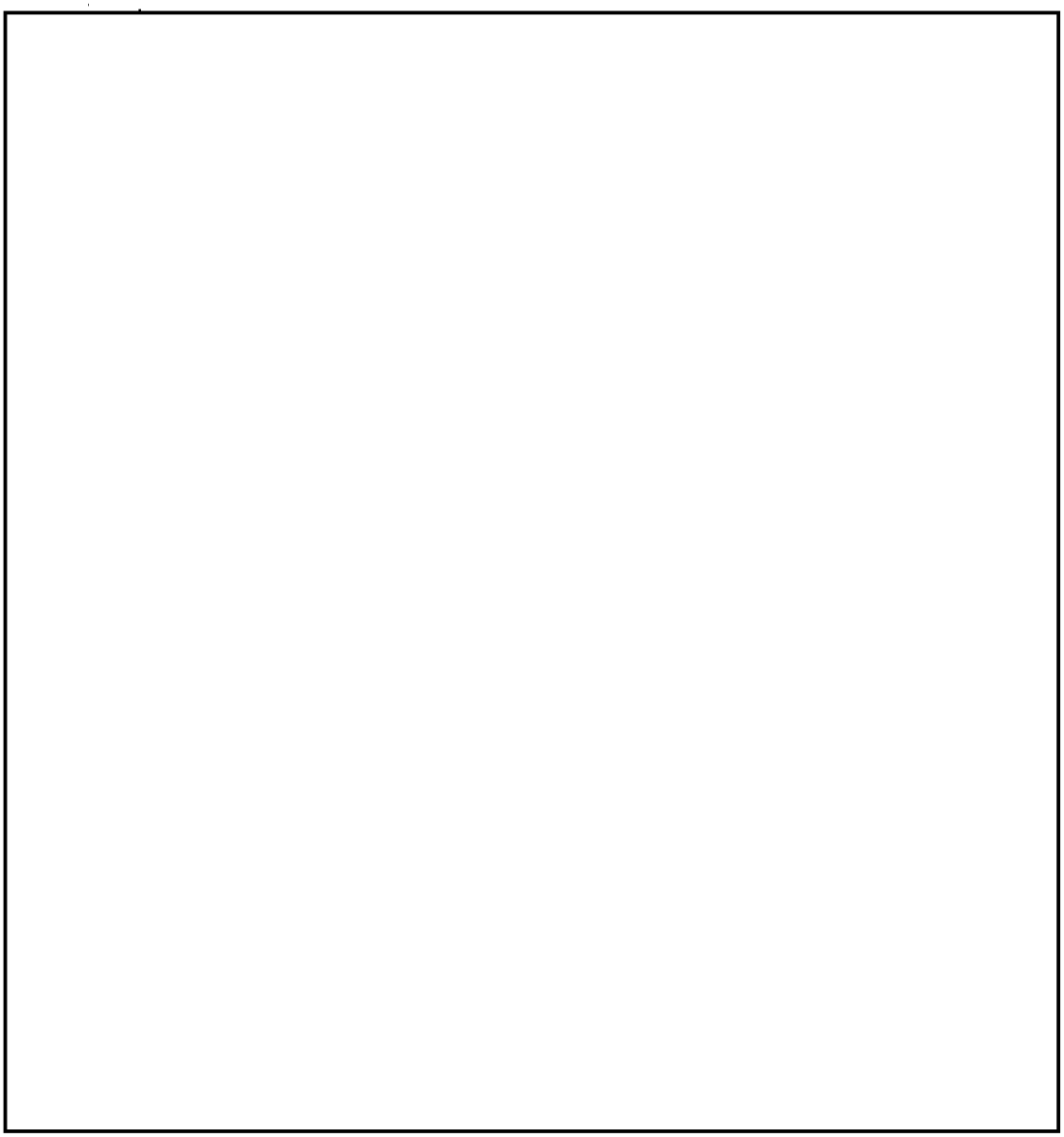
b7E

1.3.1 Key Areas

a) [redacted]

b3
b7E

CELLSITE-15987



b3
b7E

2 Requirements

2.1 Security Standards and Regulations

Refer to [redacted] Statement of Work section 2.3 for guidance.

SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

CELLSITE-15988

2.2 Contractor Furnished Documentation

Refer to [redacted] Statement of Work sections 2.6 and 3.2 for guidance.

Project management plan shall consist of the Contractor's proposed solution to include the composition of required project team, complete task schedule, and total labor and non-labor costs for fully implementing the proposed solution.

Status Reporting

b3
b7E

Refer to [redacted] Statement of Work Section 3.3 for guidance.

2.3 Formal Meetings

Refer to [redacted] Statement of Work Section 3.4 for guidance.

2.4 Government Points of Contact

FBI Contracting Officer's Technical Representative

[redacted]
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A
Quantico, VA 22135
[redacted]

[redacted] **Technical Point of Contact**

b3
b6
b7C
b7E

[redacted]
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A
Quantico, VA 22135
[redacted]

CELLSITE-15989

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Statement of Work

Task Order 1

Federal Bureau of Investigation

CELL-DTD 032024

CELLSITE-15996

STATEMENT OF WORK

Task Order 1

[redacted] b3 b7E

(U) 1.0 (~~S~~//NF) INTRODUCTION

(S) [redacted]

(U) 1.1 (~~S~~//NF) Project Description and Background b1 b3 b7E

(S) [redacted]

(U) The structure of this statement of work consists of the following: Section 1 provides a broad project description and background of the task requirements; Section 2 details

the specific system requirements, key technology areas, concept of operations, and technical approach; Section 3 lists and describes the tasks to be accomplished; Section 4 lists the deliverables, and Section 5 lists the customer representatives, roles and contact information.

(U) 2.0 (S//NF) Scope

(U) Within this statement of work, all references to a "system" or "equipment" or [redacted] are defined as a product that is [redacted]

2.1 Task Overview

(S) [redacted]

b1
b3
b7E

2.1.1 Driving System Requirements

(S)

2.1.1.1 [redacted]

2.1.1.2

2.1.1.3

2.1.1.4

2.1.1.5

2.1.1.6 X

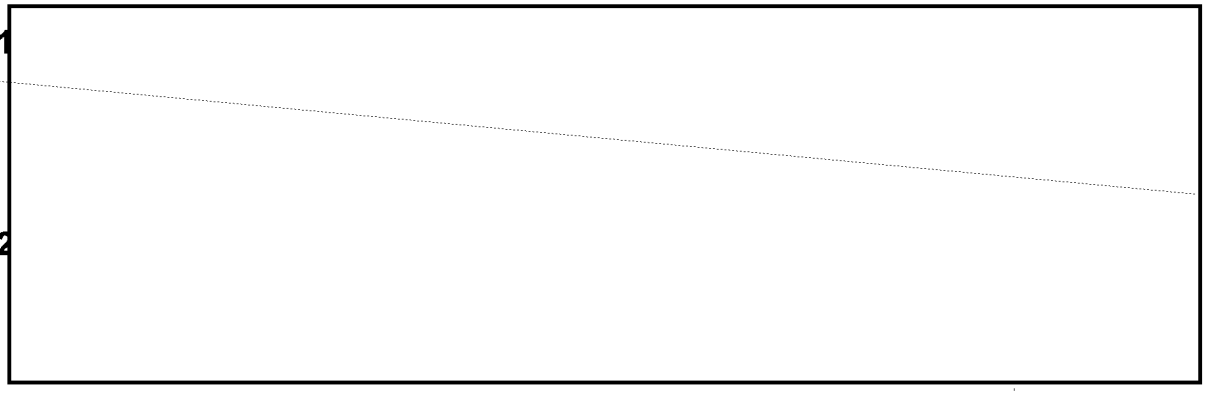
2.1.1.7 X

2.1.1.8 X

2.1.1.9

2.1.2 Key Technology Area

(S) 2.1.2.1



b1
b3
b7E

2.1.2.2

(U) ## 2.2 (~~S~~//NF) Concept of Operations

(U) The concept of operations, key assumptions, technical discussion points, challenges and conceptions for each of the following [redacted] shall be presented here for information purpose and discussion to aid in the development effort:

- [redacted]

(S) [redacted]

b1
b3
b7E

(U) ## 2.2.1 (S//NF) Key Assumptions

(S)

(S)

2.2.1.1

2.2.1.2

2.2.1.3

2.2.1.4

2.2.1.5

2.2.1.6

2.2.1.7

2.2.1.8

2.2.1.9

b1
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(U) ## 2.2.2 (S//NF) Technical Discussion

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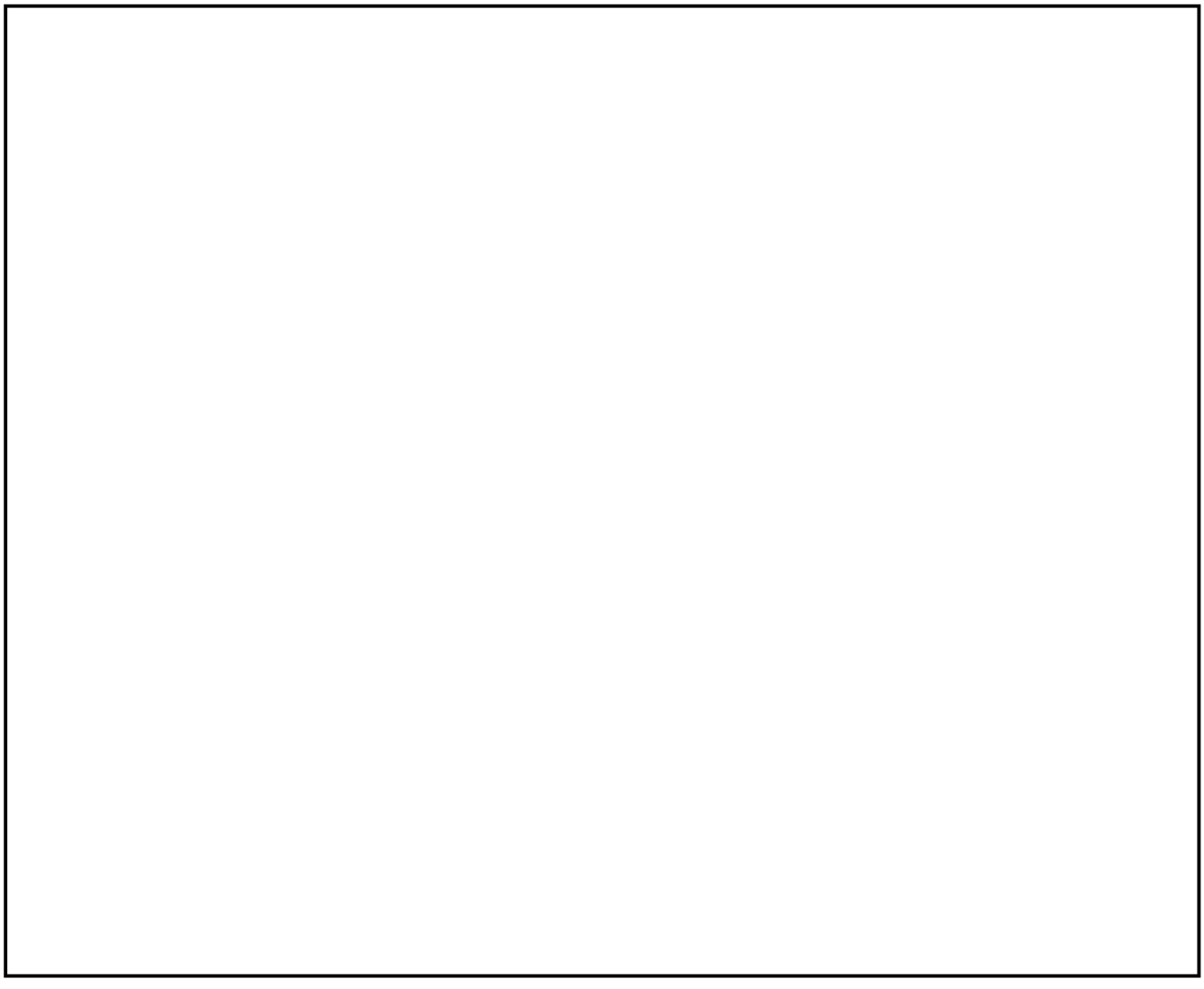
b7E



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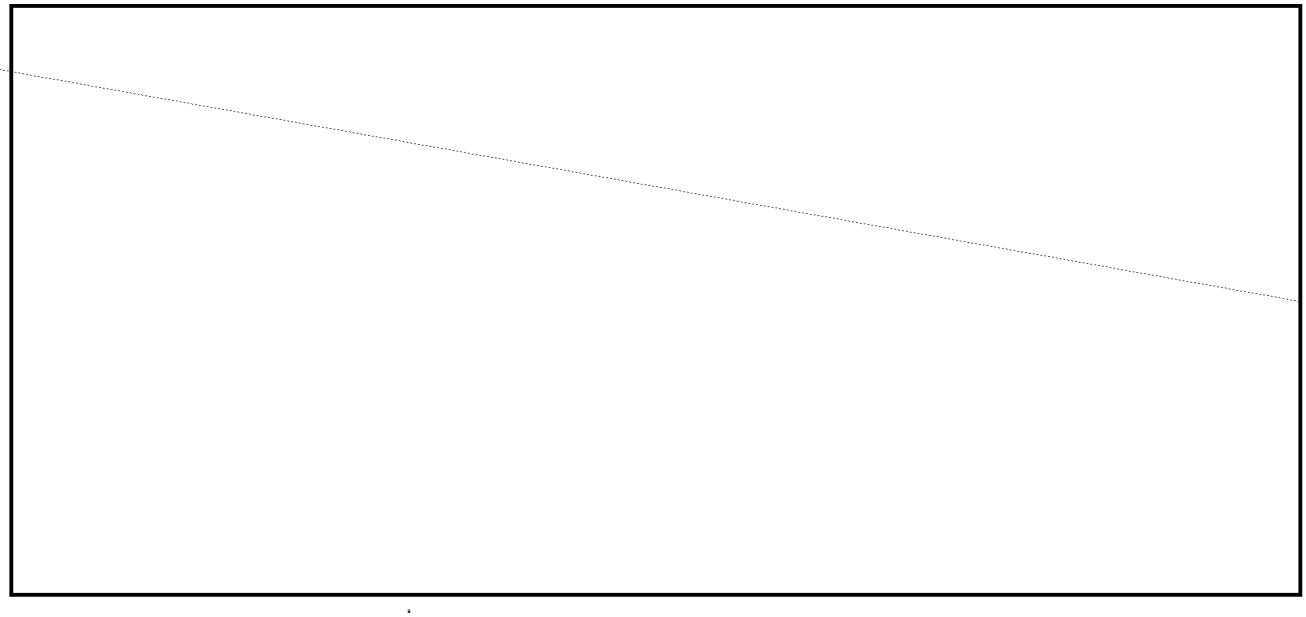
2.2.3 Technical Challenges and Conceptions

(S)



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CELL/OTD 022029
CELLSITE-16001

3.0 (U) Task Descriptions

(U) (~~S~~//NF) This section describes the tasks to be completed. It is divided into five major areas:

(a) **General Project Tasks** – General project tasks include a kickoff meeting to be conducted at the customer's facility, a general project status review conducted at the midpoint of the project, and a monthly or bi-monthly at the customer's discretion status reports identifying current task status, risks, mitigations, percent complete, expected date of completion, and actual date of completion.

(b) [redacted] **Platform** – Addition of [redacted]

(c) [redacted]

(d) [redacted]

b3
b7E

(e) **Demonstration** – Conduct a demonstration of a working system at the customer facility to include a [redacted]

CELL/OTD 022030

CELLSITE-16002

4.0 (U) Deliverables

(U) This section describes the deliverable items from the task order.

- (U) Monthly or Bi-Monthly Status Report (at customer discretion)
- (U) Monthly or Bi-Monthly Program Review (at customer discretion)
- (U) Technical Proposal
- (U) System Testing Plan
- (U) [redacted] b3 b7E
- (U) System Demonstration at customer facility
- (U) Final Technical Summary Report

4.1 Security Standards and Regulations

(U) SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

5.0 Customer Representative

[redacted] – Contracting Officer [redacted]

The following Bureau personnel may be contacted in performance of this work, but are not authorized to negotiate contractual issues:

b6 b7C

Programmatic and Technical Personnel

a) [redacted] – Project Manager/COTR

b) [redacted] Program Manager/Unit Chief [redacted]

CELL/OTD 022031

CELLSITE-16003

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b3
b7E

☐ Contract

Statement of Work

Task Order 5

Federal Bureau of Investigation

CELL/OTD 022015

CELLSITE-16004

STATEMENT OF WORK

[redacted] Contract

Task Order 5

b3
b7E

[redacted]

(U) 1.0 (~~S~~//NF) INTRODUCTION

(S) [redacted]

(U) 1.1 (~~S~~//NF) Project Description and Background

b1
b3
b7E

(S) [redacted]

CELLSITE-16005

(U) The structure of this statement of work consists of the following: Section 1 provides a broad project description and background of the task requirements; Section 2 details the specific system requirements, key technology areas, concept of operations, and technical approach; Section 3 lists and describes the tasks to be accomplished; Section 4 lists the deliverables, and Section 5 lists the customer representatives, roles and contact information.

(U) 2.0 (S//NF) Scope

(U) Within this statement of work, all references to a "system" or "equipment" or [redacted] are defined as a product that is [redacted]

2.1 Task Overview

(S) [redacted]

2.1.1 Driving System Requirements

(S)

2.1.1.1 [redacted]

2.1.1.2 [redacted]

2.1.1.3 [redacted]

2.1.1.4 [redacted]

2.1.1.5 [redacted]

2.1.1.6 [redacted]

2.1.1.7 [redacted]

2.1.1.8 [redacted]

b1
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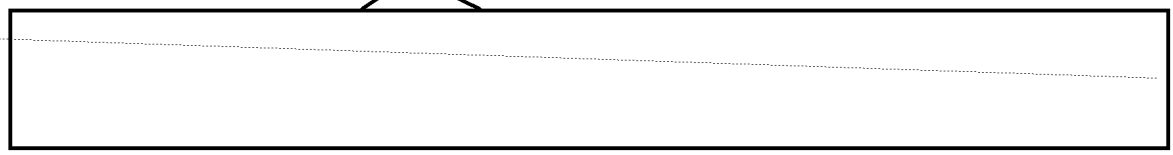
b7E

CELL-OTD 02207S

CELLSITE-16006

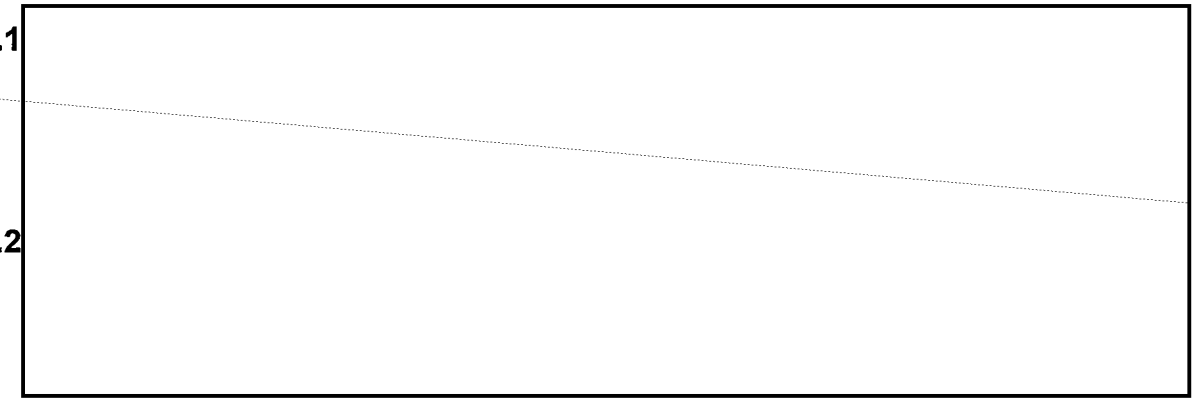
(S) 2.1.1.9



2.1.2 Key Technology Area

2.1.2.1

(S)



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2.1.2.2

(U) 2.2 (S//NF) Concept of Operations

(U) The concept of operations, key assumptions, technical discussion points, challenges and conceptions for each of the following [redacted] shall be presented here for information purpose and discussion to aid in the development effort:

- [redacted]

(S)

b1
b3
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CELL-OTD 020715

CELLSITE-16007

(U) ## 2.2.1 (~~S~~//NF) Key Assumptions

(S)

(S) 2.2.1.1

2.2.1.2

2.2.1.3 X

2.2.1.4 X

2.2.1.5 X

2.2.1.6 X

2.2.1.7

2.2.1.8

2.2.1.9

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(U) ## 2.2.2 (~~S~~//NF) Technical Discussion

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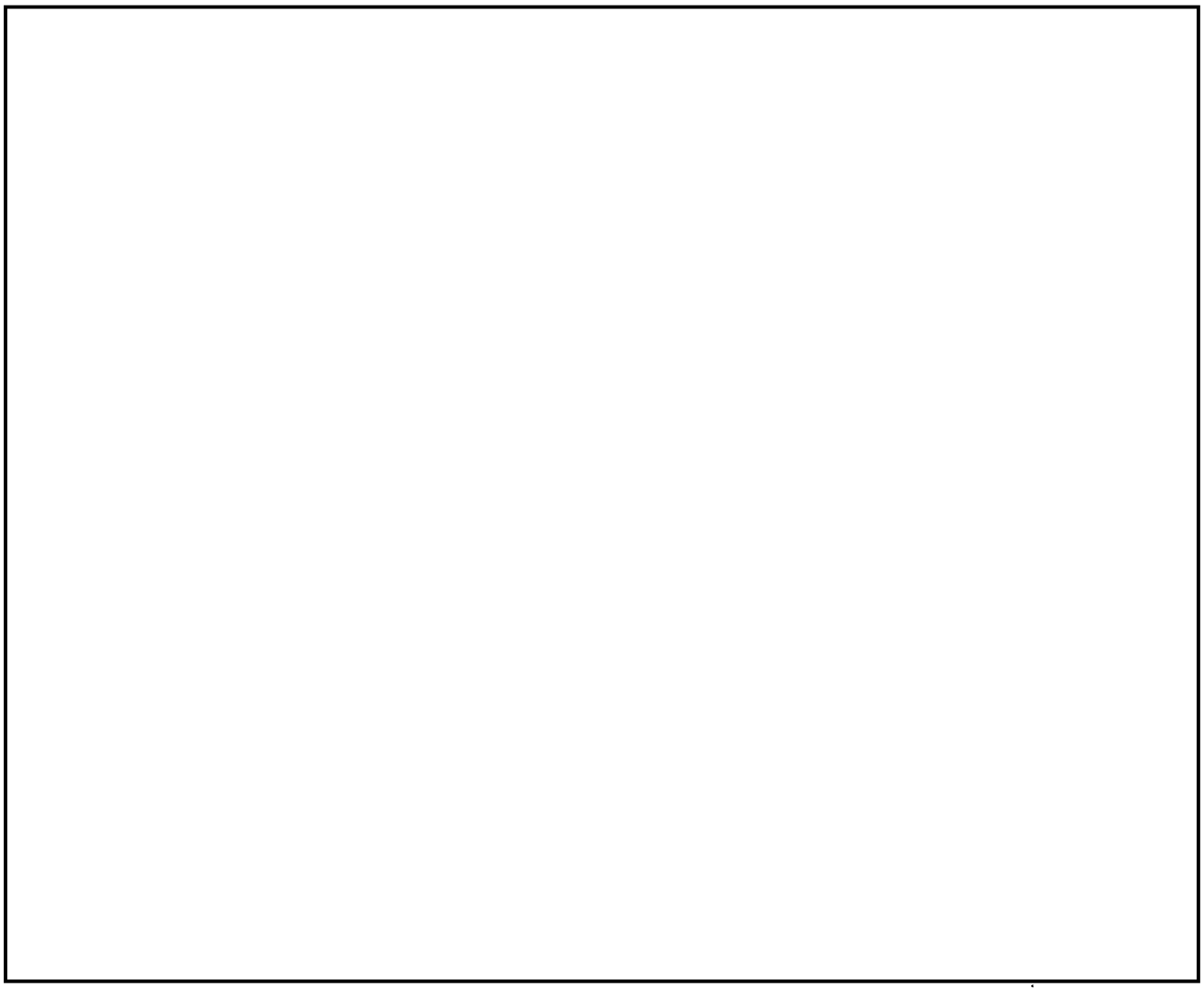

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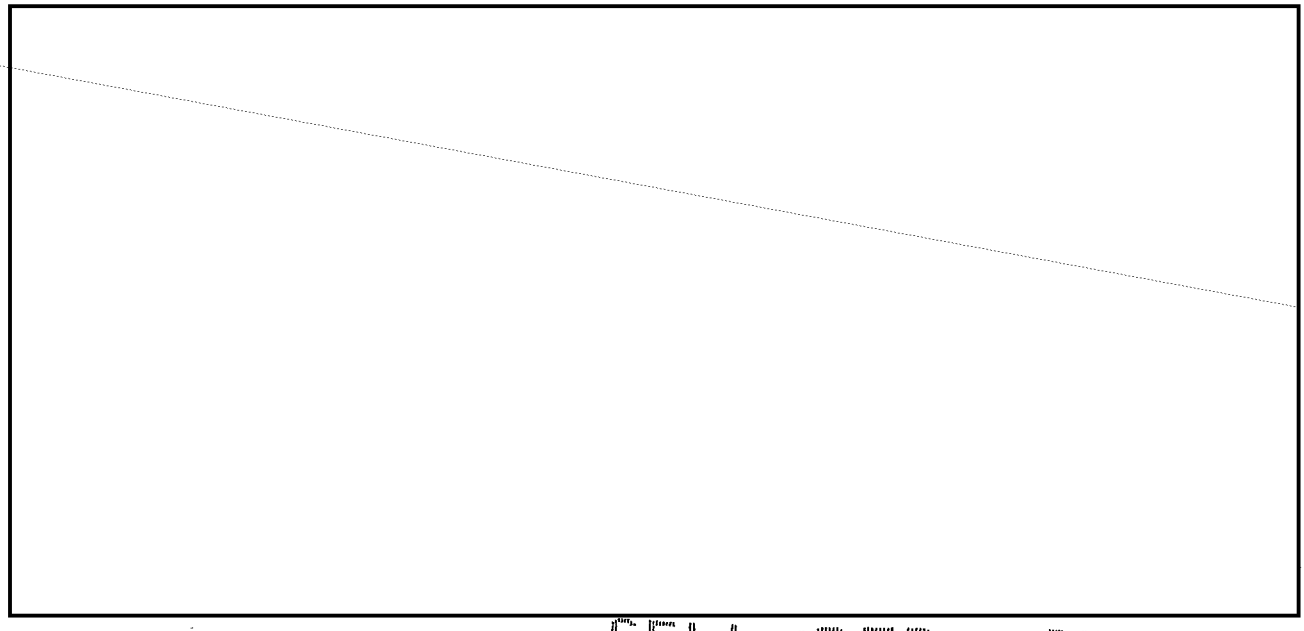
2.2.3 Technical Challenges and Conceptions

(S)



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CELLSITE 020021

CELLSITE-16009

3.0 (U) Task Descriptions

(U) (~~S~~//NF) This section describes the tasks to be completed. It is divided into five major areas:

(a) **General Project Tasks** – General project tasks include a kickoff meeting to be conducted at the customer's facility, a general project status review conducted at the midpoint of the project, and a monthly or bi-monthly at the customer's discretion status reports identifying current task status, risks, mitigations, percent complete, expected date of completion, and actual date of completion.

(b) [redacted] **Platform** – Addition of [redacted]

(c) [redacted]

(d) [redacted]

b3
b7E

(e) **Demonstration** – Conduct a demonstration of a working system at the customer facility to include a mixture of [redacted]

CELL/OTD 02202

CELLSITE-16010

4.0 (U) Deliverables

(U) This section describes the deliverable items from the task order.

- (U) Monthly or Bi-Monthly Status Report (at customer discretion)
- (U) Monthly or Bi-Monthly Program Review (at customer discretion)
- (U) Technical Proposal
- (U) System Testing Plan
- (U) [redacted] b3 b7E
- (U) System Demonstration at customer facility
- (U) Final Technical Summary Report

4.1 Security Standards and Regulations

(U) SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

5.0 Customer Representative

[redacted] – Contracting Officer [redacted]

The following Bureau personnel may be contacted in performance of this work, but are not authorized to negotiate contractual issues:

b6 b7C

Programmatic and Technical Personnel

a) [redacted] – Project Manager/COTR [redacted]

b) [redacted] Program Manager/Unit Chief [redacted]

CELL/OTD 022025

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☐ Contract

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Statement of Work

Task Order 4

Federal Bureau of Investigation

CELL-OTD 02000

CELLSITE-16012

STATEMENT OF WORK

[redacted] Contract

Task Order 4

[redacted]

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1.0 (U) INTRODUCTION

The purpose of this document is to provide the vendor with a statement of work that describes the requirements for the development of an [redacted] The following shall provide an overall description and requirements of the task set forth in this Statement of Work.

(U) ## 1.1 (S//NF) Project Description and Background

(S) [redacted]

b1
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b7E

CELL-0TD 022001

CELLSITE-16013

(S)

(U) The structure of this statement of work consists of the following: Section 1 provides a broad project description and background of the task requirements; Section 2 details the specific system requirements, key technology areas, concept of operations, and technical approach; Section 3 lists and describes the tasks to be accomplished; Section 4 lists the deliverables, and Section 5 lists the customer representatives, roles and contact information.

b1
b3
b7E

(U) 2.0 ~~(S)~~//NF) Scope

(U) Within this statement of work, all references to a "system" or "equipment" or are defined as a product that is

2.1 Task Overview

(S)

2.1.1 Driving System Requirements

(S)

2.1.1.1 X

2.1.1.2 X

2.1.1.3 X

2.1.1.4 X

2.1.1.5 X

b1
b3
b7E

(S)

2.1.1.6 X

2.1.1.7 X

2.1.1.8 X

2.1.1.9 X

2.1.1.10 X

2.1.1.11 X

2.1.1.12 X

2.1.1.13

2.1.1.14 X

b1
b3
b7E

2.1.2 Key Technology Area

(S)

2.1.2.1 X

2.1.2.2 X

2.1.2.3

2.1.2.4 X

2.1.2.5 X

2.1.2.6 X

2.1.2.7

(S) [redacted] b1 b3 b7E

2.1.3 Operating Requirements

2.1.3.1 [redacted] b3 b7E

2.1.3.2

2.1.3.3

2.1.3.4

2.1.3.5 (U) The system shall be logically [redacted]

(U) 2.1.4 (~~S~~//NF) System Capabilities

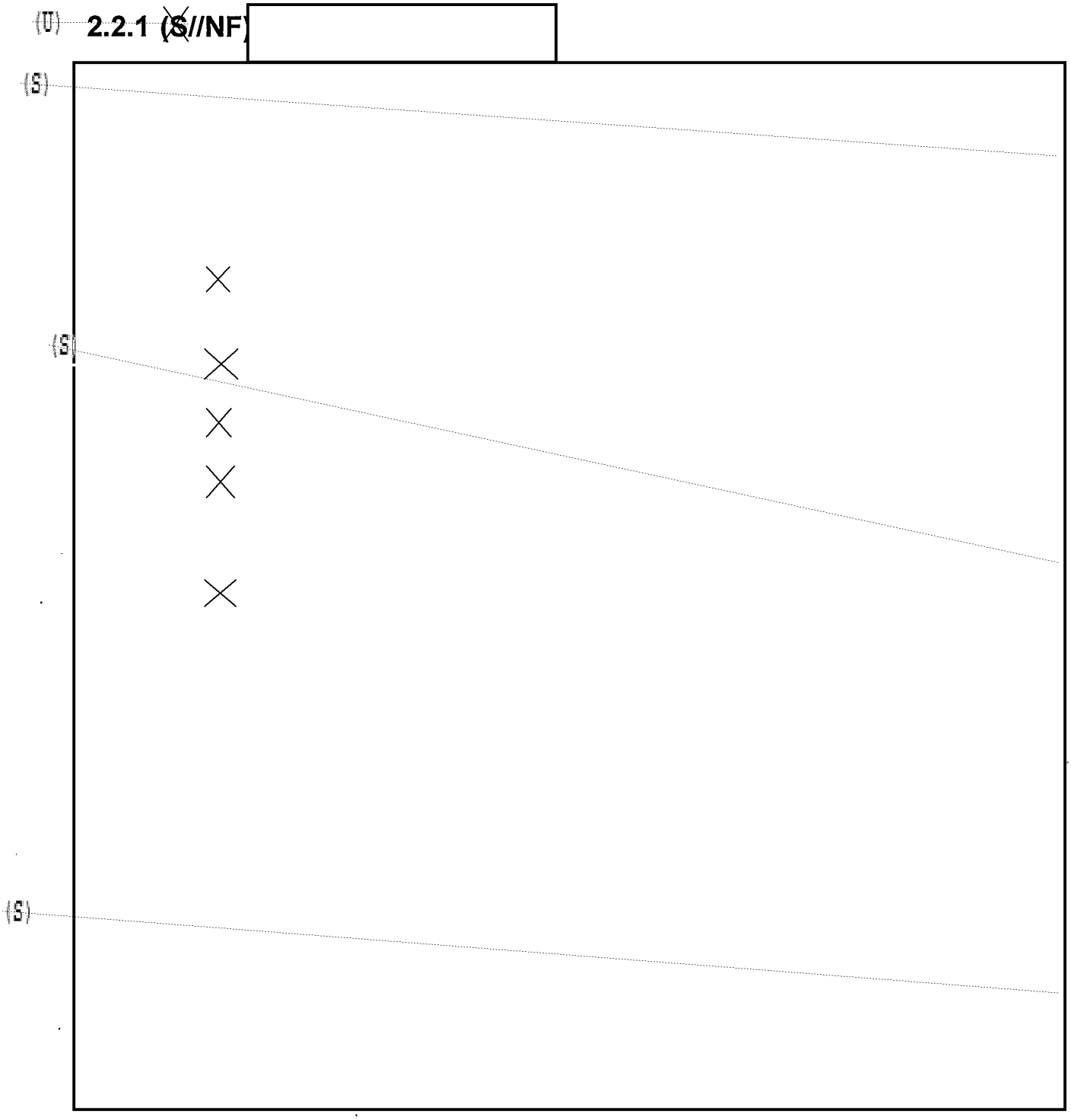
(S) [redacted] b1 b3 b7E

(U) 2.2 (~~S~~//NF) Concept of Operations

(U) The concept of operations and technical approach for each integral function shall be defined as follows. The primary goal of defining each of the integral function is to provide a description of the operating requirements [redacted]

[redacted]

(U) 2.2.1 (~~S~~//NF)



b1
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b7E

2.2.1.8

b3
b7E

2.2.1.9 The system performs the following general sequence of operations:

2.2.1.9.1

(S)

2.2.1.9.2

b1
b3
b7E

2.2.1.9.3

2.2.1.9.4

2.2.2.10 The system performs the following general sequence of operations

2.2.2.10.1 (S)

2.2.2.10.2

2.2.2.10.3

b1
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b7E

CELL-OTD 022008 CELLSITE-16020

2.2.3.11 (U) The system performs the following general sequence of operations:

2.2.3.11.1 (S)

2.2.3.11.2

2.2.3.11.3

b1
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b7E

CELL/OTD 022010 CELLSITE-16022

3.0 (U) Task Descriptions

(U) ~~(S~~//NF) This section describes the tasks to be completed. It is divided into five major areas:

(a) **General Project Tasks** – General project tasks include a kickoff meeting to be conducted at the customer's facility, a general project status review conducted at the midpoint of the project, and a monthly or bi-monthly at the customer's discretion status reports identifying current task status, risks, mitigations, percent complete, expected date of completion, and actual date of completion.

(b)

(c)

(d)

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(e) **Demonstration** – Conduct a demonstration of a working system at the customer facility to include a

CELL-OTD 02014

CELLSITE-16026

4.0 (U) Deliverables

(U) This section describes the deliverable items from the task order.

- (U) Monthly Status Report
- (U) Monthly Program Review
- (U) System Power Requirements for [redacted]
- (U) System Testing Plan
- (U) [redacted]
- (U) System Demonstration at customer facility
- (U) Pictorial system connection diagram
- (U) Final Technical Summary Report

b3
b7E

4.1 Security Standards and Regulations

(U) SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

5.0 Customer Representative

[redacted] – Contracting Officer [redacted]

The following Bureau personnel may be contacted in performance of this work, but are not authorized to negotiate contractual issues:

b6
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Programmatic and Technical Personnel

a) [redacted] – Project Manager/COTR

b) [redacted] Program Manager/Unit Chief [redacted]

CELL-OTD 022015

CELLSITE-16027

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
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FOI/PA# 1212582-1

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-15-2012 BY 65179 DMH/rs

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

23 May 2011

Subject: Request for Engineering Change Proposal:

Dear

Please find attached the supplement to the original developed by the Federal Bureau of Investigation (FBI). was awarded under in September of 2010 for these requested engineering services. This enhancement to the original shall be performed in accordance with the Contract. shall provide technical and cost engineering change proposals (ECP) to support this enhancement as set forth in the SOW. Labor rates and similar costs were agreed upon at the award of the contract and Task Order, as a result, the FBI does not anticipate an extensive Cost Proposal. Estimates of hours per labor category are required at a minimum. Additional supporting documentation is also attached and referenced in the SOW enhancement document.

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If there are any question regarding this SOW please submit them to my office within the next five (5) business days. It is requested that review the enclosed SOW and if the proposed contract vehicle is appropriate, Cost-Plus Fixed Fee (CPFF), a cost and technical ECP should be submitted in accordance with the terms and conditions of the Contract no later than June 14, 2011 at 1:00 PM EST or sooner. Unclassified proposals shall be emailed to

Should you have any questions concerning this matter, please contact me at the e-mail address above or

Sincerely,

Contracting Officer

Attached: Supplemental Statement of Work fo

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DATE 10-15-2012 BY 65179 DMH/rs

[redacted]

This enhancement to the original [redacted] Statement of Work is meant to define the task requested of [redacted] the [redacted]

[redacted]

Background

[redacted]

Description of Required Changes

[redacted]

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The Contractor shall utilize the latest version of the [redacted]

[redacted]

[redacted]

[redacted]

- [redacted]

[redacted] shall be responsible for creating the [redacted]

[redacted]

Government Furnished Information (GFI)

As part of this Task Order enhancement documentation the Government will provide the following information:

The Government will furnish [redacted]

The Government will also provide an [redacted]

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More details on [redacted]

Lastly, the Government will provide a [redacted]

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DATE 10-24-2012 BY 65179 DMH/rs

STATEMENT OF WORK

Program

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1 SCOPE

1.1 *Task Overview*

This Task Order requires that the Contractor provide engineering services to the

The FBI is the principal investigative arm of the United States Department of Justice. It is charged with gathering and reporting facts, locating witnesses, and obtaining evidence in cases involving Federal jurisdiction. The mission of the FBI's is to provide to the FBI and other law enforcement agencies and to support their ability to conduct lawfully authorized To that end, the is engaged in a number of development projects and activities that focus on developing the capabilities required for law enforcement to accomplish its objectives. The projects supported through the are primarily engaged in the accurate collection, processing and presentation of

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The focus of this overall effort is to provide the engineering services required to enhance the effectiveness of the to the level necessary to support specific case requirements for These enhancements shall be designed to improve the overall functionality of the

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The purpose of this SOW is to describe the tasking necessary to support the FBI's requirement to deliver through engineering support to

1.2 Deliverables

- Project Management Plan (See Section 2.2)
- Weekly Status Report (See Section 2.3)
- Monthly Program Review (See Section 2.3)
- Final Summary Report (See Section 2.2)

CELLSITE-11152

1.3 Category of Efforts

The FBI currently owns

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The FBI's goal is to provide the field upgraded enhancements to compliment their

1.3.1 Key Areas

Enhancements: Development tasks

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Investigation tasks

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CELLSITE-11153

[redacted] b3 b7E

a) **Special Requirements** – N/A

2 Requirements

2.1 Security Standards and Regulations

Refer to [redacted] Statement of Work section 2.3 for guidance.

SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

2.2 Contractor Furnished Documentation

Refer to [redacted] Statement of Work sections 2.6 and 3.2 for guidance.

Project management plan shall consist of the Contractor's proposed solution to include the composition of required project team, complete task schedule, and total labor and non-labor costs for fully implementing the proposed solution. b3 b7E

Status Reporting

Refer to [redacted] Statement of Work Section 3.3 for guidance.

2.3 Formal Meetings

Refer to [redacted] Statement of Work Section 3.4 for guidance. b3 b7E

2.4 Government Points of Contact

FBI Contracting Officer's Technical Representative

[redacted]

Federal Bureau of Investigation
Engineering Research Facility

CELLSITE-11154

Building 27958A
Quantico, VA 22135

[redacted]

[redacted]**echnical Point of Contact**

[redacted]

Federal Bureau of Investigation
Engineering Research Facility
Building 27958A
Quantico, VA 22135

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[redacted]

CELLSITE-11155

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DATE 10-15-2012 BY 65179 DMH/rs

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

IMPORTANT: Mark all packages and papers with contract and/or order numbers

1. Date of Order	2. O	3. Mod. No.	4. Mod. Date	5. Page No.
09/16/2011	[redacted]	1	6/23/11	

6. To Contractor *(Name, Address and Zip Code):*

[redacted]

7. Ship to (Consignee and address, Zip Code):

FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27800
QUANTICO, VA 22135

8. Issuing Office (Address correspondence to):

FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6825, J. EDGAR HOOVER BLDG.
WASHINGTON, DC 20535

9. Send Invoice to: (Name, Address and Zip Code):

FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
QUANTICO, VA 22135

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10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	CONTRACT # [redacted] DUE DATE: 09/16/11 [redacted] CONTINUATION OF ENGINEERING SERVICES				
	INCREMENTAL FUNDING [redacted] SERVICES UNDER THE [redacted] ALL SERVICES TO BE PERFORMED IN ACCORDANCE WITH THE SOW AND TERMS & CONDITIONS OF THE CONTRACT. POP: 5/18/11-8/17/13. TECHNICAL GUIDANCE IS TO COME FROM THE COTR. [redacted] INVOICE TO COTR. CONTRACTOR EXCEEDS FUNDING AT OWN RISK. ********** ALL PAYMENTS BY THE GOVERNMENT UNDER THIS ORDER SHALL BE MADE BY ELECTRONIC FUNDS TRANSFER (EFT). THE VENDOR SHALL PROVIDE THIS INFORMATION ON EACH INVOICE OR SUBMIT SF-3881 FORM TO: FBI, COMMERCIAL PAYMENTS UNIT RM. 1987, J. EDGAR HOOVER BLDG. 935 PENNSYLVANIA AVENUE, NW				

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total ➡ [redacted]

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice Payment Status:
Commercial Payments Uni [redacted]

16. United States of America
By *(Signature)*

17. Name *(Typed)* [redacted]

Title: Contracting Officer

ORIGINAL

CELLSITE-11156

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

IMPORTANT: Mark all packages and papers with contract and/or order numbers

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
05/19/2011	[redacted]	1	6/23/11	

6. To Contractor *(Name, Address and Zip Code)*:

[redacted]

7. Ship to (Consignee and address, Zip Code):

FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27MAR
QUANTICO, VA 22135

8. Issuing Office (Address correspondence to):

FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6883, JEH F.B.I. BLDG.
WASHINGTON, DC 20535

9. Send Invoice to: (Name, Address and Zip Code):

FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27MAR
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	[redacted] DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	IF THIS INFORMATION IS NOT CORRECT, THE PURCHASE THE INVOICE WILL BE CONSIDERED AN IMPROPER INVOICE AND SHALL BE RETURNED. ********** A PROPER INVOICE SUBMITTED FOR PAYMENT TO THE FBI MUST CONTAIN THE FOLLOWING: THE NAME OF THE VENDOR AND INVOICE NUMBER, THE CONTRACT OR PURCHASE ORDER NUMBER, THE INVOICE DATE, DESCRIPTION OF ITEMS (PART NUMBER), PRICE AND QUANTITY OF ITEMS OR SERVICES RENDERED; SHIPPING AND/OR FREIGHT TERMS, TAXES, BANKING / ROUTING NUMBER TO ALLOW FOR EFT PAYMENT, CONTACT NAME, TITLE AND TELEPHONE NUMBER WHO CAN RESOLVE QUESTIONS IN THE DOCUMENTATION OR PROCESS. [redacted] [redacted] ENGINEERING SERVICES			[redacted]	

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total ➧ [redacted]

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice
Commercial Payments Uni [redacted]

16. United States of America
By *(Signature)*

17. Name *(Typed)* [redacted]

Title: Contracting Officer

ORIGINAL

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CELLSITE-11157

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

IMPORTANT: Mark all packages and papers with contract and/or order numbers

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
05/19/2011	[redacted]	1	6/23/11	

6. To Contractor *(Name, Address and Zip Code)*:

[redacted]

7. Ship to (Consignee and address, Zip Code):

FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27888A
QUANTICO, VA 22135

8. Issuing Office (Address correspondence to):

FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, DC 20535

9. Send Invoice to: (Name, Address and Zip Code):

FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27888A
QUANTICO, VA 22135

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10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	********** MOD 1 DATED 6-23-11 PROVIDES FUNDING [redacted] SERVICES TO BE PROVIDED IN ACCORDANCE WITH TERMS AND CONDITIONS OF THE CONTRACT, SOW, SPF [redacted] DOCUMENTATION, BASED ON THOSE AGREEMENTS, CONTRACTOR IS NOT TO EXCEED [redacted] IN THE COMPLETION OF THIS TASKING. POP FOR FUNDING LINE 5/19/11-8/31/11 INVOICE TO COTR [redacted] TECHNICAL GUIDANCE WILL COME FROM [redacted] TL. CONTRACTOR EXCEEDS FUNDING AT OWN RISK.				

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

CONTRACTOR NUMBER [redacted]

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total [redacted]

See Instructions on Reverse

Point of Contact - Purchase Order Information:

[redacted]

Commercial Payments Unit [redacted]

16. United S
By *(Sign*

[redacted]

17. Name *(T*

Title: Co

ORIGINAL

CELLSITE-11158

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-15-2012 BY 65179 DMH/rs

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

12 July 2010

[redacted]

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Subject: [redacted]

Dear [redacted]

Please find enclosed a copy of the Statements of Work (SOW) for engineering services developed by the Federal Bureau of Investigation (FBI)..

The FBI is interested in obtaining a proposal for this task to be performed in accordance with the subject Contract. Contractor shall provide technical and cost proposals to support tasking as set forth in the Statement of Work.

If there are any question regarding this SOW please submit them to my office within the next five (5) business days.

It is therefore requested that your company review the enclosed SOW and if the proposed contract vehicle is appropriate, Cost-Plus Fixed Fee (CPFF), a cost and technical proposal should be submitted in accordance with the terms and conditions of the FBI's Contract no later than August 2, 2010 1:00 PM EST or sooner. Unclassified proposals maybe email to [redacted]

Should you have any questions concerning this matter, please contact me at [redacted] response may be faxed to [redacted] ecure fax [redacted]

Sincerely,

[redacted]

Contracting Officer

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Attached: Statement of Work for [redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-15-2012 BY 65179 DMH/rs

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

23 May 2011

Subject: Request for Engineering Change Proposal

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Dear

Please find attached the supplement to the original Statements of Work (SOW) developed by the Federal Bureau of Investigation (FBI) was awarded under in September of 2010 for these requested engineering services. This enhancement to the original shall be performed in accordance with the Contract. shall provide technical and cost engineering change proposals (ECP) to support this enhancement as set forth in the SOW. Labor rates and similar costs were agreed upon at the award of the contract and Task Order, as a result, the FBI does not anticipate an extensive Cost Proposal. Estimates of hours per labor category are required at a minimum. Additional supporting documentation is also attached and referenced in the SOW enhancement document.

If there are any question regarding this SOW please submit them to my office within the next five (5) business days. It is requested that review the enclosed SOW and if the proposed contract vehicle is appropriate, Cost-Plus Fixed Fee (CPFF), a cost and technical ECP should be submitted in accordance with the terms and conditions of the Contract no later than June 14, 2011 at 1:00 PM EST or sooner. Unclassified proposals shall be emailed to

Should you have any questions concerning this matter, please contact me at the e-mail address above or

Sincerely,

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Contracting Officer

Attached: Supplemental Statement of Work for

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-15-2012 BY 65179 DMH/rs

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

22 March 2011

[redacted]

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Subject: [redacted]
Engineering Change Proposal - [redacted]

Dear [redacted]

Please find enclosed a copy of the Statements of Work (SOW) for engineering services to provide an [redacted] under the task previously awarded by the Federal Bureau of Investigation (FBI). This enhancement to the original Task shall be performed in accordance with the subject Contract. [redacted] shall provide technical and cost proposals to support this enhancement as set forth in the attached Statement of Work. Because labor rates and similar costs were agreed upon at the award of the contract and Task Order, an extensive Cost Proposal is not anticipated. Estimates of hours per labor category are required at a minimum.

If there are any question regarding this SOW please submit them to my office within the next five (5) business days. It is requested that you the [redacted] review the enclosed SOW and if the proposed contract vehicle is appropriate, Cost-Plus Fixed Fee (CPFF), a cost and technical proposal should be submitted in accordance with the terms and conditions of the FBI's Contract prior to but no later than April 7, 2010 1:00 PM EST. Proposals may be submitted through fax at one of the numbers below or through unclassified e-mail a [redacted]

Should you have any questions concerning this matter, please contact me at [redacted] [redacted] response may be faxed to [redacted] secure fax [redacted]

Sincerely,

[redacted]

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Contracting Officer

Attached: Enhancement to Statement of Work fo[redacted]

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-23-2012 BY 65179 DMH/rs

[redacted]

[redacted]

6 April 2011

935 Pennsylvania Ave. N.W.
JEH Bldg Room 6853
Washington, D.C. 20535

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Attention: [redacted], Contracting Officer

Subject: [redacted]

Reference: (a) [redacted]
(b)

Attachment: [redacted] Taskable Engineering ECP Proposal

Dear [redacted]

Please see the enclosed ECP proposal for the above referenced item.

For technical questions please contact [redacted] Program Manager at [redacted] or contact the undersigned [redacted]

Very truly yours,

[redacted]

Contracts

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[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-15-2012 BY 65179 DMH/rs

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

21 March 2011

[redacted]

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Contract: [redacted]
Subject: **Responses to** [redacted]

Good Afternoon [redacted]

Please accept this letter as the Federal Bureau of Investigation's official acceptance of the [redacted] dated 18 March 2011, Revision A.

If there are any questions please do not hesitate to contact my office.

Sincerely

[redacted]

Contracting Officer
Science and Technology Contracts Unit

CELLSITE-11169

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DATE 10-15-2012 BY 65179 DMH/rs

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

13 July 2010

[redacted]

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Subject: [redacted]

Dear [redacted]

Please find enclosed a copy of the Statements of Work (SOW) for engineering services developed by the Federal Bureau of Investigation (FBI).

The FBI is interested in obtaining a proposal for this task to be performed in accordance with the subject Contract. Contractor shall provide technical and cost proposals to support tasking as set forth in the Statement of Work.

If there are any question regarding this SOW please submit them to my office within the next five (5) business days.

It is therefore requested that your company review the enclosed SOW and if the proposed contract vehicle is appropriate, Cost-Plus Fixed Fee (CPFF), a cost and technical proposal should be submitted in accordance with the terms and conditions of the FBI's Contract prior to but no later than August 3, 2010 1:00 PM EST. Unclassified proposals maybe email to [redacted]

Should you have any questions concerning this matter, please contact me at [redacted] response may be faxed to [redacted] secure fax [redacted]

Sincerely

[redacted]

Contracting Officer

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Attached: Statement of Work for [redacted]

ALL INFORMATION CONTAINED
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DATE 10-15-2012 BY 65179 DMH/rs

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF PAGES
	1	1

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicble)
Mod 2	04/08/11		

6. ISSUED BY	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE
Federal Bureau of Investigation [redacted] Washington, DC 20535		Same as Item 6.	

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)	(X)	9A. AMENDMENT OF SOLICIATION NO.
[redacted]		9B. DATED (SEE ITEM 11)
	X	10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted]
		10B. DATED (SEE ITEM 11) 04/07/11

CODE	FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a)By completing items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPIRATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 43.103(a) Bilateral and FAR 32.7 Funding

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is to provide incremental funding in the amount of [redacted] for services under the [redacted] awarded under [redacted] and the corresponding SF-30 Mod 1. Services are to be performed in accordance with the SOW, schedule agreed upon at award, Terms and Conditions of [redacted] and FY11 Continuing Resolutions. All technical guidance is to come from COTR [redacted] Funding for this PO shall be utilized with a POP of 4/8/11-9/30/11; funding from the previous PO shall be exhausted first before utilizing this PO. Contractor exceeds funding at own risk.

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Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
		Contracting Officer	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

ALL INFORMATION CONTAINED
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DATE 10-15-2012 BY 65179 DMH/rs

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

IMPORTANT: Mark all packages and papers with contract and/or order numbers

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
04/07/2011				1

6. To Contractor *(Name, Address and Zip Code)*:

[redacted]

7. Ship to (Consignee and address, Zip Code):

FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

8. Issuing Office (Address correspondence to):

FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6825, JEF F.B.I. BLDG.
WASHINGTON, DC 20535

9. Send Invoice to: (Name, Address and Zip Code):

FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
OTHER LARGE BUSINESS	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	CONTRACT [redacted] DUE DATE:09/30/2011 [redacted]				
	ENGINEERING SERVICES - [redacted]				
	INCREIMENTAL FUNDING FOR [redacted] TASKING, ALL SERVICES TO BE PERFORMED IN ACCORDANCE WITH THE SOW, TERMS & CONDITIONS OF THE CONTRACT AND FY11 COR. TECHNICAL GUIDANCE COMES FROM COTR [redacted] INVOICES TO COTR CONTRACTOR EXCEEDS FUNDS AT OWN RISK POP 4/8/11-9/30/11				
	ALL PAYMENTS BY THE GOVERNMENT UNDER THIS ORDER SHALL BE MADE BY ELECTRONIC FUNDS TRANSFER (EFT). THE VENDOR SHALL PROVIDE THIS INFORMATION ON EACH INVOICE OR SUBMIT SF-3881 FORM TO: FBI, COMMERCIAL PAYMENTS UNIT RM. 1987, J. EDGAR HOOVER BLDG 935 PENNSYLVANIA AVENUE, NW WASHINGTON, DC 20535 IF THIS INFORMATION IS NOT AVAILABLE TO THE GOVERNMENT, THE INVOICE WILL BE CONSIDERED AN IMPROPER INVOICE AND SHALL BE RETURNED.				

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total ➧ XXXXXXXXXX

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice Payment Status:
Commercial Payments Unit - [redacted]

16. United States of America
By *(Signature)*

17. Name *(Typed)* XXXXXXXXXX

Title: Contracting Officer

ORIGINAL

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CELLSITE-11172

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

IMPORTANT: Mark all packages and papers with contract and/or order numbers

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
04/07/2011				2

6. To Contractor *(Name, Address and Zip Code)*:

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEF F.B.I. BLDG.
WASHINGTON, DC 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

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10. Business Classification	11. F.O.B. Point	12. Discount Terms
OTHER LARGE BUSINESS	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	********** A PROPER INVOICE SUBMITTED FOR PAYMENT TO THE FBI MUST CONTAIN THE FOLLOWING: THE NAME OF THE VENDOR; AN INVOICE NUMBER; THE CONTRACT OR PURCHASE ORDER NUMBER; THE INVOICE DATE; DESCRIPTION (I.E. NAME OR ITEM LINE NUMBER), PRICE AND QUANTITY OF GOODS OR SERVICES RENDERED; SHIPPING AND/OR PAYMENT TERMS; TAXPAYER ID#; BANKING / ROUTING NUMBER TO ALLOW EFT PAYMENT; CONTACT NAME, TITLE AND TELEPHONE NUMBER AND ANY OTHER SUBSTANTIATING DOCUMENTATION AS REQUIRED BY THE CONTRACT. ********** NOTE: THE FEDERAL GOVERNMENT IS CURRENTLY OPERATING UNDER A "CONTINUING RESOLUTION" (CR). THIS PURCHASE ORDER HAS BEEN ISSUED FOR AUTHORIZED LIMITED FUNDING UNDER THE TERMS OF A CONTINUING RESOLUTION TO COVER EXPENSES INCURRED BY THE GOVERNMENT DURING THE PERIOD 10/01/10 THROUGH				

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total XXXXXXXXXXX

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice [redacted]
Commercial Payments Unit

16. United States of America
By *(Signature)*

17. Name *(Typed)* XXXXXXXXXXX

Title: Contracting Officer

ORIGINAL

CELLSITE-11173

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

IMPORTANT: Mark all packages and papers with contract and/or order numbers

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
04/07/2011	[redacted]			3

6. To Contractor *(Name, Address and Zip Code)*:
[redacted]

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6825, JEF F.B.I. BLDG.
WASHINGTON, DC 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
OTHER LARGE BUSINESS	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	04/08/11. ADDITIONAL FUNDING IS PENDING FINAL ALLOCATION OF THE FBI'S APPROPRIATION.				b3 b6 b7C b7E b4

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

CONTRACTOR NUMBER [redacted]

15. Grand Total [redacted]

See

Point of Contact - Purchase Order Information:
[redacted]

Commercial Payments Unit [redacted]

[redacted]

ORIGINAL

CELLSITE-11174

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-24-2012 BY 65179 DMH/rs

STATEMENT OF WORK

[redacted] Program

[redacted] Task Order 1

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1 SCOPE

1.1 *Task Overview*

This Task Order requires that the Contractor provide engineering services and operational support to the [redacted]

The FBI is the principal investigative arm of the United States Department of Justice. It is charged with gathering and reporting facts, locating witnesses, and obtaining evidence in cases involving Federal jurisdiction. The mission of the FBI's [redacted] is to provide [redacted] to the FBI and other law enforcement agencies and to support their ability to conduct lawfully authorized [redacted] To that end, the [redacted] is engaged in a number of development projects and activities that focus on developing the [redacted] capabilities required for law enforcement to accomplish its objectives. The projects supported through the [redacted] are primarily engaged in the accurate collection, processing and presentation of [redacted]

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The focus of this overall effort is to provide the engineering services required to enhance the functionality of the [redacted] necessary to support specific case requirements for [redacted] The systems shall be designed, installed, and tested to assure that the configured system is operationally correct. The contractor shall support the system installation and remote troubleshooting as required. Quick reaction software development expertise may be required.

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The purpose of this SOW is to describe the tasking necessary to support the FBI's ability to [redacted] under specific legal guidelines. The task shall be achieved through engineering support to the current [redacted]

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CELLSITE-11175

1.2 Deliverables

- Project Management Plan (See Section 2.2)
- Weekly Status Report (See Section 2.3)
- Monthly Program Review (See Section 2.3)
- System Testing Plan (See Section 2.2)
- System Demonstration at contractor facility
- Final Summary Report (See Section 2.2)

1.3 Category of Efforts

The FBI currently owns

The FBI's goal is to field a

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studies are intended to provide the FBI with approaches to resolving future issues through

1.3.1 Key Areas

a) It has been determined that the existing systems require certain ts technical capabilities and operational support. The contractor shall perform the following

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b)

he contractor shall perform the following system improvements:

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CELLSITE-11176

- [redacted]

c) [redacted] sees a number of longer term issues that require attention, such as [redacted] n order to be mitigating the risks associated with [redacted] would require the vendor to perform studies that will help guide future efforts. The contractor shall perform the following studies: b3 b7E

- [redacted]

d) [redacted] **Only Requirements** – [redacted] has requirements specific to their operational use of [redacted] This would perhaps make a [redacted] since these capabilities [redacted] The contractor shall perform the following: b3 b7E

- [redacted]

2 Requirements

2.1 Security Standards and Regulations

Refer to [redacted] Statement of Work section 2.3 for guidance.

SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR. b3 b7E

2.2 Contractor Furnished Documentation

Refer to [redacted] Statement of Work sections 2.6 and 3.2 for guidance.

Project management plan shall consist of the Contractor's proposed solution to include the composition of required project team, complete task schedule, and total labor and non-labor costs for fully implementing the proposed solution.

2.3 Status Reporting

Refer to [redacted] Statement of Work Section 3.3 for guidance.

2.4 Formal Meetings

Refer to [redacted] Statement of Work Section 3.4 for guidance.

2.5 Government Points of Contact

FBI Contracting Officer's Technical Representative

[redacted]

Federal Bureau of Investigation
Engineering Research Facility
Building 27958A
Quantico, VA 22135

[redacted]

[redacted] **Technical Point of Contact**

[redacted]

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CELLSITE-11178

DATE: 10-15-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 10-15-2037

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WHERE SHOWN OTHERWISE

STATEMENT OF WORK

[redacted] **Program**

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[redacted] Task Order 1

Federal Bureau of Investigation

Derived From: ~~NSISCG-20080201~~
Declassify On: ~~20350401~~

CELLSITE-11180

DATE: 10-15-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 10-15-2037

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STATEMENT OF WORK

[redacted] **Program**

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[redacted] Task Order 1

Federal Bureau of Investigation

Derived From: NSISCG-20080301
Declassify On: 20350629

CELLSITE-11185

(U) # 1 (S//NF) SCOPE

(S) [redacted]

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1.1 (U//FOUO/LES) Task Requirement Overview

(U//FOUO/LES) This task is complex and multifaceted; as such it shall be acceptable to approach its completion in phases. Section 3.1 of this Task Order Statement of Work, details the expected phase 1 milestone.

(U//FOUO/LES) All documentation as described in the [redacted] Statement of Work section 2.6 will be made available for the government.

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(U//FOUO/LES) All requirements as detailed in sections 3.1, 3.2 and 3.3 of the [redacted] Statement of Work will be included under this Task Order. Weekly status reporting required in section 3.3 of the [redacted] Statement of Work will be acceptable in an email format and delivered to both the CO and COTR.

1.2 (U//FOUO/LES) Deliverables

- (U//FOUO/LES) Weekly Status Report (See Section 3.3)
- (U//FOUO/LES) Monthly Program Review (See Section 3.3)
- (U//FOUO/LES) System Testing Plan (See Section 3.2)
- (U//FOUO/LES) [redacted]
- (U//FOUO/LES) System Demonstration at contractor facility
- (U//FOUO/LES) Final Technical Summary Report (See Section 3.2)

(S) 1.3 [redacted]

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CELLSITE-11186

(S) [redacted] b1 b3 b7E

(U) 1.3.1 (S//NF) Key Technology Areas

a) (U//FOUO/LES) [redacted]

b) (U//FOUO/LES) [redacted] b3 b7E

c) (U//FOUO/LES) [redacted]

d) (U//FOUO/LES) [redacted]

(S) [redacted] b1 b3 b7E

(U) 2 (S//NF) Concept of Operations

(S) [redacted] b1 b3 b7E

CELLSITE-11187

(U//FOUO/LES) The above are generalized categories of [redacted]

[redacted]

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(U) **3 (S//NF) Requirements**

The Contractor shall adhere to the following:

(S) [redacted]

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(U//FOUO/LES) Figure 1 depicts [redacted]

[redacted]

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(U//FOUO/LES) The vendor shall [redacted]

[redacted]

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(U//FOUO/LES) The system shall provide

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3.1 (U//FOUO/LES) Phase 1 Deliverable Description

(U//FOUO/LES) Phase 1 shall

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3.2 (U//FOUO/LES) Security Standards and Regulations

(U//FOUO/LES) Refer to [redacted] Statement of Work section 2.3 for guidance.

(U//FOUO/LES) SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

3.3 (U//FOUO/LES) Contractor Furnished Documentation

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(U//FOUO/LES) Refer to [redacted] Statement of Work section 2.6 for list.

3.4 (U//FOUO/LES) Status Reporting

(U//FOUO/LES) Refer to [redacted] Statement of Work Section 3.3 for guidance

3.5 (U//FOUO/LES) Formal Meetings

(U//FOUO/LES) Refer to [redacted] Statement of Work Section 3.4 for guidance

3.6 (U//FOUO/LES) Government Furnished Equipment

(U//FOUO/LES) Government shall not supply any equipment for fulfillment of this task.

CELLSITE-11193

DATE: 10-15-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 10-15-2037

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WHERE SHOWN OTHERWISE

STATEMENT OF WORK

[redacted] **Program**

[redacted] Task Order 1

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Federal Bureau of Investigation

Derived From: ~~NSISCG~~-20080301
Declassify On: ~~20350630~~

(U) 1 (S//NF) SCOPE

(S)

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1.1 *(U//FOUO/LES) Task Overview*

(U//FOUO/LES) Task Order Description (Reference sec 3.8 of SOW):
(U//FOUO/LES) Capability Task Order
Sub Task d:

(U//FOUO/LES) Technology Task Order
Sub Task number including but not limited to: d,f,i

(U//FOUO/LES) Engineering Task Order
Sub Task d: Engineering Development

(U//FOUO/LES) All documentation as described in the Statement of Work section 2.6 will be made available for the government.

(U//FOUO/LES) All requirements as detailed in sections 3.1, 3.2 and 3.3 of the Statement of Work will be included under this Task Order. Weekly status reporting required in section 3.3 will be acceptable in an email format and delivered to both the CO and COTR.

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1.2 (U//FOUO/LES) Deliverables

- (U//FOUO/LES) Weekly Status Report (See Section 3.3)
- (U//FOUO/LES) Monthly Program Review (See Section 3.3)
- (U//FOUO/LES) System Testing Plan (See Section 3.2)
- (U//FOUO/LES)

- (U//FOUO/LES) System Demonstration at contractor facility
- (U//FOUO/LES) [redacted] (See Section 3.2)
- (U//FOUO/LES) Final Technical Summary Report (See Section 3.2)

1.3

(S) [redacted]

(U) 1.3.1 (S//NF) Key Technology Areas

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(S) [redacted]

CELLSITE-11196

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(U) 2 (S//NF) Concept of Operations

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(U//FOUO/LES) The above are generalized categories

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CELLSITE-11197

(S) [redacted]

(U) ## 3 (S//NF) Requirements

The Contractor shall adhere to the following:

(S) [redacted]

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3.1 (U//FOUO/LES) Security Standards and Regulations

(U//FOUO/LES) Refer to [redacted] Statement of Work section 2.3 for guidance.

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(U//FOUO/LES) SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

3.2 (U//FOUO/LES) Contractor Furnished Documentation

(U//FOUO/LES) Refer to [redacted] Statement of Work section 2.6 for list.

3.3 (U//FOUO/LES) Status Reporting

(U//FOUO/LES) Refer to [redacted] Statement of Work Section 3.3 for guidance

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3.4 (U//FOUO/LES) Formal Meetings

(U//FOUO/LES) Refer to [redacted] Statement of Work Section 3.4 for guidance

3.5 (U//FOUO/LES) Government Furnished Equipment

(U//FOUO/LES) Government shall not supply any equipment for fulfillment of this task.

CELLSITE-11199

DATE: 10-15-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 10-15-2037

ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

STATEMENT OF WORK

[redacted] **Program**

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[redacted] Task Order 1

Federal Bureau of Investigation

Derived From: NSISCG-20080301
Declassify On: 20350629

CELLSITE-11200

(U) 1 (S//NF) SCOPE

(S) [redacted]

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1.1 *(U//FOUO/LES) Task Overview*

(U//FOUO/LES) Task Order Description (Reference sec 3.8 o [redacted] SOW):

(U//FOUO/LES) Capability Task Order

Sub Task d: [redacted]

(U//FOUO/LES) Technology Task Order

[redacted]

(U//FOUO/LES) Engineering Task Order

Sub Task d: Engineering Development

(U//FOUO/LES) All documentation as described in the [redacted] Statement of Work section 2.6 will be made available for the government.

(U//FOUO/LES) All requirements as detailed in sections 3.1, 3.2 and 3.3 of the [redacted] Statement of Work will be included under this Task Order. Weekly status reporting required in section 3.3 will be acceptable in an email format and delivered to both the CO and COTR.

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1.2 (U//FOUO/LES) Deliverables

- (U//FOUO/LES) Weekly Status Report (See Section 3.3)
- (U//FOUO/LES) Monthly Program Review (See Section 3.3)
- (U//FOUO/LES) System Testing Plan (See Section 3.2)
- (U//FOUO/LES [redacted]
- (U//FOUO/LES) System Demonstration at contractor facility
- (U//FOUO/LES) [redacted] See Section 3.2)
- (U//FOUO/LES) Final Technical Summary Report (See Section 3.2)

CELLSITE-11201

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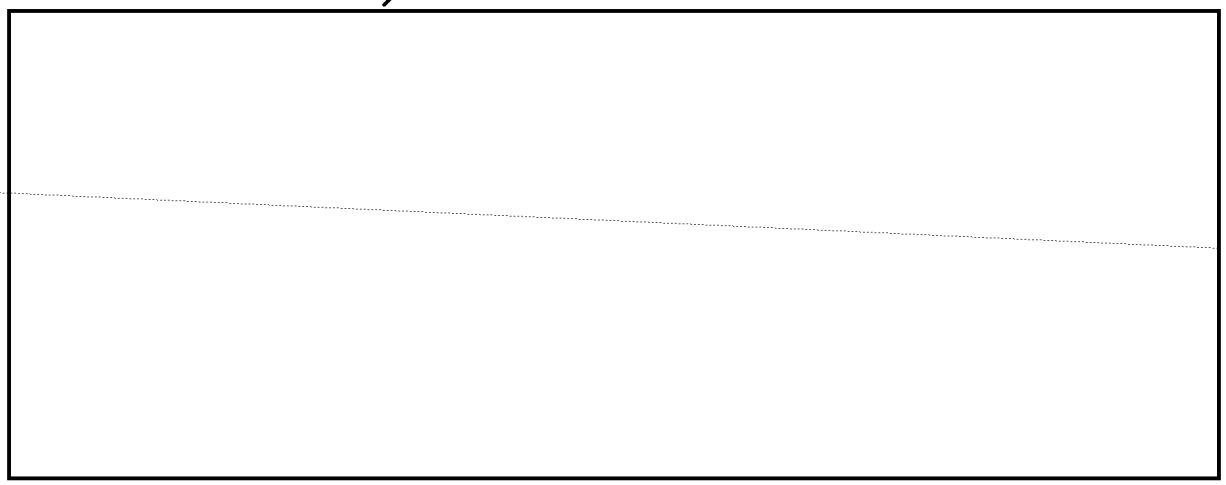

(U) 1.3.1 (S//NF) Key Technology Areas

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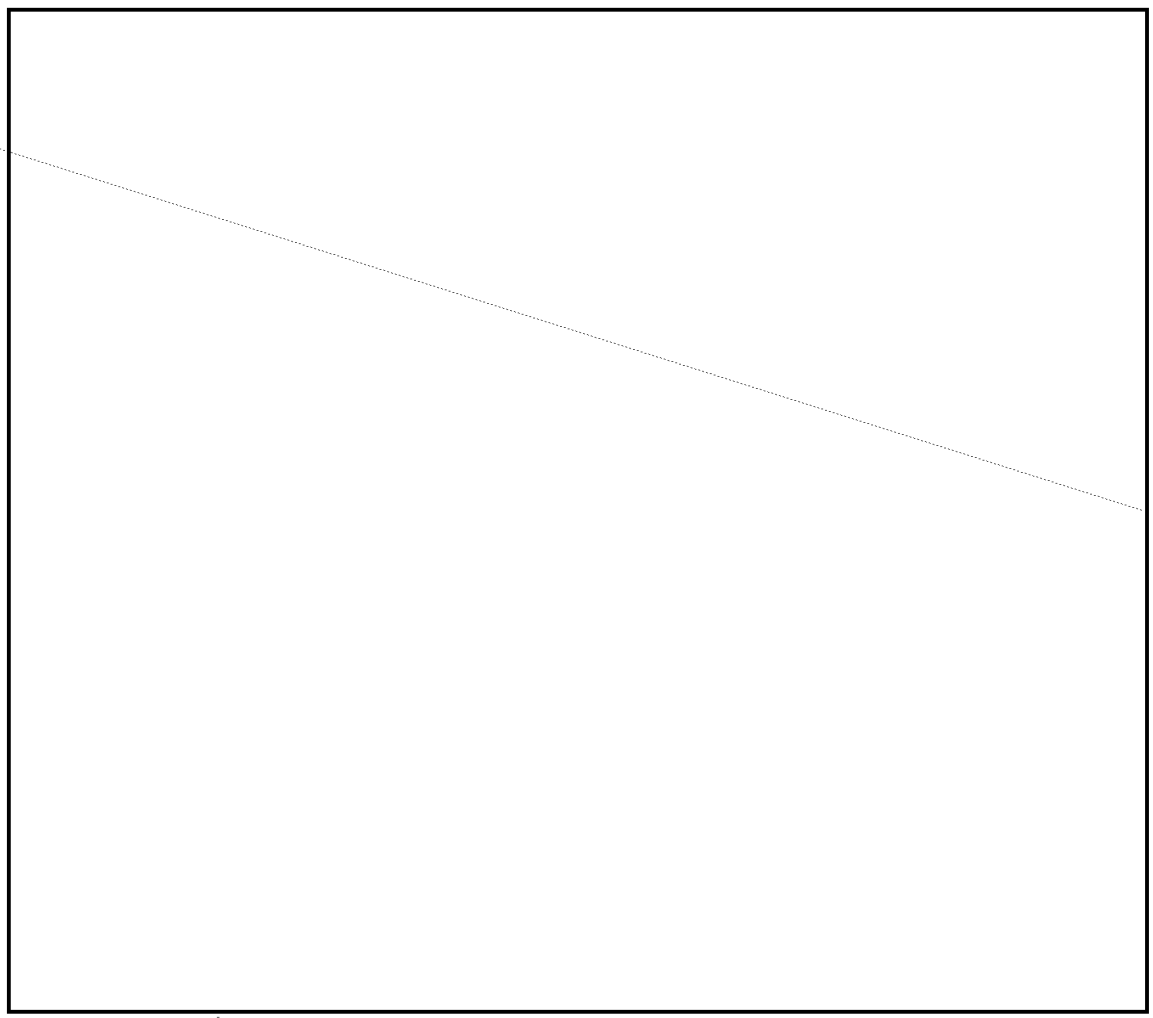

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(U) 2 (S//NF) Concept of Operations

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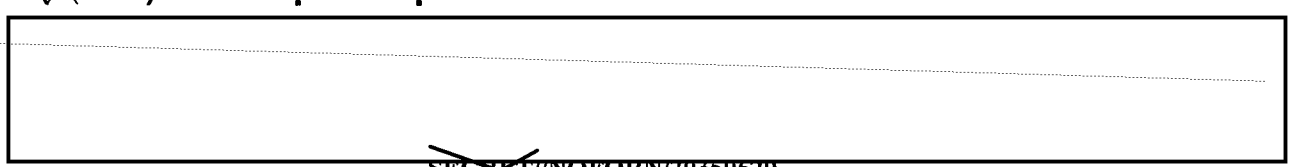

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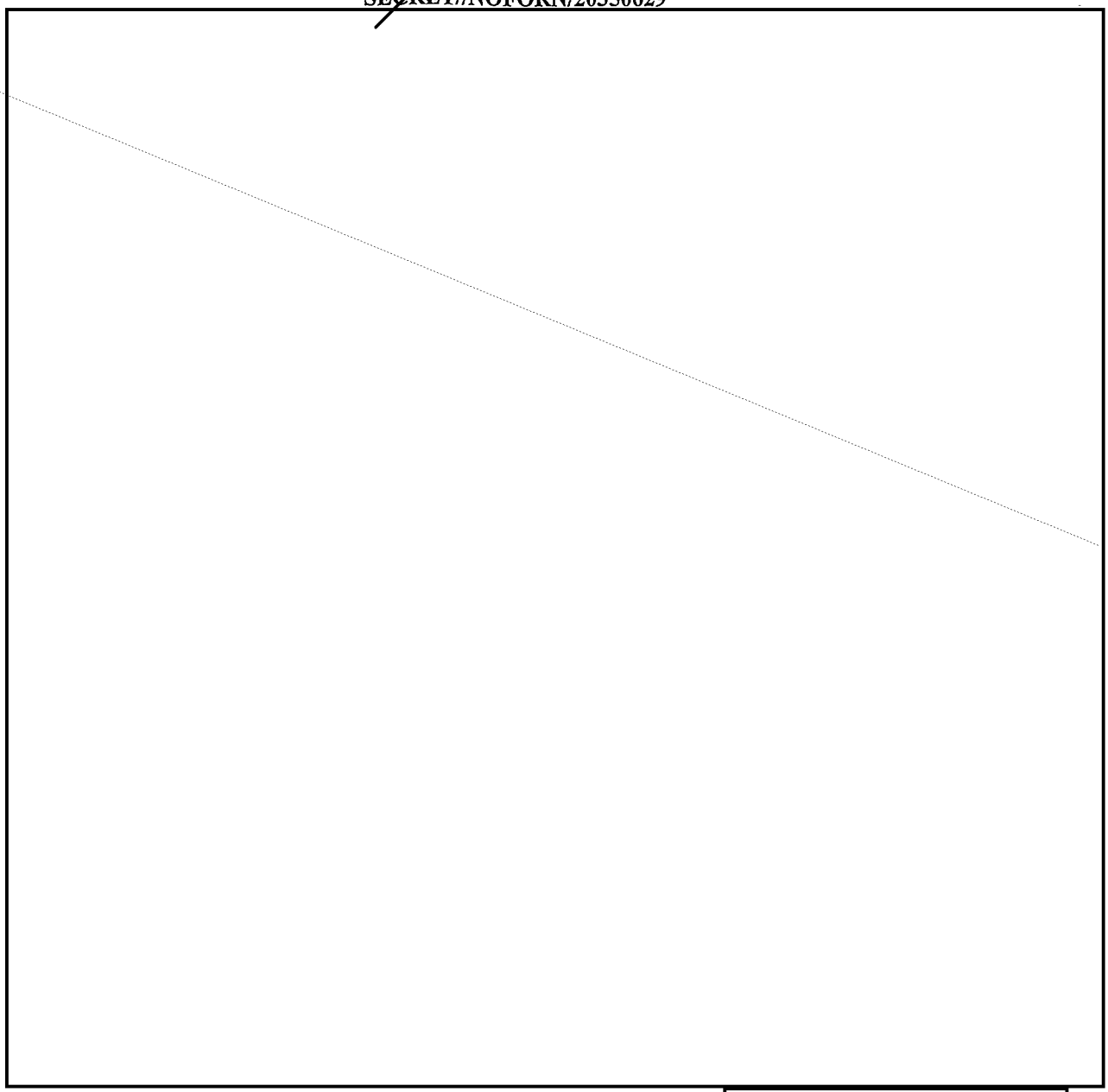

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(U//FOUO/LES) The above are generalized categories of

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(U) **3 (S//NF) Requirements**

The Contractor shall adhere to the following:

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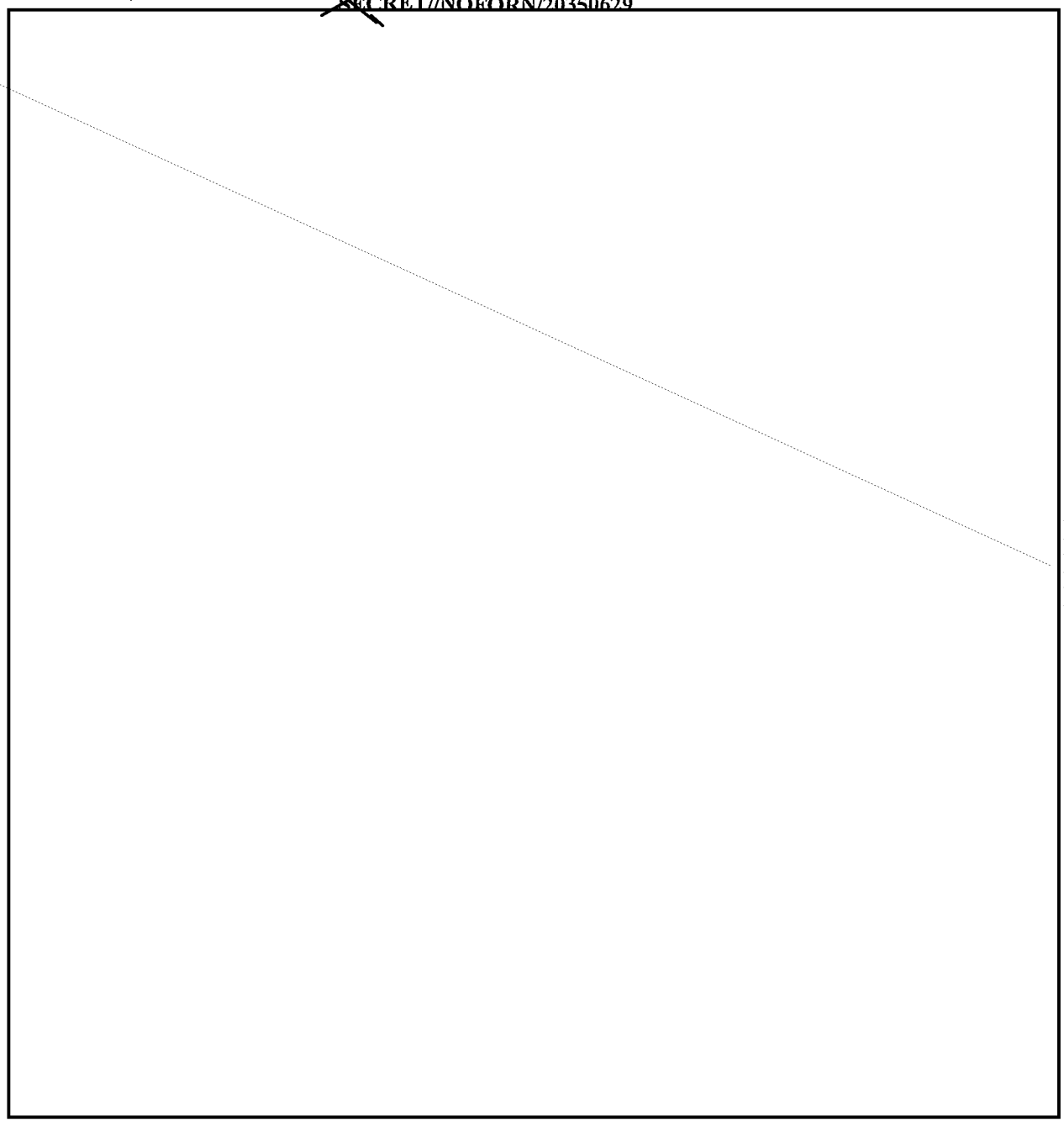

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3.1 (U//FOUO/LES) Security Standards and Regulations

(U//FOUO/LES) Refer to [redacted] Statement of Work section 2.3 for guidance. b3 b7E

(U//FOUO/LES) SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

3.2 (U//FOUO/LES) Contractor Furnished Documentation

(U//FOUO/LES) Refer to [redacted] Statement of Work section 2.6 for list.

3.3 (U//FOUO/LES) Status Reporting

(U//FOUO/LES) Refer to [redacted] Statement of Work Section 3.3 for guidance

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3.4 (U//FOUO/LES) Formal Meetings

(U//FOUO/LES) Refer to [redacted] Statement of Work Section 3.4 for guidance

3.5 (U//FOUO/LES) Government Furnished Equipment

(U//FOUO/LES) Government shall not supply any equipment for fulfillment of this task.

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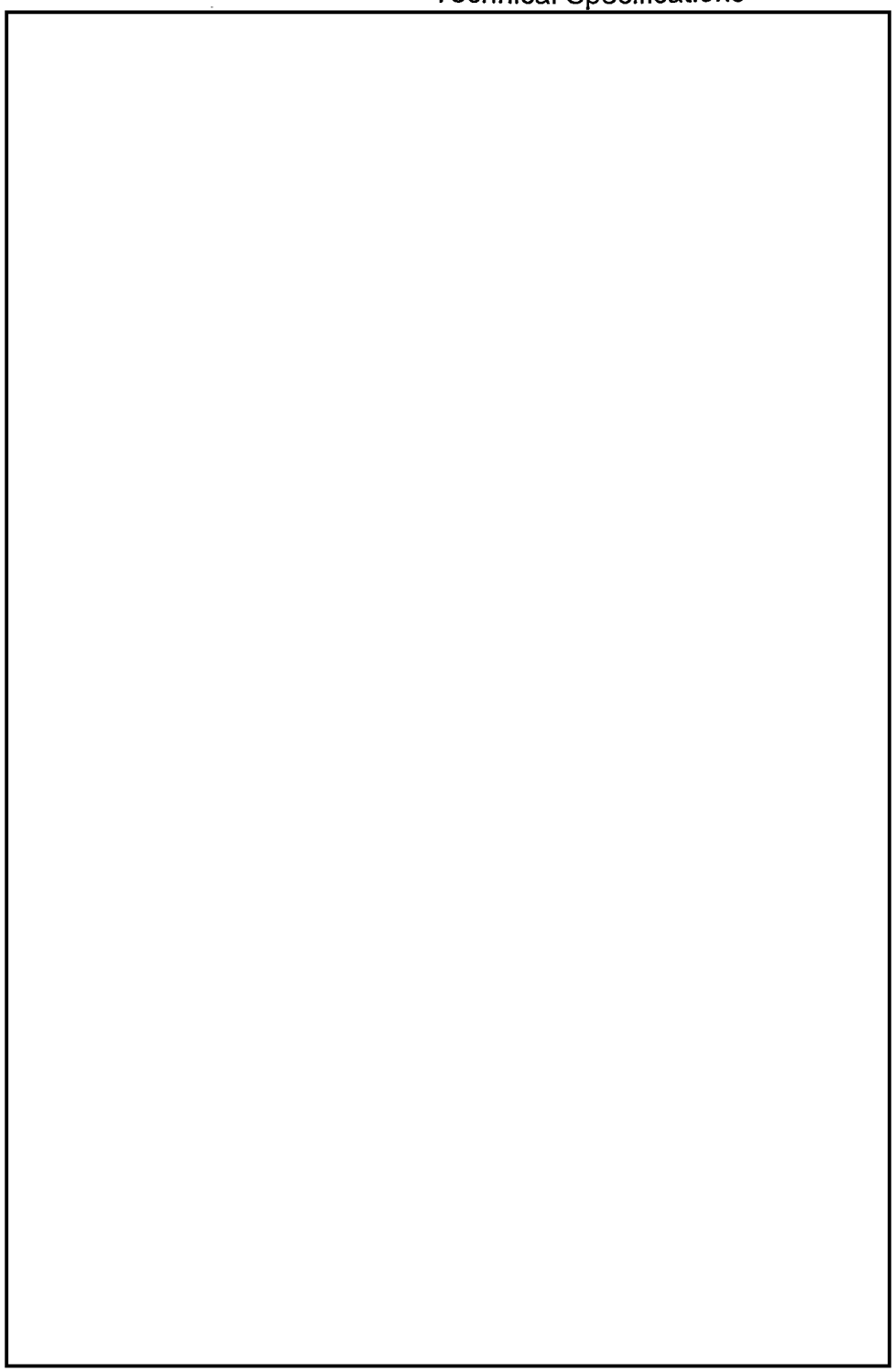

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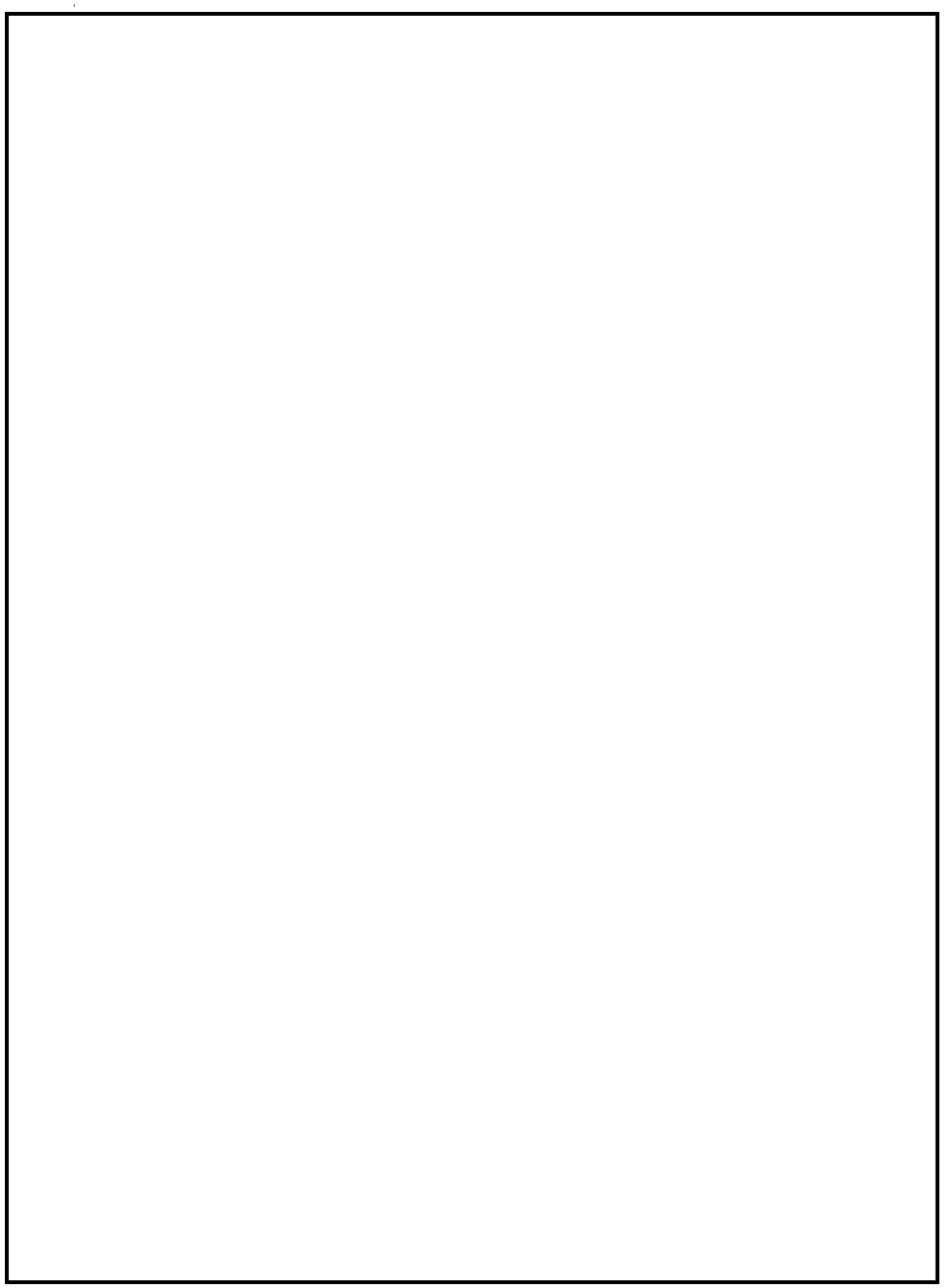

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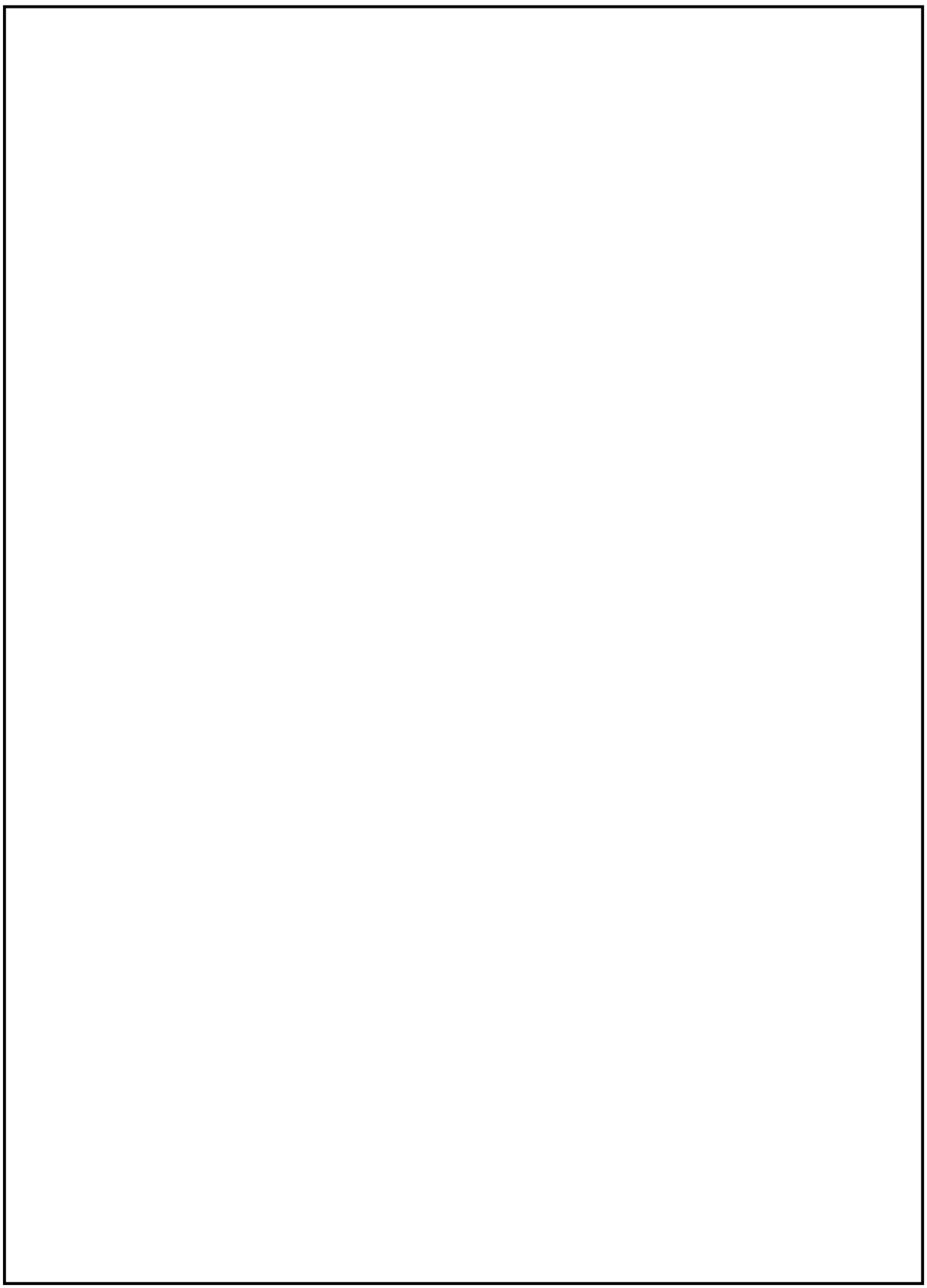
DATE 10-24-2012 BY 65179 DMH/rs



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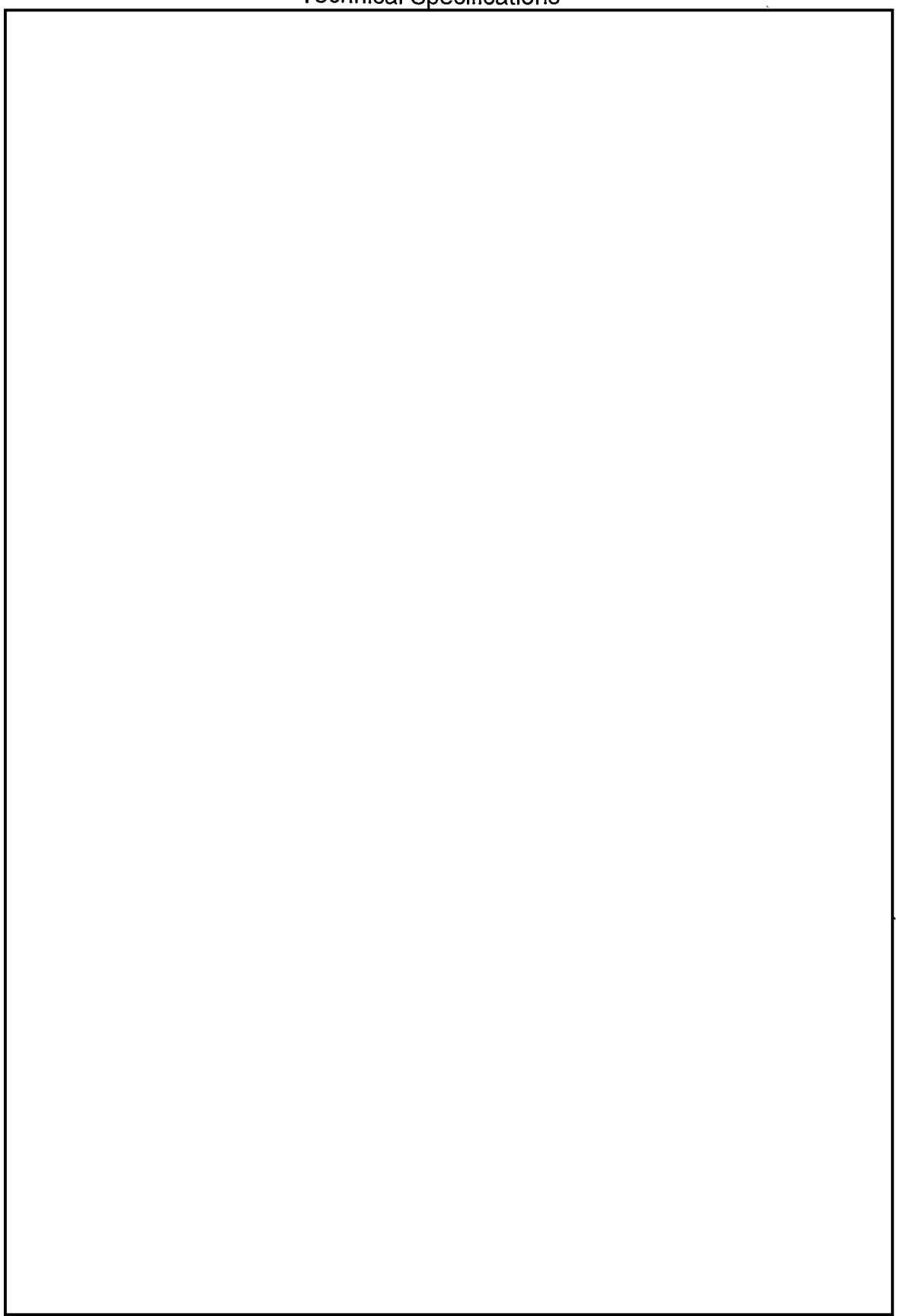

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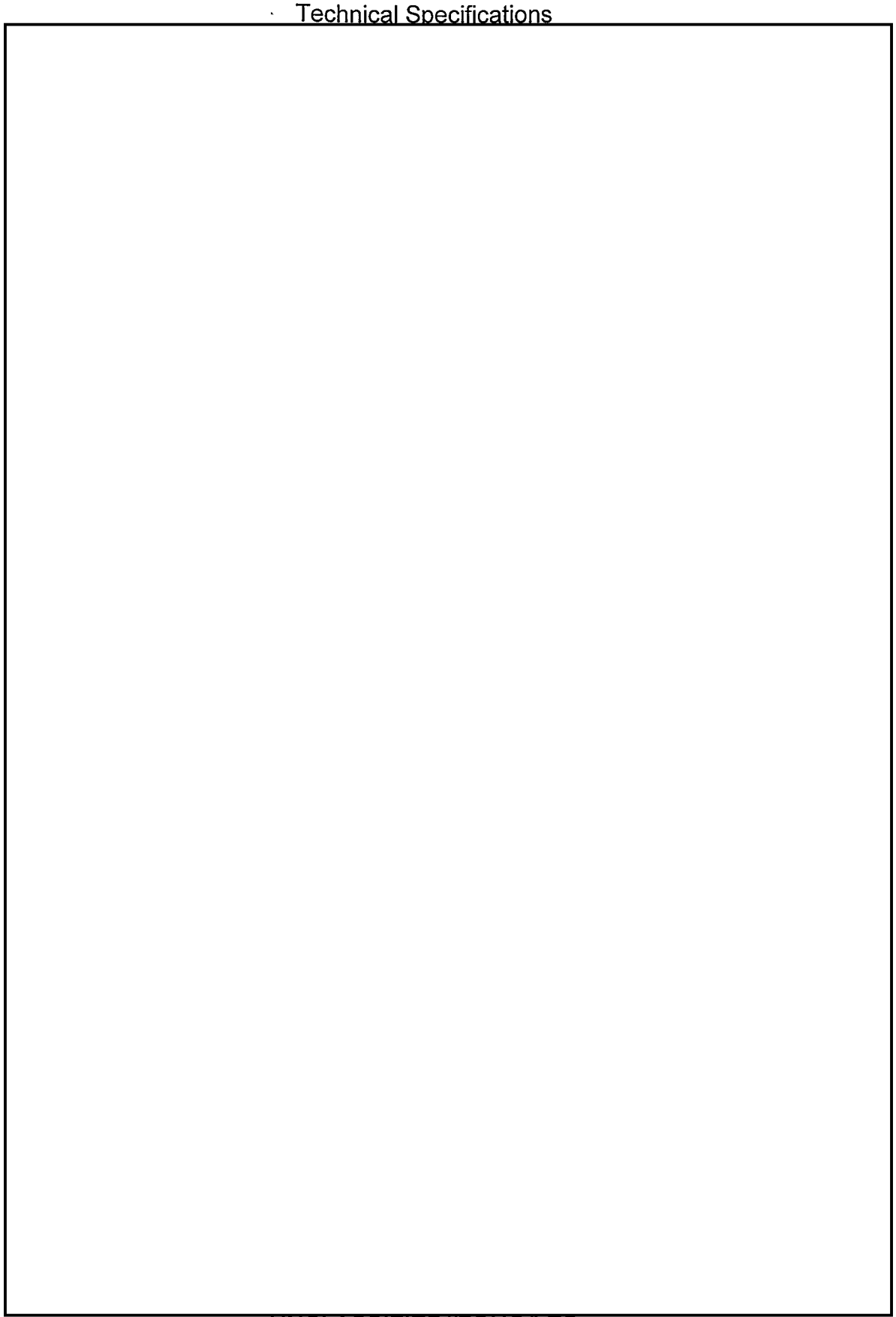

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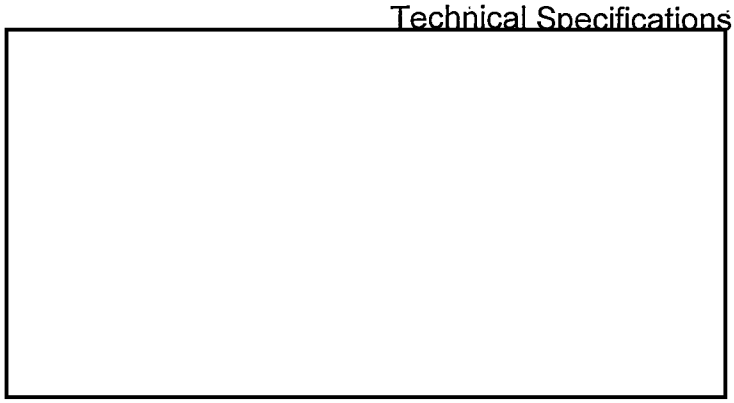

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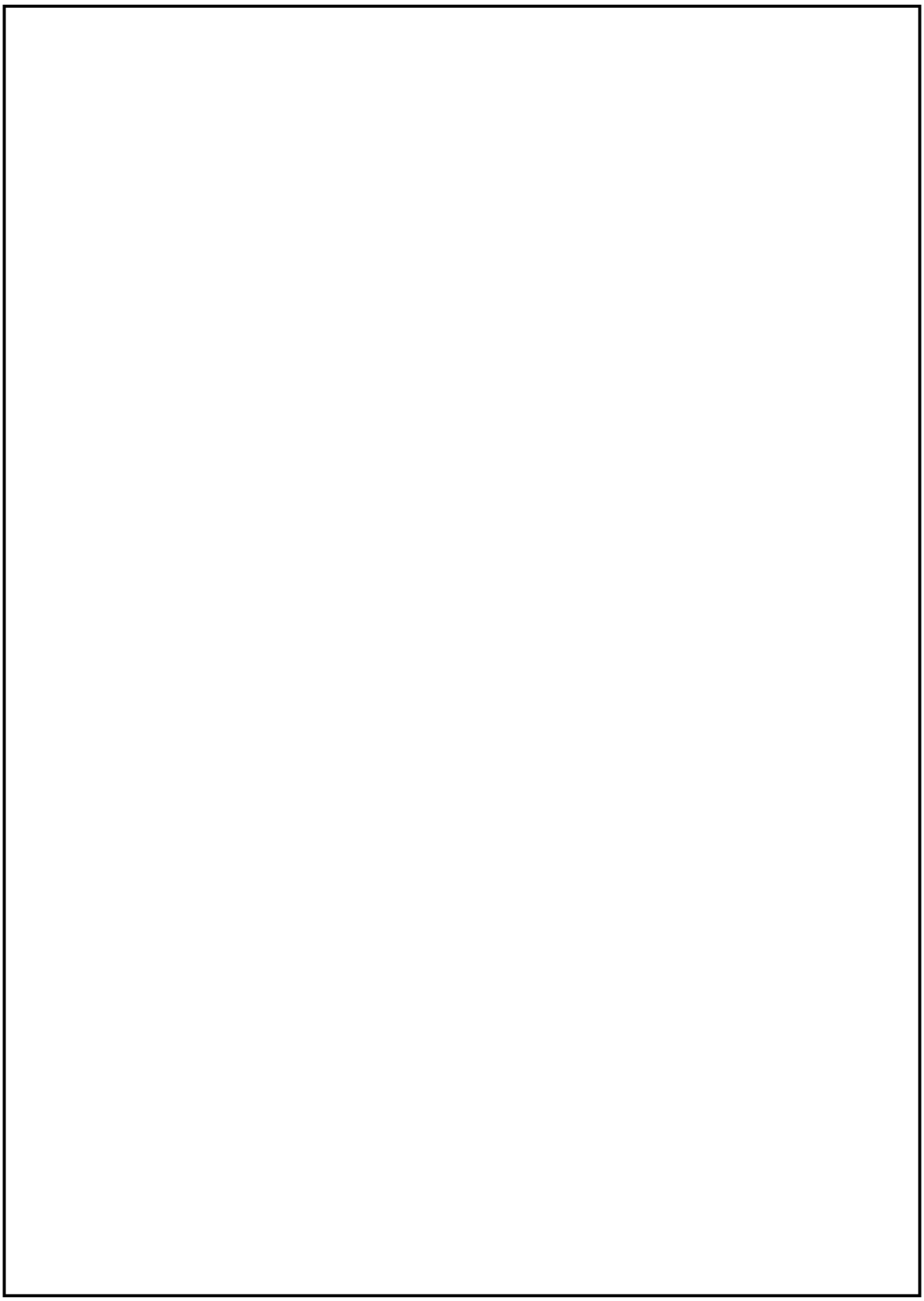
DATE 10-24-2012 BY 65179 DMH/rs



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DATE: 10-16-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 10-16-2037

ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

[redacted] **Technical Questions:**

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Reference Documents

- Doc A. [redacted] Technical Proposal
- Doc B [redacted] Statement of Work

Clarifications

(S) [redacted]

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(U//FOUO) 2. Section 2.0 – Scope of Work, paragraph 3, states these tasks are based on [redacted]

[redacted]

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(S) [redacted]

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- (U//FOUO) Please clarify

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- (U//FOUO) Please clarify

- (U//FOUO) Please clarify

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(U//FOUO) 3. Section 3.1 – Assumptions, paragraph 1, states that since this

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- Please provide a

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(U//FOUO) 5. Section 2.2 -

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(S) [redacted]

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(U//FOUO) 6. Section 2.4 - [redacted]

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(S) [redacted]

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DATE: 10-16-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 10-16-2037

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[redacted] Technical Questions:

(U//FOUO/LES [redacted] Cost Proposal, August 16th 2010:

(U//FOUO/LES) 12.0 Task Pricing

(S) [redacted]

(U//FOUO/LES) 14.0 Phase I summary

(S) [redacted]

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(U//FOUO/LES) 15.4 Phase II systems subtask 5: manual production

(S) [redacted]

(U//FOUO/LES) 16.3 Phase III system subtask 3 [redacted]

(S) [redacted]

(U) (S//NF [redacted] Technical Proposal. August 16th 2010:

(U//FOUO) 1. 2.2.3 [redacted]

(S) [redacted]

(U//FOUO/LES) 3.1.2.1 [redacted]

(S) [redacted]

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(U//FOUO/LES) 3.1.3 Verify that [redacted]

(S) [redacted]

(U//FOUO/LES) 3.2.2.1 [redacted]

(S) [redacted]

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(U//FOUO/LES) 3.4.5 and 3.4.6:

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(U//FOUO/LES) 4.2 Availability to Other Users

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DATE: 10-16-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 10-16-2037

[redacted] **Technical Questions:**

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WHERE SHOWN OTHERWISE

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Reference Documents

(S//NF) Doc A. [redacted] Technical Proposal

(U) (S//NF) Doc B. [redacted] Task Order 1 SOW

(S//NF) Doc C. [redacted] Task Order 1 SOW

(U) ***Clarifications: (S//NF) All Sections 4-7 apply to both Doc B and Doc C to provide the FBI with*** [redacted]

(S) [redacted]

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(U//FOUO//LES) 8. Section 3.0 - Deliverables, item 4, states that

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DATE: 10-16-2012
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REASON: 1.4 (c, g)
DECLASSIFY ON: 10-16-2037

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Cost Proposal Clarifications

Reference Documents

- (U//FOUO) Doc A Cost Proposal, August 09, 2010.
- (U) (S//NF) Doc B. Statement of Work

Clarifications

(U) 1. Section 10.0 – Conditions and Assumptions, item 6, states is

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- (U) Please clarify and submit the said "separate cover" fo

(U) 2. Section 10.0 – Conditions and Assumptions, item 7, states,

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(U) 3. Section 10.0 – Conditions and Assumptions, item 8, states, will As such requires with respect to

- (U) Please identify any products considered or produced on

Describe any relation to government funding that was input if any. Include also, clarifications of work considered that was funded outside of previous Gov't funded

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- (U) Please clarify how this statement, which includes no delivery of

(U) 4. Section 10.0 – Conditions and Assumptions, item 9, states, "No estimates have been included for providing Contractor team member working notes called out in Paragraph 2.6(f). Note; this is not a standard practice. [redacted] will assess the cost and schedule impact if this review is required.

- (U) Please clarify the approach that shall be taken, as well as the assessment of costs/schedules associated.

(U) 5. Section 10.0 – Conditions and Assumptions, item 18, states, "The proposed price for the study options assumes that the option will be exercised at the same time as the base award in order for it to be completed, with the base program period of performance.

- (U) Please clarify impacts to overall program, should the FBI not consider the "optional" study, or exercised at a later date.

(U) 6. Section 10.0 – Conditions and Assumptions, item 19, states, "This proposal assumes [redacted] will have the right to incorporate any results of this program into its commercial products as applicable.

(S) [redacted]

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(U) 7. Section 10.0 – Conditions and Assumptions, item 21, states "This proposal schedule was prepared considering [redacted] (current [redacted] internal developments) will be available per our current internal schedule to support this effort. If any deviations occur these will be assessed and addressed with the **Customer.**

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(S) [redacted]

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(S) [redacted] b1 b3 b7E

(U) 8. Section 10.0 – Conditions and Assumptions, item 28. states "The Customer will provide as [redacted] b3 b7E

- (U) Please clarify who the Customer is, as the FBI is considered the Sponsor for this task.

(S) [redacted] b1 b3 b7E

(U) 9. Doc A, Page 26, under section entitled" SUBTASK: #1 [redacted] b3 b7E

- (U) Please clarify the use of term [redacted]

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DATE 10-17-2012 BY 65179 DMH/rs

Phone call w [redacted] on 8/10/10 @ 2:45

Called to let me know she'll be providing a spreadsheet w/ changes/mods for POs – some of the pricing we're using isn't the best pricing. They included GSA and Contract pricing and allowed us to use whatever was "cheapest." We used contract pricing not knowing there were two price lists. She calculates approximately [redacted] in changes – credits.

[redacted] is also working on one consolidated price list for the contract to avoid future confusion. She has suggested that we do a quote per order to ensure most up to date pricing [redacted] sees this as a potential administrative burden if pricing has already been established.

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[redacted] also is under the impression that if the GSA contract pricing adjusts (something allowable under the GSA Contract vehicle) we would be able to take advantage of lower prices or pay more if prices went up. [redacted] informed her that that is NOT how FFP contracts work. Both parties will look into this before making final determinations. [redacted] needs to discuss w/ OGC the feasibility of having "2 contracts" under one and the ability to change pricing mid stream like that on an FFP contract.

[redacted] noted that each cost proposal on the TOs had lengthily conditions and assumptions [redacted] said these were inserted per the original contract. Reference 2.6 is from the original SOW for the contract.

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DATE 10-17-2012 BY 65179 DMH/rs

[redacted] Contract Meeting – Project Status Reports and Planning, [redacted] Contract Mods
Contract [redacted]
Date: 6/23/10 at [redacted]
Attendees: [redacted]

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Topics: 6-23-10

- Project Status Reports
  - [redacted] wants 2 slides per project 1) project status and 2) project plan (w/ start date) and wants [redacted] to identify key personnel on each.
  - Comments: presentations were too lengthy, repeated information presented in March and April of 2010, [redacted] in [redacted] internal initiative on equipment progress
  - Projecting all [redacted] by late July 2010
  - [redacted] informed that condensed version will be made available to [redacted]
    - [redacted] received assurance that new [redacted] can be added to [redacted] and can [redacted] as needed
  - Off Topic Presentations:
    - [redacted]
    - WITT conference discussed products and Q&A with field
- Space for work:
  - Identified FBI designated space for classified work to begin – includes equipment to start work and storage,
  - Space is currently "restricted" until our security personnel can approve it as [redacted] security personnel should be approving the space for use by 6/25
    - Need a [redacted] – closest "approved [redacted] is in offsite [redacted]
- Statements of Work
  - [redacted] has many questions – information within is unclear, need "scope definition," [redacted] SOW lacks clarity and teeth – no "shall" within SOW. [redacted] thinks they are asking for more detail than required – he should provide definition of an end result and it's [redacted] responsibility to do the "how"
  - All questions and secure information should go through [redacted] to track SOW changes
  - [redacted] can turn around a technical and cost proposal within 2-3 weeks
- Contracting Matters
  - COs decided to retract all services funding [redacted] as SOWs were unclear, new contract with new "starting points" for all Tasks – cannot use previous SOW [redacted] will need to send TO Letter to [redacted] for each SOW to gain technical and cost proposals and define new scope per project.
  - [redacted]
  - [redacted]

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- [redacted] personnel and [redacted] met to discuss and identify classified [redacted] unclassified technical requirements
- [redacted] stated all personnel are now secret-cleared through at least one other agency and those that should be working with us have been put in for [redacted]

- [redacted] audited [redacted] forward pricing rates and required recalculation – removed "study" pricing to include "development" pricing
  - Requiring additiona[redacted] for adjustment on [redacted] for [redacted] original estimate was below [redacted] informed [redacted] they needed to rethink this request due to unreasonableness

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- Ideas/Questions

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[redacted]

Action Items

- FBI
  - (M) [redacted] needs Secure Fax/Phone as FBI [redacted]
    - Will FBI security personnel need to review/clear this space?
  - [redacted]
  - (M) SOWs unclear, must be revised and prepared for TO Letter Request
  - (K) Pull POs back into req stage and prepare TO Letter Request for [redacted]
    - POs to pull: [redacted] all services funding
    - Advise [redacted] to destroy POs and Mods sent to them on 6/8/10 as funds have been withdrawn until such time as proper technical and cost proposals have been agreed upon.
    - Prepare TO Letter Requests for services funding
      - Include schedule of events for TO Letter and Kick Off meeting for projects
  - (M) Revise DD-254
    - Include [redacted] office on documentation
    - Add statement defining "secret" and "unclassified" specifications
      - "When removed from this document, all technical requirements listed below are UNCLASSIFIED, but sensitive. These technical requirements shall not be divulged outside of the Contractor [redacted] project team and the Sponsor"
  - (M)/(K) Need [redacted] SOWs to see original scope and requirements definition
  - (M) Gain all remaining [redacted] from the field and mail to [redacted] ASAP (on [redacted] FedEx Account) to ensure late July [redacted]

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CELLSITE-11227

- (K [redacted] – need delivery definition – before or after updates via SOW?
- (K) Modify contract to incorporate [redacted]
- (K) Respond to [redacted] proposal of Action Items from 6/28/10
- (K) Contact [redacted] operators and request address change for [redacted] Vendor #
  - [redacted]
  - [redacted]
  - [redacted]
  - [redacted]

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- [redacted]
  - Gain approval for "restricted space" to start work
    - Need schedule of requirements and anticipated dates before permanent [redacted] specific space is ready for work start
  - Have all employees connected to the [redacted]
  - Provide questions regarding SOWs to FBI ASAP – will be provided 5 business days after TO Letter Request released to ask any additional questions
  - [redacted] – 2 weeks to turn around technical proposal for review to [redacted]
  - Prepare for anticipated TO Letter requesting cost/technical proposal for all SOWs
    - For planning purposes – Note Current Year Funding – all work must start NLT 9/15/10
  - Will be providing revised (reduced) pricing on [redacted] equipment based on quantity price breaks on materials
  - Continue [redacted] and reship NLT late July
  - Provide breakdown of quality assurance policies in place for all equipment

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ALL INFORMATION CONTAINED
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DATE 10-17-2012 BY 65179 DMH/rs

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

13 July 2010

[redacted]

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Subject: [redacted]

Dear [redacted]

Please find enclosed a copy of the Statements of Work (SOW) for engineering services developed by the Federal Bureau of Investigation (FBI).

The FBI is interested in obtaining a proposal for this task to be performed in accordance with the subject Contract. Contractor shall provide technical and cost proposals to support tasking as set forth in the Statement of Work.

If there are any question regarding this SOW please submit them to my office within the next five (5) business days.

It is therefore requested that your company review the enclosed SOW and if the proposed contract vehicle is appropriate, Cost-Plus Fixed Fee (CPFF), a cost and technical proposal should be submitted in accordance with the terms and conditions of the FBI's Contract prior to but no later than August 3, 2010 1:00 PM EST. Unclassified proposals maybe email to [redacted]

Should you have any questions concerning this matter, please contact me at [redacted] [redacted] esponse may be faxed to [redacted] secure fax [redacted]

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Sincerely,

[redacted]

Contracting Officer

Attached: Statement of Work for [redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179 DMH/rs

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

1 August 2011

[redacted]

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Subject: [redacted]
Request for Engineering Change Proposal [redacted]

Dear [redacted]

Please find attached the supplement to the original [redacted] Statements of Work (SOW) developed by the Federal Bureau of Investigation (FBI) [redacted] was awarded under [redacted] in September of 2010 for these requested engineering services. This enhancement to the original Task shall be performed in accordance with the Contract. [redacted] shall provide technical and cost engineering change proposals (ECP) to support this enhancement as set forth in the SOW. Labor rates and similar costs were agreed upon at the award of the contract and Task Order, as a result, the FBI does not anticipate an extensive Cost Proposal. Estimates of hours per labor category are required at a minimum.

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If there are any questions regarding this SOW please submit them to my office or log them for discussions during the FBI status review meeting during the week of August 8. It is requested that [redacted] review the enclosed SOW and if the proposed contract vehicle is appropriate, Cost-Plus Fixed Fee (CPFF), a cost and technical ECP should be submitted in accordance with the terms and conditions of the Contract no later than August 17, 2011 at 2:00 PM EST or sooner. Unclassified proposals shall be emailed to [redacted]

Should you have any questions concerning this matter, please contact me at the e-mail address above or [redacted]

Sincerely,

[redacted]
Contracting Officer

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Attached: Supplement 2 to Statement of Work for [redacted] Task Order

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DATE 10-17-2012 BY 65179 DMH/rs

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

22 March 2011

[redacted]

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Subject: [redacted] Engineering Change Proposal - [redacted] Task Order

Dear [redacted]

Please find enclosed a copy of the Statements of Work (SOW) for engineering services to provide an [redacted] to the ongoing [redacted] Task Order under the task previously awarded by the Federal Bureau of Investigation (FBI). This enhancement to the original Task shall be performed in accordance with the subject Contract. [redacted] shall provide technical and cost proposals to support this enhancement as set forth in the attached Statement of Work. Because labor rates and similar costs were agreed upon at the award of the contract and Task Order, an extensive Cost Proposal is not anticipated. Estimates of hours per labor category are required at a minimum.

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If there are any question regarding this SOW please submit them to my office within the next five (5) business days. It is requested that you the [redacted] review the enclosed SOW and if the proposed contract vehicle is appropriate, Cost-Plus Fixed Fee (CPFF), a cost and technical proposal should be submitted in accordance with the terms and conditions of the FBI's Contract prior to but no later than April 7, 2010 1:00 PM EST. Proposals may be submitted through fax at one of the numbers below or through unclassified e-mail at [redacted]

Should you have any questions concerning this matter, please contact me at [redacted] [redacted] response may be faxed to [redacted] secure fax [redacted]

Sincerely,

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[redacted]
Contracting Officer

Attached: Enhancement to Statement of Work for [redacted] Tasking

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DATE 10-17-2012 BY 65179 DMH/rs

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		1

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
Mod 3	04/28/11		

6. ISSUED BY CODE

Federal Bureau of Investigation
[redacted] Room 6853
935 Pennsylvania Ave. NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) CODE

Same as Item 6.

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

(X) 9A. AMENDMENT OF SOLICIATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted]

X 10B. DATED (SEE ITEM 11) 09/15/09

CODE FACILITY CODE

b3 b6 b7C b7E

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 43.103(a) "Bilateral"

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is to identify the use for the remaining funding on this PO. To date [redacted] is remaining [redacted] is to be utilized for contract close out and remaining vouchers. [redacted] is to be utilized for the [redacted] follow-on project [redacted] funded under [redacted] and [redacted] A no-cost POP is provided for funding on this PO until 9/14/11. All services are to be conducted in accordance with the SOW and Terms & Conditions of the contract. Technical guidance is to come from the COTR, [redacted] Invoice to COTR. Contractor exceeds funding at own risk.

b3 b6 b7C b7E

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)
[redacted] Contracts Manager	Contracting Officer
15C. DATE SIGNED 5/17/11	16C. DATE SIGNED 5.20.11

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

b6 b7C

CELLSITE-11247

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179 DMH/rs

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF PAGES
	1	1

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
Mod 2	04/28/11		

6. ISSUED BY CODE

Federal Bureau of Investigation
[redacted] Room 6853
935 Pennsylvania Ave. NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) CODE

Same as Item 6.

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

[redacted]

CODE FACILITY CODE

(X) | 9A. AMENDMENT OF SOLICIATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted]

X | 10B. DATED (SEE ITEM 11) 04/07/11

b3 b6 b7C b7E

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

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or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPIRATION DATA (If required)

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	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 32.7 "Funding" and 43.103 "Bilateral"

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office. b3

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) b6

The purpose of this modification is provide final increment of funding for engineering services for the [redacted] Tasking in the amount of [redacted] for a total of [redacted] on this PO. [redacted] will be remaining for contract close out. All services is to be conducted in accordance with the SOW and Terms & Conditions of the contract. Period of Performance is: 4/8/11-9/30/11. Technical guidance is to come from the COTR, [redacted] Invoice to COTR. Contractor exceeds funding at own risk. b7C b7E

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	15C. DATE SIGNED	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	16C. DATE SIGNED
[redacted]	5/17/11	[redacted] Contracting Officer	5.20.11

Previous edition unusable

FORM 30 (REV. 10-83) FAR (48 CFR) 53.243 b6 b7C

CELLSITE-11248

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179 DMH/rs

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		1

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
Mod 1	04/28/11		

6. ISSUED BY CODE

Federal Bureau of Investigation
[redacted] Room 6853
935 Pennsylvania Ave. NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) CODE

Same as Item 6.

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

[redacted]

CODE FACILITY CODE

(X) 9A. AMENDMENT OF SOLICIATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO.

X [redacted]

10B. DATED (SEE ITEM 11) 04/28/11

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11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

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12. ACCOUNTING AND APPROPRIATION DATA (If required)

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	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 32.7 "Funding" and 43.103 "Bilateral"

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter

The purpose of this modification is (1) Award Efforts 1 [redacted] and [redacted] and [redacted] Costs [redacted] in accordance with the [redacted] ECP dated 4/7/11 in the total amount of [redacted] Funding may come from [redacted] and [redacted] transferred from [redacted] (2) Provide final increment of funding for engineering services in the amount of [redacted] for the [redacted] Tasking. All services is to be conducted in accordance with the SOW, [redacted] ECP dated 4/7/11, and Terms & Conditions of the contract. Period of Performance is: 4/28/11-9/14/11. Technical guidance is to come from the COTR, [redacted] Invoice to COTR. Contractor exceeds funding at own risk.

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Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)

[redacted]

15B. [redacted] (Sign)

15C. DATE SIGNED 5/17/11

16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)

[redacted]

16B. [redacted]

16C. DATE SIGNED 5.20.11

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

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CELLSITE-11249

ALL INFORMATION CONTAINED
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DATE 10-17-2012 BY 65179 DMH/ra

Summary

As of August 2011

Restrictions

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179 DMH/rs

Project:
Vendor:
New PO:
Req:

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PCM

Funding for items, quantities, and services identified in this order. All technical guidance will be provided by COTR for this effort. Services will be performed in accordance with the SOW. Period of Performance: 6/4/10-6/4/11. Terms and conditions are those in effect under the contract. Contractor exceeds funding at their own risk. Invoices to be sent to

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@EFT
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@PRO

Project:
Vendor:
New PO
Req:

PCM

Incremental funding for ongoing efforts under the project. All technical guidance will be provided by , COTR for this effort. Services will be performed in accordance with the SOW. Period of Performance: 6/4/10-6/4/11. Terms and conditions are those in effect under the contract. Contractor exceeds funding at their own risk. Invoices to be sent to

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Mod 1

The purpose of this modification is to provide incremental funding for ongoing engineering services under the effort in the amount of The period of performance is 6/4/10-6/4/11. All work shall be performed in accordance with the Statement of Work and the terms and conditions of the Contract. All technical guidance will be provided by COTR for this effort. Contractor exceeds funding at own risk.

Project:
Vendor:
New PO
Req

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179 DMH/rs

PCM
Incremental funding for ongoing efforts under the [redacted] project. All technical guidance will be provided by [redacted] COTR for this effort. Services will be performed in accordance with the SOW. Period of Performance: 6/4/10-6/4/11. Terms and conditions are those in effect under the contract. Contractor exceeds funding at their own risk. Invoices to be sent to [redacted]

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@EFT
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@PRO

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Mod 1
The purpose of this modification is to provide incremental funding for ongoing engineering services under the [redacted] effort in the amount of [redacted] The period of performance is 6/4/10-6/4/11. All work shall be performed in accordance with the Statement of Work and the terms and conditions of the Contract. All technical guidance will be provided by [redacted] COTR for this effort. Contractor exceeds funding at own risk.

Project: [redacted]
Vendor
New PO [redacted]
Req [redacted]

PCM
Incremental funding for ongoing efforts under the [redacted] project. All technical guidance will be provided by [redacted] COTR for this effort. Services will be performed in accordance with the SOW. Period of Performance: 6/4/10-6/4/11. Terms and conditions are those in effect under the contract. Contractor exceeds funding at their own risk. Invoices to be sent to [redacted]

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@EFT
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@PRO

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Mod 1
The purpose of this modification is to provide incremental funding for ongoing engineering services under the [redacted] effort in the amount o [redacted] The period of performance is 6/4/10-6/4/11. All work shall be performed in accordance with the Statement of Work and the terms and conditions of the Contract. All technical guidance will be provided by [redacted] COTR for this effort. Contractor exceeds funding at own risk.

Project: [redacted]
Vendor:
New PO [redacted]

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Req [redacted]

PCM

Incremental funding for ongoing efforts under the [redacted] project. All technical guidance will be provided by [redacted] COTR for this effort. Services will be performed in accordance with the SOW. Period of Performance: 6/4/10-6/4/11. Terms and conditions are those in effect under the contract. Contractor exceeds funding at their own risk. Invoices to be sent to [redacted]

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@EFT

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@PRO

Mod 1

The purpose of this modification is to provide incremental funding for ongoing engineering services under the [redacted] effort in the amount of [redacted] The period of performance is 6/4/10-6/4/11. All work shall be performed in accordance with the Statement of Work and the terms and conditions of the Contract. All technical guidance will be provided by [redacted] COTR for this effort. Contractor exceeds funding at own risk.

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Project: [redacted]
Vendor: [redacted]
New PO [redacted]
Req [redacted]

PCM

Funding for items, quantities, and services identified in this order. All technical guidance will be provided by [redacted] COTR for this effort. Services will be performed in accordance with the SOW. Period of Performance: 6/4/10-6/4/11. Terms and conditions are those in effect under the contract. Contractor exceeds funding at their own risk. Invoices to be sent to [redacted]

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@EFT

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@PRO

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179 DMH/rs

[redacted]

FAR 43.103(a) Bilateral Modification

[redacted]

The purpose of this modification is to incorporate the following:

1) Special Provision on Commercialization of Technology Developed Under Contract (Contractor Retains Patent Rights) (Attachment 1)

2) [redacted]

Corporation [redacted]

employees [redacted]

3) The COTR, [redacted], is hereby provided with the authority to facilitate and authorize the [redacted] in Item 2 of this Modification.

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All other terms and conditions of the contract remain unchanged.

ALL INFORMATION CONTAINED
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DATE 10-17-2012 BY 65179 DMH/rs

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		1

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicble)
Mod 9	03/21/11		

6. ISSUED BY	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE
Federal Bureau of Investigation [redacted] Room 6853 935 Pennsylvania Ave. NW Washington, DC 20535		Same as Item 6.	

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8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)	(X)	9A. AMENDMENT OF SOLICIATION NO.
		9B. DATED (SEE ITEM 11)
	X	10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted]
		10B. DATED (SEE ITEM 11) 09/15/09

CODE	FACILITY CODE

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	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 43.103(a) Bilateral

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is to provide additional language in the following section of the [redacted] documentation of the contract, Section H.6 "Travel" is hereby updated to the following: For any travel required under this Contract for which the Contractor intends to request government funding, the Contractor shall acquire written pre-approval from the COTR and verification of funding. Travel to and from the contractor facility or other designated work sites or travel within a 50-mile radius of these facilities shall not reimbursed. Any travel required shall be reimbursed in accordance with the Federal Travel Regulations.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)
[redacted] Contracts Manager	[redacted] Contracting Officer

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15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

CELLSITE-11258

ALL INFORMATION CONTAINED
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DATE 10-17-2012 BY 65179 DMH/rs

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		1

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicble)
Mod 9	03/21/11		

6. ISSUED BY	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE
Federal Bureau of Investigation 935 Pennsylvania Ave. NW Washington, DC 20535		Same as Item 6.	

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

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(X) | 9A. AMENDMENT OF SOLICIATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO.

X

09/15/09

CODE | FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

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	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 43.103(a) Bilateral

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is to: (1) provide additional language to Section H.9 "Travel" of the [redacted] documentation of this contract. This section is hereby updated to the following: For any travel required under this Contract for which the Contractor intends to request government funding, the Contractor shall acquire written pre-approval from the COTR and verification of funding. Travel to and from the Contractor facility or other designated work sites or travel within a 50-mile radius of these facilities shall not be reimbursed. Any travel required shall be reimbursed in accordance with the Federal Travel Regulations. (2) GFE sited on [redacted] Letter [redacted] dated 1/25/11 are hereby transferred into the contract.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

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15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
[redacted] Contracts Manager		[redacted] Contracting Officer	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGN
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

CELLSITE-11259

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-23-2012 BY 65179 DMH/rs

[redacted]

[redacted]

25 January 2011

935 Pennsylvania Ave. N.W.
JEH Bldg Room 6853
Washington, D.C. 20535

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Attention: [redacted] Contracting Officer

Subject: [redacted]

Reference [redacted]

Dea[redacted]

Contractor is respectfully requesting approval to Transfer the following Items to the above referenced contract.

[redacted]

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Note: The [redacted] are currently on the [redacted] and the [redacted] was previously on the [redacted] Contract.

Please approve by signing below:

[redacted]

Should you have any questions, please contact me [redacted]

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Sincerely,

[redacted]

Contract Administrator

[redacted]

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DATE 10-17-2012 BY 65179 DMH/ra

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

23 February 2012

[redacted]

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Contract: [redacted]
Subject: Close Out & POP Update [redacted]

Good Afternoon [redacted]

With this letter, I hereby adjust the period of performance for the funding on Line 3 of Purchase Order [redacted] to 31 January 2012. As such, please proceed with the close out of the line of funding. Once we have closed this item, all residual funding will be deobligated.

If there are any questions please do not hesitate to contact my office.

Sincerely,

[redacted]

Contracting Officer
Science and Technology Contracts Unit

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HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179 DMH/rs

SF-30 AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

SF-30 PAGE 2 OF 2

Contract # [redacted]
Awarded: 9/15/09
Mod #: 8
Mod Effective Date: 2/15/11

The purpose of this modification is to incorporate the following documents into the [redacted] Contract [redacted]

- The consolidated price list entitled "Detailed [redacted] Pricing List (1-5-11) FINAL" e-mailed by [redacted] to CO 1/6/11 at 9:33AM;
- The fully executed Intellectual Property Assertions Letter [redacted] e-mailed to [redacted] from CO 2/14/11 at 10:01AM;

This modification also includes the following actions:

- The FBI hereby exercises Option Year 1 of the [redacted] Contract, with a POP of 9/15/10-9/15/11;
- Addition of FAR Clause 52.209-9 "Updates of Publicly Available Information Regarding Responsibility Matters" JAN 2011 into the Contract.

All technical guidance is to come from COTR, [redacted] All other terms and conditions of [redacted] Contract apply. All work to be performed in accordance with the Statements of Work. Contractor exceeds funds at own risk.

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DATE 10-17-2012 BY 65179 DMH/rs

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

21 October 2011

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Contract:
Subject: FBI Response to Letter dated 11 October 2011

Good Afternoon

On October 6, 2011, Program Manager requested the FBI convert funding originally proposed for in the amount of This conversion was requested to cover additional service hours not estimated in the original proposal. stimated an additional under Phase 2 and under Phase 3 would be required in order to complete the original requirements of th Task Order (TO).

On October 7, 2011, the FBI requested provide additional information and assurances demonstrating actions taken by to control costs and share in the financial responsibility of these overruns. The above referenced Letter provides the requested response. The FBI appreciates efforts to mitigate such risks in the future.

In response to the conversion request and this Letter, the FBI provides the following approvals and assertions:

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- September 2010: proposed of funding for under the TO;
- Winter 2011: the FBI provided equipment required in the proposal as Government Furnished Equipment, yielding a savings of for the government;
- Mary 2011: the FBI approved the conversion of of thi budget towards required under Phase 1 of the TO, requested by in April 2011;
- The FBI hereby approves the conversion of the remaining of this original budget towards the above requested for Phases 2 and 3;

The FBI understands that [redacted] is not requesting additional funding beyond the originally awarded TO value. Regardless, the above requests for funding conversion represent additional funding required in excess of the originally budgeted funding for [redacted] As such, the requested additional [redacted] is hereby recorded as cost overruns required to complete the [redacted] under the TO. The FBI appreciates [redacted] use of management reserve and benefits from other efficiencies in order to identify the remaining funds necessary. [redacted] is advised that no additional funding beyond this portion shall be afforded to complete these efforts.

If there are any questions please do not hesitate to contact my office.

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Sincerely,

[redacted]

Contracting Officer
Science and Technology Contracts Unit

CELLSITE-11266

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DATE 10-17-2012 BY 65179 DMH/rs

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE OF PAGES
	1 | 1

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
Mod 10	Jul 6, 2011		

6. ISSUED BY CODE

Federal Bureau of Investigation
[redacted] Room 6853
935 Pennsylvania Ave. NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) CODE

Same as Item 6.

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8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

[redacted]

CODE FACILITY CODE

(X) 9A. AMENDMENT OF SOLICIATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted]

(X) 10B. DATED (SEE ITEM 13) Sep 15, 2009

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE

☐ A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.

☐ B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).

☐ C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:

☒ D. OTHER (Specify type of modification and authority)
FAR 43.103(a) "Bilateral"

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is (1) to incorporate [redacted] Letter [redacted] dated 6/13/11 and the updated price list e-mailed 6/13/11 at 2:58PM into the Contract in accordance with its SOW, terms, and conditions; (2) the duties and authorities of the Contracting Officer are hereby transferred from [redacted] All other terms and conditions remain the same.

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Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)
[redacted] Contracts Manager	Contracting Officer

15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

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DATE 10-17-2012 BY 65179 DMH/rs

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE OF PAGES
	1 | 1

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicble)
Mod 11	Sep 22, 2011		

6. ISSUED BY CODE

Federal Bureau of Investigation
[redacted] Room 6853
935 Pennsylvania Ave. NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) CODE

Same as Item 6.

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8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

[redacted]

(X) 9A. AMENDMENT OF SOLICIATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted] b3 - b7E

10B. DATED (SEE ITEM 13) Sep 15, 2009

CODE FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE

☐ A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.

☒ B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).

☐ C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:

☐ D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor ☒ is not, ☐ is required to sign this document and return _____ copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

In accordance with FAR Clause 52.217-9 of the RFP, the purpose of this modification is exercise Option Year 2 under the [redacted] Contract (Block 10A). This documentation serves as the government's intent and The POP for this Option is 9/15/2011-9/15/2012. All other terms and conditions remain unchanged and in full effect.

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Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)

16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)

[redacted]
Contracting Officer

15B. CONTRACTOR/OFFEROR

(Signature of person authorized to sign)

15C. DATE SIGNED

16C. DATE SIGNED 9/22/11

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

CELLSITE-11270

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SF-30 AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

SF-30 PAGE 2 OF 2

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Purchase Order Number
Modification # 1
Task Order under

The purpose of this modification is to provide incremental funding in the amount of for services under the Task Order. Period of Performance: 9/14/10-9/14/11. All technical guidance to come from technical lead Services to be performed in accordance with the sow and documents below.

Documentation Incorporated:
The following documents are hereby incorporated into the SOW for this Task Order under

- FBI Task Order Letter, Statement of Work, and accompanying documents dated 7/12/10;
- Cost and Technical Proposals dated 8/9/10;
- FBI technical questions and requests for clarifications e-mailed 8/24/10;
- FBI Responses to Conditions and Assumptions e-mailed 8/25/10;
- Response to FBI 8/24 and 8/25 documentation dated 8/27/10;
- Revisions dated 9/9/10 Meeting Action Items Responses to Proposal Questions, and Proposal Update Summary Price Table (8 September 2010).
- FBI Revised Responses to Conditions and Assumptions e-mailed 9/14/10;

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Award Summary:
The FBI the hereby awards this Task Order on the following estimates provided in Proposal Update Summary Price Table (8 September 2010)" under the previously agreed up on Cost-Plus Fixed Fee pricing:

- Development:
-
-

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The Total estimated cost of this Task Order is The FBI provides incremental funding throug n the amount o

General:
Terms and conditions are those in effect under the contract. Contractor exceeds funding at own risk. Invoices to be sent to COTR.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179 DMH/rs

SF-30 AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

SF-30 PAGE 2 OF 2

Purchase Order Number [redacted]
Modification # 1
[redacted] Task Order under [redacted]

The purpose of this modification is to provide incremental funding in the amount of [redacted] for services under the [redacted] Task Order. Period of Performance: 9/14/10-9/14/11. All technical guidance to come from [redacted], technical lead [redacted] Services to be performed in accordance with the sow and documents below.

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Documentation Incorporated:
The following documents are hereby incorporated into the SOW for this Task Order under [redacted]

- FBI [redacted] Task Order Letter, Statement of Work, and accompanying documents dated 7/13/10;
- [redacted] Cost and Technical Proposals dated 8/9/10;
- FBI [redacted] technical questions and requests for clarifications submitted 8/26/10;
- [redacted] Revisions dated 9/9/10 [redacted] Summary Price Table and accompanying revisions to Technical Proposal, and Responses to Government [redacted] Questions;
- FBI Revised Responses to Conditions and Assumptions (C&As)
  - The FBI concurs with the following C&As: 1, 5, 7, 12, 17, 30, 32, and 35;
  - C&As 21, 28, and 29 responses stand per [redacted] 9/9/10 revisions;
  - Responses for all other C&As shall be those provided in the FBI's Responses to C&As for the [redacted] tasking e-mailed 9/14/10.

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Award Summary:
The FBI the hereby awards this Task Order on the following estimates provided [redacted] Summary Price Table" dated 9/9/10 under the previously agreed up on Cost-Plus Fixed Fee pricing:

- Developmer [redacted]
- [redacted]

The Total estimated cost of this Task Order is [redacted] The FBI provides incremental funding through [redacted] in the amount of [redacted]

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General:
Terms and conditions are those in effect under the contract. Contractor exceeds funding at own risk. Invoices to be sent to [redacted] COTR.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179 DMH/rs

SF-30 AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

SF-30 PAGE 2 OF 2

Purchase Order Number:
Modification # 1
Task Order under

Documentation Incorporated:
The purpose of this modification is to provide incremental funding in the amount of for services under the Task Order. Period of Performance: 9/14/10-9/14/11. All technical guidance to come from technical lead Services to be performed in accordance with the sow and documents below.

The following documents are hereby incorporated into the SOW for this Task Order under

- Task Order Letters, Statement of Work, and accompanying documents dated 7/13/10;
- Cost and Technical Proposals dated 8/9/10;
- FBI technical questions and requests for clarifications submitted 8/26/10;
- Revisions dated 9/9/10 Contractor Bid or Proposal Information (Revised Costing), Price Summary Table and accompanying Technical Proposal Revisions, and Responses to Government Questions;
- FBI Revised Responses to Conditions and Assumptions (C&As)
  - The FBI concurs with the following C&As: 1, 5, 12, 17, 29, 30, and 34;
  - C&As 18, 27, and 28 responses stand per 9/9/10 revisions.
  - Responses for all other C&As shall be those provided in the FBI's Responses to C&As for the tasking e-mailed 9/14/10;

Award Summary:
The FBI the hereby awards this Task Order on the following estimates provided in Summary Price Table" dated 9/9/10 under the previously agreed up on Cost-Plus Fixed Fee pricing:

Development:

The Total estimated cost of this Task Order is The FBI provides incremental funding through in the amount o

General:
Terms and conditions are those in effect under the contract. Contractor exceeds funding at own risk. Invoices to be sent to COTR.

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179 DMH/rs

SF-30 AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

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Purchase Order Number:
Modification # 1
Task Order unde

The purpose of this modification is to provide incremental funding in the amount of for services under the Period of Performance: 9/14/10-9/14/11. All technical guidance to come from technical lead. Services to be performed in accordance with the SOW and documents below.

Documentation Incorporated:
The following documents are hereby incorporated into the SOW for this Task Order under

- FBI Task Order Letter, Statement of Work, and accompanying documents dated 7/13/10;
- FBI echnical questions and requests for clarifications submitted 8/26/10;
- Revisions dated 9/9/10 Cost Proposal Revision I (9 September 2010), Revised Technical Proposal submitted 9/9/10, and Responses to Government Questions;
- FBI Responses to Conditions and Assumptions (C&As) in Cost Proposal Revision I (9 September 2010):
  - The FBI concurs with the following C&As: 1, 3, 4, 7, 15, 20, 22, 29, 30, 31, 33, 34, and 35;
  - C&A 5 – the FBI shall, to the best of its ability support the response provided in the FBI's Responses to C&As for the tasking e-mailed 9/14/10; however, for the above PO funding sources prevented the FBI from allocating all funding on one PO line. does not need to invoice to these lines in any specific order;
  - C&A 11 – the FBI concurs with this statement. However, should this application be used for any other work, costs associated with the application shall be shared by users;
  - Responses for all other C&As shall be those provided in the FBI's Responses to C&As for the tasking e-mailed 9/14/10.

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Award Summary:
The FBI the hereby awards this Task Order on the following estimates provided in Cost Proposal Revision I (9 September 2010)" under the previously agreed up on Cost-Plus Fixed Fee pricing:

- Phase I:
- Phase II
- Phase II

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SF-30 AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

SF-30 PAGE 3 OF 3

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Purchase Order Number [redacted]
Modification # 1
[redacted] Task Order under [redacted]

Award Summary (Con):
The Total estimated cost of this Task Order is [redacted] The FBI provides incremental funding through [redacted] in the amount of [redacted]

General:
Terms and conditions are those in effect under the contract. Contractor exceeds funding at own risk. Invoices to be sent to [redacted] COTR.

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DATE 10-17-2012 BY 65179 DMH/rs

MOD 7
J-FBI-09-211

The purpose of this modification is to incorporate the following: 1) Add [redacted] and [redacted] equipment to the above contract. Pricing and specifications per quote [redacted] dated 9/15/10 in e-mail on 9/16/10 at 3:34PM are hereby incorporated into the contract; 2) [redacted], preferably the COTR; 3) The following product names have been updated and shall hold all contractual weight and product/service/specification requirements as agreed upon in previous documentation, including restrictions: [redacted]

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DATE 10-17-2012 BY 65179 DMH/rs

Project:
Vendor:
New PO:
Previous PO

PCM

Funding for items, quantities, and services identified in this order. All technical guidance will be provided by COTR for this effort. Services will be performed in accordance with the SOW. POP lines 1-10: 6/2/10-6/2/11 lines 11 and 12: 4/12/2010-4/12/2011. Terms and conditions are those in effect under the contract. Contractor exceeds funding at their own risk. Invoices to be sent to

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@EFT

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@PRO

Mod 1

The purpose of this modification is to provide funding for items, quantities, and services in the amount of The period of performance for Lines 1-10 is 6/2/10-6/2/11 and for training on Lines 11 and 12 is 4/12/2010-4/11/2011. All work shall be performed in accordance with the original Statement of Work and the terms and conditions of the Contract. All technical guidance will be provided by COTR for this effort. Contractor exceeds funding at own risk.

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DATE 10-17-2012 BY 65179 DMH/rs

OTHER REQS – **bold = PO to cut** – Notes from Discussion w/ [redacted] and [redacted] 6/2/10

[redacted]

NO NEED to send [redacted] – they're all continuation of effort, just send POs.
OGC – no need for *this* trip

When can we start sending these things down – need their classified space 1st?

[redacted]

TOPICS

- [redacted]

Why sending money – [redacted]

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ALL INFORMATION CONTAINED
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DATE 10-17-2012 BY 65179 DMH/rs

Critical Unfunded

Unit:	
Short Title:	WIRELESS INTERCEPT AND TRACKING TEAM (WITT)
Shortfall Amount:	
Account(s):	
Cost Center:	
One-Time or Recurring Requirement	One Time
Existing Contract(s):	YES
Unit Rank:	1
SC Rank:	
AD Rank:	

b7E

Description of your shortfall:

This request shall provide capability not currently available and identified as

Why is this critical?

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Why can't you cover this with your current base funding?

, although has insufficient funding available to cover
he cost of far exceeds current base funding as required.

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What is the impact if you are unable to obtain funding for this?

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FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-18-2012 BY 65179 DMH/rs

[redacted]

From: [redacted]
Sent: Monday, July 20, 2009 11:42 AM
To: [redacted]
Cc:
Subject: RE [redacted]

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UNCLASSIFIED
NON-RECORD

[redacted]

Good morning. All efforts on the part of [redacted] are performed at their facility in [redacted] Historically, they have not required access to FBI-spaces in the past, nor are they expected to require access anytime in the future.

Thank you,

[redacted]
Wireless Intercept Tracking Team
[redacted]

From: [redacted]
Sent: Thursday, July 16, 2009 1:47 PM
To: [redacted]
Cc:
Subject: REQ [redacted]

UNCLASSIFIED
NON-RECORD

The Acquisition Security Unit (ASU) has received the Finance Division's request to conduct a [redacted] assessment on [redacted] further identified on the FD-369 as StingRay [redacted] This procurement is identified for the [redacted] for use on an [redacted]

Can you clarify whether or not [redacted] will be coming into the facility to install, maintain, or repair the system in support of this requisition? Is there a Statement of Work or RFP in which the security requirements are listed? If so, please provide a copy.

Thank you,

[redacted]

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To provide feedback to SecD, please click here: [redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-18-2012 BY 65179 DMH/rs

From:
Sent: Tuesday, July 28, 2009 5:58 PM
To:
Subject: RE:

Attachments: Item List.xls

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b7C
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b5

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

This is the unclassified list of for the SOW. I think I've captured everything that we might be doing as a regular order. Sorry it took so long but I wanted to make sure it was inclusive of everything rather than get hit with mods later.

did want me to also include a couple of notes (for you not

Thanks,

Notes:

1.
already. (I think he just wants to get that as a firm agreement)

2

Item List.xls
(28 KB)

From:
Sent: Monday, July 27, 2009 5:06 PM
To:
Subject: RE:

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

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Use this number

Thanks

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-18-2012 BY 65179 DMH/rs

QUISITION SECURITY REQUES

Request Date: June 4, 2009	Anticipated Procurement Date: September 30, 2009

VENDOR INFORMATION

☐ **Reseller With Access to FBI Facilities** ☐ **Reseller With No Access to FBI Facilities**

Vendor Name:	
Vendor Address:	

☑ **Manufacturer**

Vendor Name:	
Vendor Address:	b3 b7E

☑ **Contractor Providing Classified Services**

Vendor Name:	
Vendor Address:	

PRODUCT/SERVICES INFORMATION

1. Products being procured (list the specific hardware / software / services in detail)	i.e.;
2. What entity will be purchasing and using the product (Location, Division, Section, Unit, and Program)?	WITT program b3 b7E
4. Highest Classification / Security Requirements (i.e. Top Secret, Top Secret SCI, Secret, SBU, LES, etc.)	The highest classification level needed by the contractor to perform this work will be SECRET.
5. Who is installing and maintaining the equipment/software (FBI personnel, vendor, other)?	The Bureau will be installing and maintaining this equipment. There may be times when vendor support will be requested.
6. Will the vendor require access to classified information/systems?	The vendor may be required to have access classified information.
7. Other information/comments?	

PROCUREMENT INFORMATION

Contracting Officer Name/ Phone:	b6 b7C
FBI COTR Name/Phone:	
Requisition Number:	
Purchase Order Number:	
Contract Number:	

DOCUMENTATION ATTACHED

☑ Answers to the Acquisition Risk Questions (the replacement for the SF-328)
☐ Key Management Personnel Listing (KMPL)
☑ FD-369 Requisition for Supplies and/or Equipment

PRIORITY

All requests will be handled by date received by ASU unless specific issues affecting the priority, i.e. Director's Priority, are specifically provided in writing by the Contracting Officer.

Comments: b7E

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

DATE: 10-18-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 10-18-2037

Justification for Other Than Full and Open Competition
In Accordance With 41 U.S.C. 253 (c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI). The contracting activity is the

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2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(U) The proposed acquisition strategy is to award a non-competitive contract effort for

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(U) is responsible for providing the FBI with

The FBI's Wireless Intercept and Tracking Team (WITT) plays a critical role in the

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(U) is requesting this sole source procurement with in the amount of Requisitions for and for have been submitted to begin funding the requirement.

~~SECRET~~

4. **IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION**

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

5. **DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED**

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6. **DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE**

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would

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7. DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED

(U) [redacted] continuously conducts market surveys to determine state-of-the-art technologies. The engineers, technicians, and technical personnel are in constant contact with equipment vendors, other technical members of the intelligence community, as well as visiting trade shows, reviewing trade journals, and browsing the Internet. [redacted] routinely conducts and attends working group (WG) meetings with vendors to assess the capabilities, performance, and quality of equipment that meets the needs of the FBI. [redacted] assessed available capabilities and have determined that other vendor technologies have not yet achieved the advanced capabilities that [redacted] can provide.

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9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

(U) [redacted] See paragraph (5) above for facts supporting the use of other then full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Contracting Officer's Technical Representative (Date)

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

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[redacted] Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

, Supervisory Contracting Officer (Date)

, FBI Chief Contracting Officer (Date)

Office of General Counsel (Date)

Approved By:

, Competition Advocate (Date)

CELLSITE-5388

(Rev. 05-01-2008)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 10-18-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 10-18-2037

~~SECRET~~

COPY

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 06/04/2009

To: Finance **Attn:**

From: Operational Technology Divisioin

Contact:

Approved By:

Drafted By:

Case ID #: (U) 268-HQ-1068430 - 655

Title: (U) Program Requisition

Synopsis: (S)

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Derived From: Multiple Sources
Declassify On: 20190604

(U) **Enclosure(s):** (S)

Details: (S)

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UPLOADED
JUN 4 2009
E.H.

CELLSITE-5389

To: Finance From: Operational Technology Divisioin
Re: (U) 268-HQ-1068430, 06/04/2009

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[redacted]

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(U) Additional reference information about the [redacted] program is available in the enclosed documents. Questions

To: Finance From: Operational Technology Divisioin
Re: (U) 268-HQ-1068430, 06/04/2009

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regarding this tasking should be directed to EE. [redacted] [redacted]

(U) Contracting Officers are responsible for ensuring that [redacted]

To: Finance From: Operational Technology Divisioin
Re: (U) 268-HQ-1068430, 06/04/2009

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

(U) [redacted] requests that the Finance Division begin contract action with [redacted] to initiate the [redacted] contract vehicle. Requisitions number [redacted] for the amount of [redacted] and [redacted] for [redacted] from budget items [redacted] and [redacted] are available to begin this action.

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CELLSITE-5393

DATE: 11-06-2012
CLASSIFIED BY 65179/dmh/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 11-06-2037

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

STATEMENT OF NEED

PROJECT/ACTIVITY: [redacted] Project

PROJECT/ACTIVITY LEADER: [redacted]

PURPOSE:

(U) To request authorization and funding to initiate a new project/activity within the [redacted] Wireless Intercept and Tracking Team (WITT). b3 b6 b7C b7E

THE NEED STATEMENT:

(S) [redacted] b1 b3 b7E

STRATEGIC MISSION ELEMENT

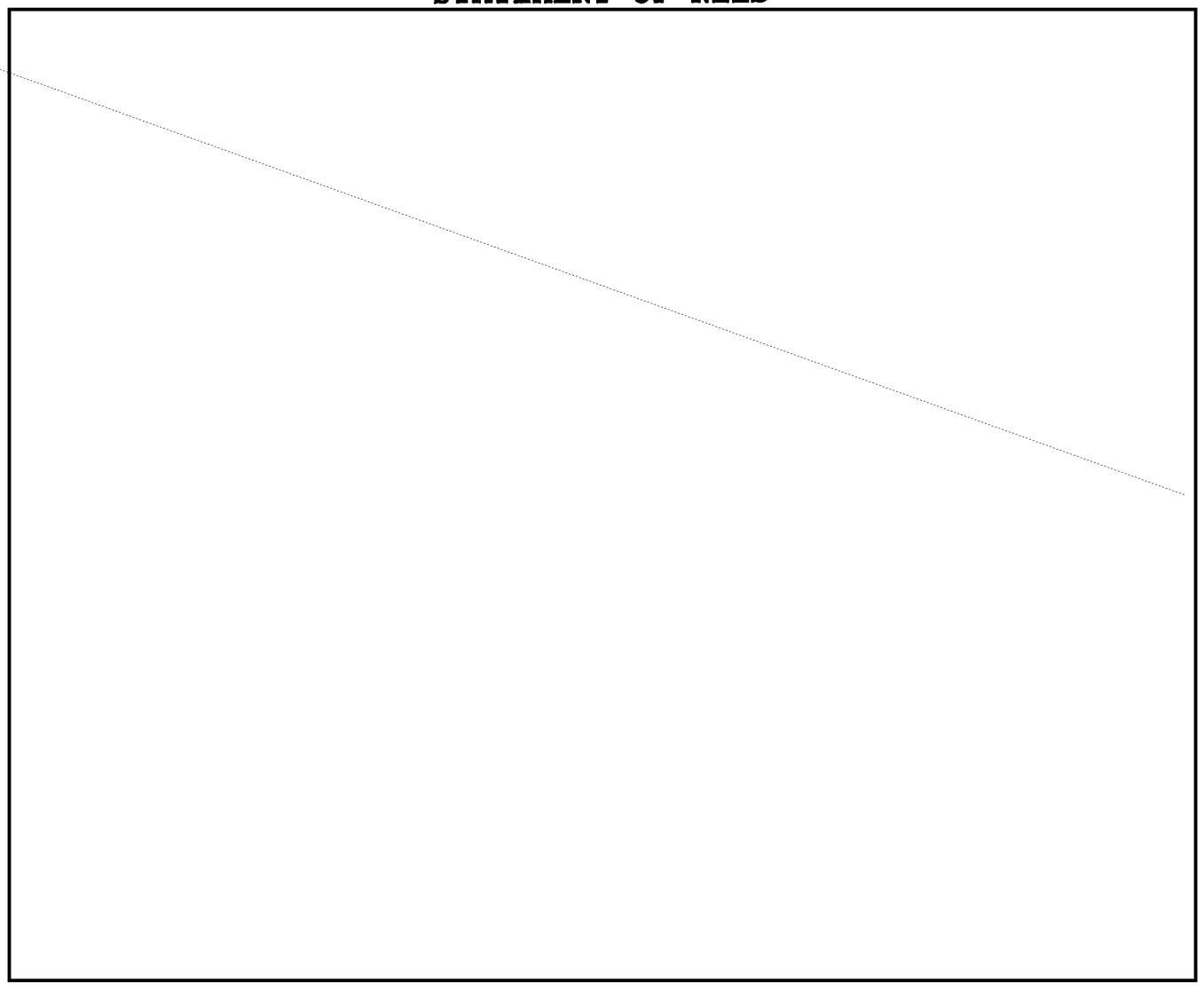
(U) (S) As established in the Federal Bureau of Investigation (FBI) Strategic Plan, the [redacted] is responsible for researching, procuring, and deploying specialized [redacted] The mission areas that will benefit from the development of the proposed new capability include: [redacted] b3 b7E

BASIS OF NEED

(S) [redacted] b1 b3 b7E

STATEMENT OF NEED

(S)



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PROPOSED PROJECT/ACTIVITY SUMMARY

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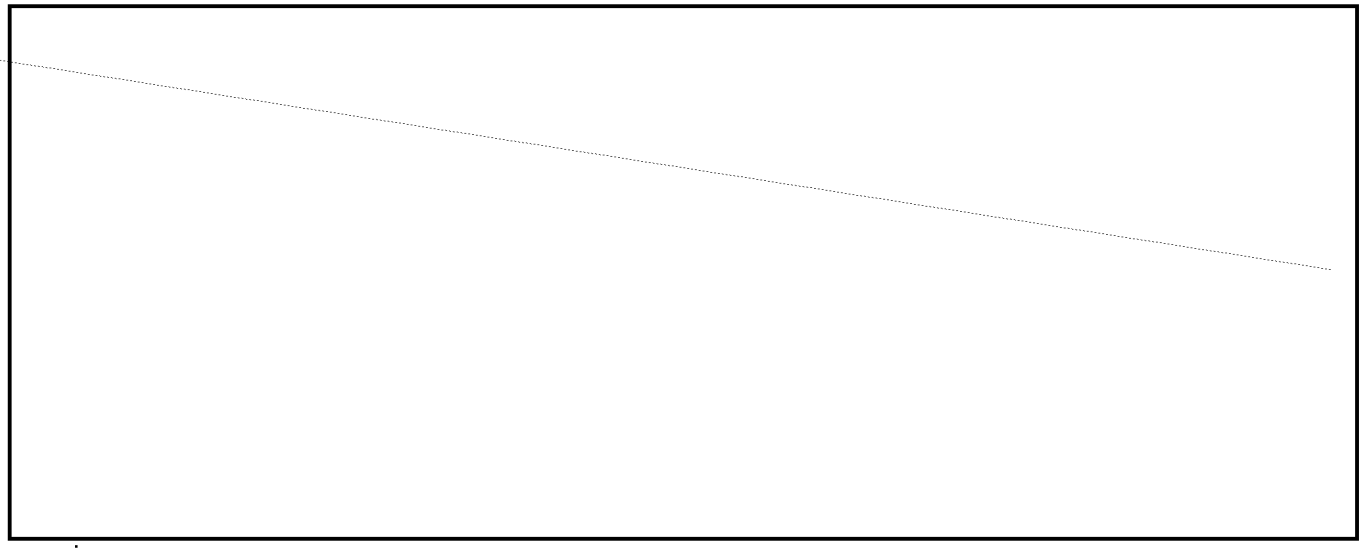

STATEMENT OF NEED

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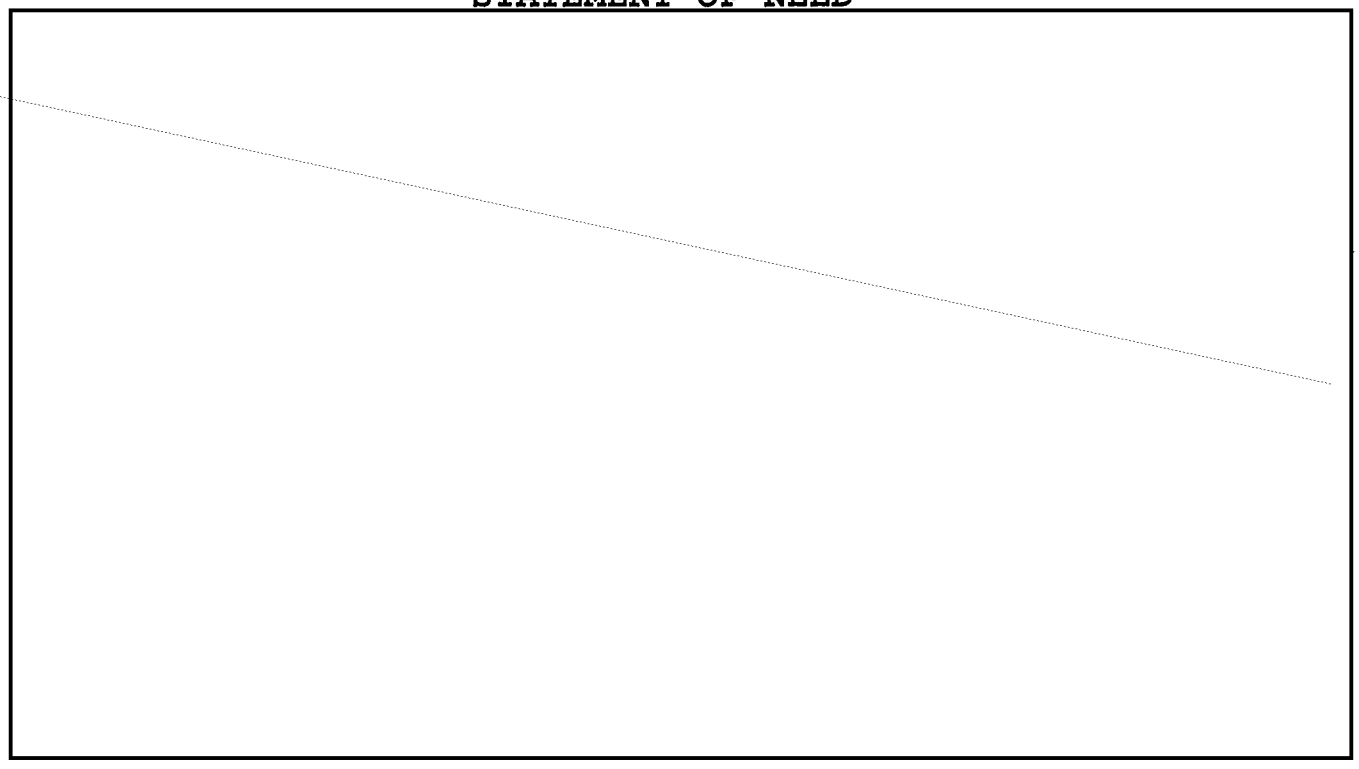

SPECIAL CONSIDERATIONS/CONSTRAINTS

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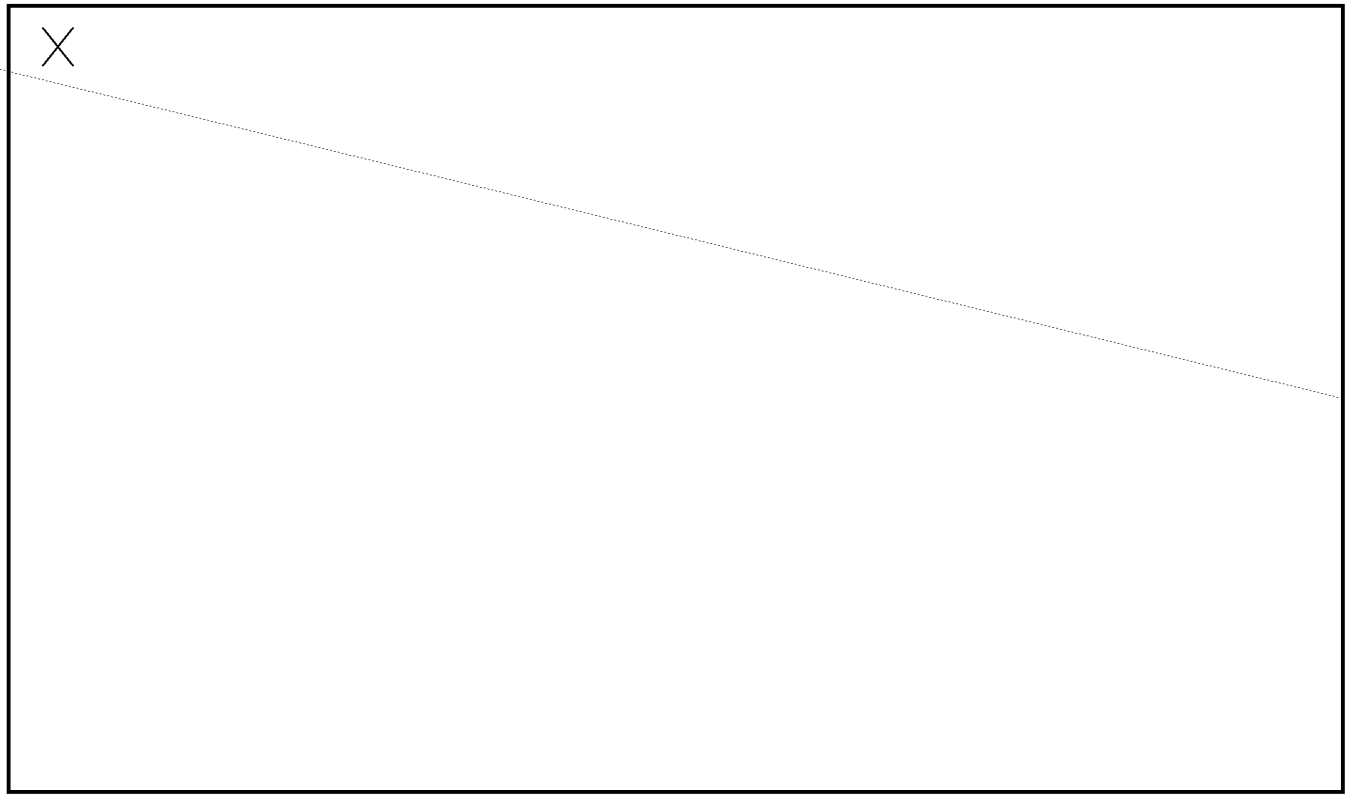

STATEMENT OF NEED

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APPROVAL

Prepared by: *(Project Leader)* [redacted] 6/4/09
Printed Name Signature Date

Concurred by: [redacted] 6/4/09
Printed Name Signature Date

Approved by: *(Unit Chief)* [redacted] 6/4/09
Printed Name Signature Date

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WHERE SHOWN OTHERWISE

~~SECRET~~

DATE: 10-18-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 10-18-2037

FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~

Precedence: ROUTINE **Date:** 07/13/2009

To: Finance **Attn:** [redacted]
Acting Section Chief
Procurement Section (PS)

From: Finance Division
Quantico Contracts Unit
Contact: [redacted] b6 b7C

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: (U) 268-HQ-1068430

Title: (U) Pre-solicitation Approval [redacted]

This Document is Classified "~~Secret~~" in its Entirety

Synopsis: (U) To request authorization from the Acquisition Review Board (ARB) to begin formal solicitation procedures on a sole source basis, wit [redacted] for the acquisition of [redacted] b3 b7E

(U) This solicitation will result in an Indefinite Delivery Indefinite Quantity (IDIQ) type contract. The contract will include provisions for Cost Plus Fixed Fee (CPFF), Firm Fixed Price (FFP), and Time and Material tasking. The guaranteed minimum for the resulting contract is [redacted] and the estimated cost over the life of the contract is not to exceed [redacted] b1 b3 b7E

(U) Derived From: G-3
Declassify On: X1

(S) [redacted]

Details: (S)

(S) [redacted]

~~Secret~~

~~SECRET~~

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(U) The work being performed by [redacted] involves classified technology and sophisticated techniques that will be developed under this contract. These techniques provide valuable assistance to the various field offices with ongoing investigations. Tasks to be performed under th proposed contract include the following:

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(U) [redacted] is necessary for our field personnel to keep current with technology [redacted]

(S)

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To: Finance From. Finance Division
Re: 07/13/2009

(U) Initial funding in the amount of [redacted] for this requirement has been provided from Cost Code [redacted] b3

(U) The ARB is requested to approve the issuance of a sole b7E source, non-publicized solicitation and subsequent contract award to [redacted] for the acquisition of the required equipment; engineering services; and development and quick reaction efforts in support of this program.

20-Acquisition Review Board
1-File

(Rev. 01-31-2003)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

DATE: 10-18-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 10-18-2037

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 06/01/2009

To: Finance Division **Attn:** [redacted]

From: Operational Technology Division
[redacted]

Contact: [redacted]

Approved By: [redacted] 6/4/09

Drafted By: [redacted]

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Case ID #: (U) 268-HQ-1068430

Title: (U) [redacted] program requisition

(S) **Synopsis:** (S) [redacted]

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(U) ~~(S)~~ **Derived From : G-3**
Declassify On: X1

(U) **Enclosure(s):** ~~(S)~~ Project Management Office (PMO) Phase II Review Planning and Specification Document (Project Plan)

(U) ~~(S)~~ [redacted] Statement of Need (SON)

(S) **Details:** (S) [redacted]

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CELLSITE-5401

To: Finance Division From: Operational Technology Division
Re: (U) 268-HQ-1068430, 06/01/2009

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(S)

(U) Additional reference information about the [redacted] program is available in the enclosed documents. Questions regarding this tasking should be directed to EE. [redacted]

[redacted]

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CELLSITE-5403

To: Finance Division From: Operational Technology Division
Re: (U) 268-HQ-1068430, 06/01/2009

(U) Contracting Officers are responsible for ensuring

[redacted]

LEAD(s):

Set Lead 1: (Action)

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FINANCE

AT QUANTICO

(U) [redacted] requests that the Quantico Contracts Unit begin contract action with [redacted] to initiate the [redacted] contract vehicle. Requisitions number [redacted] for the amount of [redacted] and [redacted] for [redacted] from budget items [redacted] and [redacted] are available to begin this action.

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CELLSITE-5404

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WHERE SHOWN OTHERWISE

~~SECRET~~

DATE: 10-18-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 10-18-2037

Justification for Other Than Full and Open Competition
In Accordance With 41 U.S.C. 253 (c)(6)

(U) This document is classified "~~SECRET~~" in its entirety, unless otherwise noted.

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) In response to a requirement from the Operational Technology Division (OTD), [redacted] has prepared this Justification for Other Than Full and Open Competition for the establishment of an Indefinite Delivery Indefinite Quantity (IDIQ) type contract with provisions for Firm Fixed Price, Cost Plus Fixed Fee and Time and Materials for quick reaction tasking with [redacted] acquisition of [redacted]

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2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(U) The proposed acquisition strategy is to award a contract in support of on going missions of the FBI involving [redacted] This [redacted] is only available through the [redacted]

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

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(U) [redacted] is responsible for providing the FBI with [redacted] The FBI's Wireless Intercept and Tracking Team (WITT) plays a critical role in the [redacted]

(S) [redacted]

~~SECRET~~

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(U) [ ] contemplates the award of an IDIQ type contract with provision for FFP, CPFF and T&M for quick reaction type tasking as required by the contract in support of ongoing efforts. The estimated cost over the life of the contract is [ ] The guaranteed minimum is [ ] and maximum not to exceed [ ] The initial term of the contract will be for the base 12 month period, with four additional one-year options.

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

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(S) [redacted] b1 b3

(U) Therefore, in accordance with 41 U.S.C. 253 (c)(6), as authorized by FAR 6-302-6 this procurement will not be conducted as a full and open competition, as disclosure of the FBI's need would compromise national security and the FBI's missions.

6. **EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE,** INCLUDING COMPLIANCE WITH SUBPART 5.2 AND, IF NOT, WHICH EXCEPTION UNDER FAR PART 5.202 APPLIES:

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would [redacted]

[redacted] b1 b3 b7E

(S) [redacted]

7. **DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE**

(U) A cost and price analysis will be conducted prior to award each task to ensure the FBI is paying a fair and reasonable price for all equipment and services.

8. **A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED**

(U) [redacted] continuously conducts market surveys to determine state-of-the-art technologies. The engineers, technicians, and technical personnel are in constant contact with equipment vendors, other technical members of the intelligence community, as well as visiting trade shows, reviewing trade journals, and browsing the Internet. [redacted] routinely conducts and attends working group (WG) meetings with vendors to assess the capabilities, performance, and quality of equipment that meets the needs of the FBI. [redacted] assessed available capabilities and have determined that other vendor technologies have not yet achieved the advanced capabilities that [redacted] can provide.

(U) The [redacted] continues to search the market place for contractors to expand its contractor base for both diversity and competition. To the extent that is possible, a market survey was done. Because even limited search of the market places involves discussions with contractors about b3 b7E

[redacted]

[redacted] contracts with additional contractor must be kept to a minimum. Publication in the Fedbizopps and other public offerings are not possible because of the damage that this would case to national security.

9. **ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION**

[redacted] See paragraph (5) above for facts supporting the use of other then full and open competition.

10. **A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION**

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. **A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED**

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

Conclusion--

(U) Based on the above findings, it is hereby determined, that in accordance with FAR the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the

disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-19-2012 BY 65179 DMH/rs

FEDERAL BUREAU OF INVESTIGATION
Internal Routing/Action Slip

TO	ROOM	NAME/TITLE
		FINANCE DIVISION - ASPU
	6863	
		DIVISION FRONT OFFICE
6		
		SECTION FRONT OFFICE
5		
4		
3		
		UNIT
2		11/28/08
1		

FY 2009 [ ]
SPENDING PLAN
TRANSACTION SUMMARY
REQ: [ ]

ACCOUNT: [ ]

BALANCE OF BI
BEFORE REQUEST:
AMOUNT: [ ]

BALANCE OF BI
AFTER REQUEST:

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The [ ] requests ASPU establish a purchase order with [ ] to procure the [ ] Funding source is FY 09 [ ] budget account: [ ] in the amount of [ ] for equipment.

[ ] **BUDGET APPROVAL STAMP AFFIXED TO THE REQUISITION SIGNIFIES CONCURRENCE OF THIS REQUISITION.**

☐ FOR YOUR INFO ☐ NOTE & RETURN
X APPROPRIATE ACTION
☐ RECORD & RETURN
REMARKS:

Note: For your review and approval. Please initial cover and requisition where indicated. Thank you.

Case ID #: 319B-HQ-A1487504 [ ]

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FROM / LAST:

[ ]

FY 09 [ ]

CELLSITE-5411
recd 11/26/

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-22-2012 BY 65179 DMH/rs

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FD-369 (Rev. 2-21-89)

FEDERAL BUREAU OF INVESTIGATION

REQUISITION FOR SUPPLIES AND/OR EQUIPMENT

Req. #

November 14, 2008
Date

Ordering Office/Cost Code

Approved By

Julian Date

Supply Technician:
Program Manager:
Funding Approved:
Requester:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order #

FY 09

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	BI#	UNIT PRICE	TOTAL
1				Each					
2				Each					
3				Each					
4				Each					

BUDGET APPROVAL

Requisition Description:
Equipment

Suggested Vendor:

SIGNATURE

DATE 11/26/08

SPECIAL INSTRUCTIONS
Ship to Code:
Delivery Instructions:
Government's Estimate
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEMS:
See attached EC

RECEIVED
APR 06 2009
BY:

CELLSITE-5412

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-19-2012 BY 65179 DMH/rs

ACQUISITION SECURITY REQUEST

Request Date:	Anticipated Procurement Date:

VENDOR INFORMATION

☐ **Reseller With Access to FBI Facilities** ■ **Reseller With No Access to FBI Facilities**

Vendor Name:	
Vendor Address:	

☐ **Manufacturer**

Vendor Name:	
Vendor Address:	

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☐ **Contractor Providing Classified Services**

Vendor Name:	
Vendor Address:	

PRODUCT/SERVICES INFORMATION

1. Products being procured (list the specific hardware / software / services in detail)	
2. What entity will be purchasing and using the product (Location, Division, Section, Unit, and Program)?	Wireless Intercept and Tracking Team
	FBI
4. Highest Classification / Security Requirements (i.e. Top Secret, Top Secret SCI, Secret, SBU, LES, etc.)	
5. Who is installing and maintaining the equipment/software (FBI personnel, vendor, other)?	Bureau Engineers, Technicians
6. Will the vendor require access to classified information/systems?	No
7. Other information/comments?	none

PROCUREMENT INFORMATION

Contracting Officer Name/ Phone:	
FBI COTR Name/Phone:	
Requisition Number:	
Purchase Order Number:	
Contract Number:	

DOCUMENTATION ATTACHED

☐ Answers to the Acquisition Risk Questions (the replacement for the SF-328)
☐ Key Management Personnel Listing (KMPL)
■ FD-369 Requisition for Supplies and/or Equipment

PRIORITY

All requests will be handled by date received by ASU unless specific issues affecting the priority, i.e. Director's Priority, are specifically provided in writing by the Contracting Officer.

Comments:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-19-2012 BY 65179 DMH/rs

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE OF PAGES

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicble)
MOD#2	09/15/09		

6. ISSUED BY CODE

FBI

7. ADMINISTERED BY (If other than Item 6) CODE

Federal Bureau of Investigation
JEH FBI Bldg Room 6853
935 Pennsylvania Avenue NW
Washington, DC 20535-0001
Attn: [redacted] b6 b7C

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

[redacted]

(X) 9A. AMENDMENT OF SOLICIATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO.

X [redacted] b3 b7E

10B. DATED (SEE ITEM 11)

09/15/09

CODE FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a)By completing items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPIRATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) Funding FAR 32.7

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is to provide funding for [redacted] Proposal submitted on 9/14/09. Tasking to be performed in accordance with the SOW dated 9/11/09. This requirement shall be performed as a CPFF effort. Terms and conditions are those in effect under the current contract. Period of performance is 9/30/09 thur 9/30/10. Total funds for this effort is [redacted] all remaining funds on this order shall be tasked prior to the conclusion of this effort.
Total for [redacted]
Remaining Funding: [redacted] b3 b6 b7C b7E

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)
	[redacted] Contracting Officer

15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

CELLSITE-5414

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-22-2012 BY 65179 DMH/rs

Purchase Order for Supplies or Services

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
01/07/2010				1

6. To Contractor *(Name, Address and Zip Code)*:

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

b3
b6
b7C
b7E

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
CONTRACT [redacted] DUE DATE:07/30/2010 [redacted]					
CONTRACT [redacted] DUE DATE:07/30/2010 [redacted]					
CONTRACT [redacted] DUE DATE:07/30/2010 [redacted]					
CONTRACT [redacted] DUE DATE:07/30/2010 [redacted]					

b3
b4
b7E
b6
b7C

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total ➧ XXXXXXX

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice Payment Status:
Commercial Payments Unit [redacted]

16. United States of America
By *(Signature)*

17. Name *(Typed)* XXXXXXXXXXX

Title: Contracting Officer

B – BUYER

CELLSITE-5416

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
01/07/2010				2

6. To Contractor *(Name, Address and Zip Code):*

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

b3
b6
b7C
b7E

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	CONTRACT DUE DATE:07/30/2010				
	CONTRACT DUE DATE:07/30/2010				
	CONTRACT DUE DATE:07/30/2010				
	CONTRACT DUE DATE:07/30/2010				

b3
b4
b7E
b6
b7C

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total XXXXXX.XX

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice Payment Status:
Commercial Payments Unit

16. United States of America
By *(Signature)*

17. Name *(Typed)* XXXXXXXXXXX

Title: Contracting Officer

B – BUYER

CELLSITE-5417

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

1. Date of Order	2.	3. Mod. No.	4. Mod. Date	5. Page No.
01/07/2010				3

6. To Contractor *(Name, Address and Zip Code)*:

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: b3 b6 b7C b7E
BUILDING 27958A
QUANTICO, VA 22135

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	CONTRACT DUE DATE:07/30/2010				
	CONTRACT DUE DATE:07/30/2010				
	CONTRACT DUE DATE:01/30/2011				
	CONTRACT DUE DATE:01/30/2011				

b3 b4 b7E

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total XXXXXX b6 XX b7C

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice Payment Status:
Commercial Payments Unit

16. United States of America
By *(Signature)*

17. Name *(Typed)* XXXXXXXXXXX

Title: Contracting Officer

B – BUYER

CELLSITE-5418

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
01/07/2010				4

6. To Contractor *(Name, Address and Zip Code)*:

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted] b3 b6 b7C b7E
BUILDING 27958A
QUANTICO, VA 22135

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	CONTRACT # [redacted] DUE DATE:01/30/2011 [redacted]				
	CONTRACT # [redacted] DUE DATE:01/30/2011 [redacted]				
	FUNDING FOR ITEMS, QUANTITIES AND SERVICES AS IDENTIFEID IN THIS ORDER. TERMS AND CONDITIONS ARE THOSE IN EFFECT UNDER THE CURRENT CONTRACT. PERIOD OF PERFORMANCE IS 1/7/10 THUR 7/30/10 FOR LINE 1 THUR 10. PERIOD OF PERFORMANCE FOR LINES 11 THUR 14 IS 1/7/10 THUR 1/20/11 COTR OF RECORD FOR THIS REQUIREMENT IS [redacted] CONTRACTOR EXCEEDS TOTAL FUNDING AT THEIR OWN RISK b3 b4 b6 b7C b7E				

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total ➧ XXXXXXXXXXX

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice Payment Status:
Commercial Payments Unit [redacted]

16. United States of America
By *(Signature)*

17. Name *(Typed)* XXXXXXXXXXX

Title: Contracting Officer

B – BUYER

CELLSITE-5419

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
01/07/2010				5

6. To Contractor *(Name, Address and Zip Code)*:

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

b3
b6
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b7E

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	ALL PAYMENTS BY THE GOVERNMENT UNDER THIS ORDER SHALL BE MADE BY ELECTRONIC FUNDS TRANSFER (EFT). THE VENDOR SHALL PROVIDE THIS INFORMATION ON EACH INVOICE OR SUBMIT SF-3881 FORM TO: FBI, COMMERCIAL PAYMENTS UNIT RM. 1987, J. EDGAR HOOVER BLDG 935 PENNSYLVANIA AVENUE, NW WASHINGTON, DC 20535 IF THIS INFORMATION IS NOT AVAILABLE TO THE GOVERNMENT, THE INVOICE WILL BE CONSIDERED AN IMPROPER INVOICE AND SHALL BE RETURNED. A PROPER INVOICE SUBMITTED FOR PAYMENT TO THE FBI MUST CONTAIN THE FOLLOWING: THE NAME OF THE VENDOR; AN INVOICE NUMBER; THE CONTRACT OR PURCHASE ORDER NUMBER; THE INVOICE DATE; DESCRIPTION (I.E. NAME OR ITEM LINE NUMBER), PRICE AND QUANTITY OF GOODS OR SERVICES RENDERED; SHIPPING AND/OR PAYMENT TERMS; TAXPAYER ID#;				

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total ➧ XXXXXXXXXXX

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice Pa
Commercial Payments Unit - [redacted]

16. United States of America
By *(Signature)*

17. Name *(Typed)* XXXXXXXXXXX

Title: Contracting Officer

B – BUYER

CELLSITE-5420

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Req.: [redacted]

Purchase Order for Supplies or Services

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
01/07/2010	[redacted]			6

6. To Contractor *(Name, Address and Zip Code)*:
[redacted]

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN [redacted]
BUILDING 27958A
QUANTICO, VA 22135

b3
b6
b7C
b7E

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	BANKING / ROUTING NUMBER TO ALLOW EFT PAYMENT; CONTACT NAME, TITLE AND TELEPHONE NUMBER AND ANY OTHER SUBSTANTIATING DOCUMENTATION AS REQUIRED BY THE CONTRACT.				

b3
b6
b7C
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14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

CONTRACTOR NUMBER [redacted]

15. Grand Total [redacted]

See Instructions on Reverse

Point of Contact - Purchase Order Information:
[redacted]

Commercial Payments Unit - [redacted]

16. U[redacted]
B[redacted]

17. N[redacted]
Title: Contracting Officer

B – BUYER

CELLSITE-5421

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-22-2012 BY 65179 DMH/ra

FD-369 (Rev. 2-21-89)

FEDERAL BUREAU OF INVESTIGATION

REQUISITION FOR SUPPLIES AND/OR EQUIPMENT

Req. #

October 16, 2009
Date

Ordering Office/Cost Code

Approved By

Julian Date

Supply Technician:
Program Manager:
Funding Approved:
Requester:
COTR:

10/29/09

ENTERED

FY 2010

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order #

b3 -
b4 -
b6 -
b7C
b7E

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	BI#	UNIT PRICE	TOTAL
1				each					
2				each					
3				each					
4				each					
5				each					
6				each					
7				each					
8				each					
9				each					
10				each					
11				each					
12				each					
13				each					

SPECIAL INSTRUCTIONS

Ship to Code:
Delivery Instructions: M-F, 8am-4pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEMS:

see attached EC

RECEIVED
NOV 30 2009
BY:

CELLSITE-5422

Req. #

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	BI#	UNIT PRICE	TOTAL
14				each					

Requisition Description:
Equipment and training

Suggested Vendor:

b3
b4
b7E

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-23-2012 BY 65179 DMH/rs

A[illegible]UISITION SECURITY REQUEST

Request Date:	Anticipated Procurement Date:

VENDOR INFORMATION

☐ **Reseller With Access to FBI Facilities** ■ **Reseller With No Access to FBI Facilities**

Vendor Name:	
Vendor Address:	

☐ **Manufacturer** ☐ **Hardware** ☐ **Software** ☐ **Maintenance**

Vendor Name:	
Vendor Address:	

☐ **Contractor Providing Classified Services** ☐ **DD Form 254 Required**

Vendor Name:	
Vendor Address:	

b3
b6
b7C
b7E

PRODUCT/SERVICES INFORMATION

☐ **FISMA System** ☐ **Critical Asset System** ☐ **Telecommunications** ☐ **Audiovisual**

1. Products being procured (list the specific hardware / software / services in detail)	
2. What entity will be purchasing and using the product (Location, Division, Section, Unit, and Program)?	Wireless Intercept and Tracking Team
	Stand alone systems
4. Highest Classification / Security Requirements (i.e. Top Secret, Top Secret SCI, Secret, SBU, LES, etc.)	Secret
5. Who is installing and maintaining the equipment/software (FBI personnel, vendor, other)?	FBI personnel
6. Will the vendor require access to classified information/systems?	no

PROCUREMENT INFORMATION

Contracting Officer Name/ Phone:	
FBI COTR Name/Phone:	
Program Manager/Technical POC:	
Requisition Number:	
Purchase Order Number:	
Contract Number:	

DOCUMENTATION ATTACHED

☐ Answers to the Acquisition Risk Questions (the replacement for the SF-328)
☐ Key Management Personnel Listing (KMPL)
☐ FD-369 Requisition for Supplies and/or Equipment
☐ Statement of Work (SOW) – Required if a classified contract

PRIORITY

All requests will be handled by date received by ASU unless specific issues affecting the priority, i.e. Director's Priority, are specifically provided in writing by the Contracting Officer.

Comments:

Return to Acquisition Security Unit, PA-555
Unclassified Fax: 202[redacted]

CELLSITE-5424

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-19-2012 BY 65179 DMH/rs

429

(Rev. 05-01-2008)

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE Date: 10/19/2009

To: Finance Attn:

From: Operational Technology Division

Contact: b6 b7C b7E

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430-618

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: The Quantico Contracts Unit (QCU) is requested to initiate the procurement b3 b7E

Enclosure(s):

Details: The Law Enforcement community continues to employ The trend is expected to not only continue, but dynamically increase with the continued

WITT has determined that it is necessary to procure the identified listed on the attached FD-369 from using FBI contract, to enhance the FBI's capability to b3

The Contracting Officer Technical Representative (COTR) for this procurement is EE and can be contacted at b6 b7C b7E

UNCLASSIFIED

wpd

UPLOADED
OCT 26 2009
CELLSITE-5425

#2011113

To: Finance From: Operational Technology Division
Re: 268-HQ-1068430, 10/16/2009

b3
b7E

the Engineering Research Facility, located in Quantico, Virginia, for any questions.

Contracting Officers are responsible for ensuring that

[redacted]

To: Finance From: Operational Technology Division
Re: 268-HQ-1068430, 10/16/2009

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

The Quantico Contracts Unit (QCU) is requested to initiate the procurement of [redacted]

CC: [redacted]

b3
b6
b7C
b7E

(Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-22-2012 BY 65179 DMH/rs

Req #:

Purchase Order for Supplies or Services

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
09/15/2009				1

6. To Contractor *(Name, Address and Zip Code)*:

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

b3 b6 b7C b7E

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
OTHER LARGE BUSINESS	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	CONTRACT DUE DATE:06/30/2010				
	CONTRACT DUE DATE:06/30/2010				
	CONTRACT DUE DATE:06/30/2010				
	CONTRACT DUE DATE:06/30/2010				

b3 b4 b7E b6 b7C

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total ➧ XXXX XXX

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice Payment Status:
Commercial Payments Unit

16. United States of America
By *(Signature)*

17. Name *(Typed)* XXXXXXXXXXX

Title: Contracting Officer

B – BUYER

CELLSITE-5428

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
09/15/2009				2

6. To Contractor *(Name, Address and Zip Code):*

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

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b7C
b7E

10. Business Classification	11. F.O.B. Point	12. Discount Terms
OTHER LARGE BUSINESS	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	FUNDING FOR ITEMS AND QUANTITIES IN ACCORDANCE WITH THE TERMS OF THE CONTRACT. PERIOD OF PERFORMANE IS 9/30/09 THRU 6/30/2010. COTR OF RECORD IS FOR ALL TECHNICAL GUIDANCE. CONTRACTOR EXCEEDS FUNDS AT THEIR OWN RISK. ALL PAYMENTS BY THE GOVERNMENT UNDER THIS ORDER SHALL BE MADE BY ELECTRONIC FUNDS TRANSFER (EFT). THE VENDOR SHALL PROVIDE THIS INFORMATION ON EACH INVOICE OR SUBMIT SF-3881 FORM TO: FBI, COMMERCIAL PAYMENTS UNIT RM. 1987, J. EDGAR HOOVER BLDG 935 PENNSYLVANIA AVENUE, NW WASHINGTON, DC 20535 IF THIS INFORMATION IS NOT AVAILABLE TO THE GOVERNMENT, THE INVOICE WILL BE CONSIDERED AN IMPROPER INVOICE AND SHALL BE RETURNED.				

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total ➧ XXXXXXXXXXX

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice
Commercial Payments Unit

16. United States of America
By *(Signature)*

17. Name *(Typed)* XXXXXXXXXXX

Title: Contracting Officer

B – BUYER

CELLSITE-5429

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

1. Date of Order	2. O[redacted]	3. Mod. No.	4. Mod. Date	5. Page No.
09/15/2009				3

6. To Contractor *(Name, Address and Zip Code):*

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

b3
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8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
OTHER LARGE BUSINESS	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	A PROPER INVOICE SUBMITTED FOR PAYMENT TO THE FBI MUST CONTAIN THE FOLLOWING: THE NAME OF THE VENDOR; AN INVOICE NUMBER; THE CONTRACT OR PURCHASE ORDER NUMBER; THE INVOICE DATE; DESCRIPTION (I.E. NAME OR ITEM LINE NUMBER), PRICE AND QUANTITY OF GOODS OR SERVICES RENDERED; SHIPPING AND/OR PAYMENT TERMS; TAXPAYER ID#; BANKING / ROUTING NUMBER TO ALLOW EFT PAYMENT; CONTACT NAME, TITLE AND TELEPHONE NUMBER AND ANY OTHER SUBSTANTIATING DOCUMENTATION AS REQUIRED BY THE CONTRACT.				

b3
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14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

CONTRACTOR NUMBER [redacted]

15. Grand Total ➡ [redacted]

See Instructions on Reverse

Point of Contact - Purchase Order Info [redacted]

16. U[redacted] E[redacted]

17. N[redacted]

Commercial Payments [redacted]

Title: Contracting Officer

B – BUYER

CELLSITE-5430

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-22-2012 BY 65179 DMH/rs

FD-369 (Rev. 2-21-89)

FEDERAL BUREAU OF INVESTIGATION

REQUISITION FOR SUPPLIES AND/OR EQUIPMENT

b3
b4
b6
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b7E

Req. #

November 14, 2008
Date

Ordering Office/Cost Code

Approved By

11/17/08

Julian Date

Supply Technician:
Program Manager:
Funding Approved:
Requester:
STR:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order #

Entered in 3/19/09

ITEM #	NATIONAL STOCK NUMBER	SER.#	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	BI#	UNIT PRICE
1				Each				
2				Each				
3				Each				
4				Each				

Requisition Description:
Equipment

Suggested Vendor:

SPECIAL INSTRUCTIONS:
Skip to Code:
Delivery Instructions:
Government's Estimate
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEMS:
See attached EC

CELLSITE-5431

04/01/2009 14:04 FAX 17036326723 SRU 002

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-19-2012 BY 65179 DMH/rs

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY **Date:** 11/14/2008

To: Finance **Attn:**
Attn:

From: Operational Technology

Contact:

Approved By: 11/17/08

Drafted By:

Case ID #: 268-HQ-1068430-614

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request procurement of

Enclosure(s): FD-369 in the amount of
Vendor Quote, IT Acquisition form

Details: Law enforcement have, in recent years, increased their use of

criminal investigations is still expected to rise in the upcoming years as

Wireless Intercept and Tracking Team (WITT) supports

efforts that continuously evaluate the ability of WITT has historically satisfied

wpd

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UPLOADED
NOV 17 2008
CELLSITE-5432

Drt# 21119

[redacted] all law enforcement and [redacted]

[redacted] b3 b7E

[redacted] WITT has determined that it is essential to [redacted] inventory of [redacted] systems. [redacted]

[redacted]

Contracting Officers are responsible for ensuring that

[redacted]

[redacted] wpd

To: Finance From: Operational Technology
Re: 268-HQ-1068430 , 11/14/2008

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

The Engineering Contracts Unit is requested to procure [redacted] Funding is specified on the attached form FD-369.

Set Lead 2: (Action)

[redacted]

b3
b6
b7C
b7E

AT WASHINGTON, DC

[redacted] is requested to approve funding for the procurement of [redacted] Funding is available as specified on the attached form FD-369.

CC: [redacted]

♦♦

[redacted] wpd

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-22-2012 BY 65179 DMH/rs

FD-369 (Rev. 2-21-89)

FEDERAL BUREAU OF INVESTIGATION

REQUISITION FOR SUPPLIES AND/OR EQUIPMENT

Req. #

November 14, 2008
Date

Ordering Office/Cost Code

Approved

Julian Date

Supply Technician:
Program Manager:
Funding Approved:
Requester:
Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order #

FY 09

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	BI#	UNIT PRICE	TOTAL
1				Each					
2				Each					
3				Each					
4				Each					

Requisition Description:
Equipment

Suggested Vendor:

b3
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b6
b7C
b7E

SPECIAL INSTRUCTI
Ship to Code:
Delivery Instructions:
Government's Estimate
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEMS:
See attached EC

CELLSITE-5435

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-22-2012 BY 65179 DMH/rs

FD-369 (Rev. 2-21-89)

FEDERAL BUREAU OF INVESTIGATION

REQUISITION FOR SUPPLIES AND/OR EQUIPMENT

Req. #

October 17, 2008
Date

Ordering Office/Cost Code

Approved By

Supply Technician:
Program Manager:
[illegible]ding Approved:
Requester:
C[illegible]R:

Julian Date

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order #

b3
b4
b6
b7C
b7E

FY 2009

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	BI#	UNIT PRICE	TOTAL
1				ea					
2				ea					
3				ea					
4				ea					
5				ea					
6				ea					
7				ea					
8				ea					
9				ea					

Requisition Description:
Equipment

Suggested Vendor:

SPECIAL INSTRUCTIONS:

Ship to Code:
Delivery Instructions: M-F, 8am-4pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEMS:

CELLSITE-5436

Req. #

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	BI#	UNIT PRICE	TOTAL
	StockNumber								b3 b7E

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-22-2012 BY 65179 DMH/rs

FD-369 (Rev. 2-21-89)

FEDERAL BUREAU OF INVESTIGATION

REQUISITION FOR SUPPLIES AND/OR EQUIPM

b3
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b6
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b7E

Req. #

February 13, 2009
Date

Ordering Office/Cost Code

Approved By

Julian Date

Supply Technician:
Program Manager:
Funding Approved:
Requester:
COTR:

Specialist:
Date Received:
PPMS Approval:
Purchase Order #

FY 2009

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	BI#	UNIT PRICE	TOTAL
1				ea					
2				ea					
3				ea					
4				ea					
5				ea					
6				ea					
7				ea					

Requisition Description:
Equipment

Suggested Vendor:

SPECIAL INSTRUCTIONS:
Ship to Code:
Delivery Instructions: M-F, 8am-4pm, except holidays
Government's Estimate
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEMS:
See attached EC

CELLSITE-5438

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 10-19-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 10-19-2037

~~SECRET~~

FBI [redacted] Program [redacted] Order 1

b3
b7E

Task Order Descriptions (Reference section 3.8 [redacted] SOW):

Capability Task Order
Sub Task d [redacted]
Technology Task Order
Sub Task number including but not limited to: d,f,i [redacted]

Engineering Task Order
Sub Task d: [redacted]

All documentation as described in the [redacted] Statement of Work section 2.6 will be made available for the government.

All requirements as detailed in sections 3.1, 3.2 and 3.3 of the [redacted] Statement of Work will be included under this Task Order. Weekly status reporting required in section 3.3 will be acceptable in a email format and delivered to both the CO and COTR. The government does NOT require an award/kick-off meeting for this individual task order.

(S) [redacted]

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b7E

Specifically the vendor shall:

(S) [redacted]

(S) [redacted]

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-19-2012 BY 65179 DMH/rs

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		1

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
Mod 2	08/24/10		

6. ISSUED BY	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE
		Same as item 6.	

6. ISSUED BY:
[redacted] Federal Bureau of Investigation
Room 6853
935 Pennsylvania Ave. NW
Washington, DC 20535

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8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)
[redacted]

(X) 9A. AMENDMENT OF SOLICIATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO.
X [redacted]

10B. DATED (SEE ITEM 11)
09/15/09

CODE | FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 52.243-2 "Changes - Cost-Reimbursement"

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is to provide a no cost extension to the period of performance for the above PO for the [redacted] effort. The revised POP is 9/30/10-3/31/11. All work is to be performed in accordance with the statement of work and all terms and conditions remain the same. Contractor exceeds funding at their own risk. All technical guidance to come from the COTR [redacted]

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Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)
[redacted]
Contracts Manager

15B. [redacted]

15C. DATE SIGNED
8/24/10

16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)
[redacted]
Contracting Officer

16B. [redacted]

16C. DATE SIGNED
8/25/10

Provided solely for signature

Prescribed by GSA

OPTIONAL FORM 30 (REV. 10-83)
FAR (48 CFR) 53.243

CELLSITE-5442

MODE = MEMORY TRANSMISSION START=AUG-25 11:39 END=AUG-25 11:42

FILE NO.=942

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	#	[redacted]	001/001	00:02:15

[redacted]

********** - - ***** - [redacted] **********

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AUG-24-2010 15:19 [redacted] [redacted] P.07

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE | PAGE 1 OF PAGES 1

2. AMENDMENT/MODIFICATION NO.: Mod 2
3. EFFECTIVE DATE: 08/24/10
4. REQUISITION/PURCHASE REQ. NO.:
5. PROJECT NO. (If applicable):

6. ISSUED BY: CODE:
Federal Bureau of Investigation
[redacted] Room 6053
935 Pennsylvania Ave. NW
Washington, DC 20535

7. ADMINISTERED BY (If other than item 6): CODE:
Same as item 6.

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code):
[redacted]

(X) 9A. AMENDMENT OF SOLICITATION NO.:
9B. DATED (SEE ITEM 11):

10A. MODIFICATION OF CONTRACT/ORDER NO.:
[redacted]
10B. DATED (SEE ITEM 11):
09/15/09

CODE: FACILITY CODE:

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 52.243-2 "Changes - Cost-Reimbursement"

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is to provide a no cost extension to the period of performance for the above PO for the [redacted] effort. The revised POP is 9/30/10-3/31/11. All work is to be performed in accordance with the statement of work and all terms and conditions remain the same. Contractor exceeds funding at their own risk. All technical guidance to come from the COTR, [redacted]

b3
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b7E

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print):
[redacted]
Contracts Manager

15B. [redacted] 15C. DATE SIGNED: 8/24/10

16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print):
[redacted]

16B. [redacted] 16C. DATE SIGNED: 8/25/10

Previous edition unusable

FORM 30 (REV. 10-83) FAR (48 CFR) 53.243

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 10-19-2012 BY 65179 DMH/rs

TOTAL P.07

CELLSITE-5443

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-19-2012 BY 65179 DMH/rs

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

1. Date of Order	2. Or	3. Mod. No.	4. Mod. Date	5. Page No.
09/15/2009		/		1

6. To Contractor (Name, Address and Zip Code):

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

b3
b6
b7C
b7E

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
OTHER LARGE BUSINESS	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
CONTRACT	DUE DATE:03/31/2011				

SERVICES TO BE PERFORMED IN ACCORDANCE WITH THE SOW

ENGINEERING SERVICES TO BE PERFORMED IN ACCORDANCE WITH THE SOW AND THE TERMS OF THE CONTRACT. PERIOD OF PERFORMANCE IS 9/30/09 THRU 9/30/10 COTR OF RECORD IS FOR ALL TECHNICAL GUIDANCE. CONTRACTOR EXCEEDS TOTAL FUNDS AT THEIR OWN RISK
ALL PAYMENTS BY THE GOVERNMENT UNDER THIS ORDER SHALL BE MADE BY ELECTRONIC FUNDS TRANSFER (EFT). THE VENDOR SHALL PROVIDE THIS INFORMATION ON EACH INVOICE OR SUBMIT SF-3881 FORM TO: FBI, COMMERCIAL PAYMENTS UNIT
RM. 1987, J. EDGAR HOOVER BLDG
935 PENNSYLVANIA AVENUE, NW
WASHINGTON, DC 20535
IF THIS INFORMATION IS NOT AVAILABLE TO THE GOVERNMENT, THE INVOICE WILL BE CONSIDERED AN IMPROPER INVOICE AND SHALL BE RETURNED.

b3
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b4

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total ➧ XXXXXXXXXXX

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice Payment Status:
Commercial Payments Unit

16. United States of America
By *(Signature)*

17. Name *(Typed)*

Title: Contracting Officer

B - BUYER

CELLSITE-5444

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

1. Date of Order	2. C	3. Mod. No.	4. Mod. Date	5. Page No.
09/15/2009		/		2

6. To Contractor (Name, Address and Zip Code):

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: b3 b6 b7C b7E
BUILDING 27958A
QUANTICO, VA 22135

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
OTHER LARGE BUSINESS	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	A PROPER INVOICE SUBMITTED FOR PAYMENT TO THE FBI MUST CONTAIN THE FOLLOWING: THE NAME OF THE VENDOR; AN INVOICE NUMBER; THE CONTRACT OR PURCHASE ORDER NUMBER; THE INVOICE DATE; DESCRIPTION (I.E. NAME OR ITEM LINE NUMBER), PRICE AND QUANTITY OF GOODS OR SERVICES RENDERED; SHIPPING AND/OR PAYMENT TERMS; TAXPAYER ID#; BANKING / ROUTING NUMBER TO ALLOW EFT PAYMENT; CONTACT NAME, TITLE AND TELEPHONE NUMBER AND ANY OTHER SUBSTANTIATING DOCUMENTATION AS REQUIRED BY THE CONTRACT.				
	**********				
	MOD 1, DATED 8/24/10, POP CHANGED TO 9/30/10-9/31/11 THIS IS A NO COST EXTENSION TO PROVIDE ADDITIONAL TIME TO COMPLETE REQUIREMENTS				b3 b6 b7C b7E

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

CONTRACTOR NUMBER

15. Grand Total

See Instructions on Reverse

Point of Contact - Purchase Order Information:

16. Unite
By (S

17. Name
Title:

Commercial Payments Unit -

B - BUYER

CELLSITE-5445

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

1. Date of Order	2.	3. Mod. No.	4. Mod. Date	5. Page No.
06/02/2010				5

6. To Contractor (Name, Address and Zip Code):

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

b3
b6
b7C
b7E

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	********** A PROPER INVOICE SUBMITTED FOR PAYMENT TO THE FBI MUST CONTAIN THE FOLLOWING: THE NAME OF THE VENDOR; AN INVOICE NUMBER; THE CONTRACT OR PURCHASE ORDER NUMBER; THE INVOICE DATE; DESCRIPTION (I.E. NAME OR ITEM LINE NUMBER), PRICE AND QUANTITY OF GOODS OR SERVICES RENDERED; SHIPPING AND/OR PAYMENT TERMS; TAXPAYER ID#; BANKING / ROUTING NUMBER TO ALLOW EFT PAYMENT; CONTACT NAME, TITLE AND TELEPHONE NUMBER AND ANY OTHER SUBSTANTIATING DOCUMENTATION AS REQUIRED BY THE CONTRACT. MOD 1 DATED 8/17/10, LINE 3 IS DELETED DUE TO A CHANGE IN MISSION REQUIREMENTS, KMM				

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14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

CONTRACTOR NUMBER [redacted]

15. Grand Total [redacted]

See Instructions on Reverse

Point of Contact - Purchase Order Information:

[redacted]

Commercial Payments Unit [redacted]

16. Ur
By

17. Na
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[redacted]

B - CELLSITE-5446

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
06/02/2010				4

6. To Contractor *(Name, Address and Zip Code)*:

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

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10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	FUNDING FOR ITEMS, QUANTITIES, AND SERVICES IDENTIFIED IN THIS ORDER. ALL TECHNICAL GUIDANCE WILL BE PROVIDED BY COTR FOR THIS EFFORT. SERVICES WILL BE PERFORMED IN ACCORDANCE WITH THE SOW. POP LINES 1-10: 6/2/10-6/2/11 LINES 11 AND 12: 4/12/10-4/12/2011. TERMS AND CONDITIONS ARE THOSE IN EFFECT UNDER THE CONTRACT. CONTRACTOR EXCEEDS FUNDING AT THEIR OWN RISK. INVOICES TO BE SENT TO ********** ALL PAYMENTS BY THE GOVERNMENT UNDER THIS ORDER SHALL BE MADE BY ELECTRONIC FUNDS TRANSFER (EFT). THE VENDOR SHALL PROVIDE THIS INFORMATION ON EACH INVOICE OR SUBMIT SF-3881 FORM TO: FBI, COMMERCIAL PAYMENTS UNIT RM. 1987, J. EDGAR HOOVER BLDG 935 PENNSYLVANIA AVENUE, NW WASHINGTON, DC 20535 IF THIS INFORMATION IS NOT AVAILABLE TO THE GOVERNMENT, THE INVOICE WILL BE CONSIDERED AN IMPROPER INVOICE AND SHALL BE RETURNED.				

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total ➧ XXXXXXXXXXX

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice Payment Status:
Commercial Payments Unit

16. United States of America
By *(Signature)*

17. Name *(Typed)* XXXXXXXXXXX

Title: Contracting Officer

B - BUYER

CELLSITE-5447

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
06/02/2010				3

6. To Contractor (Name, Address and Zip Code):	7. Ship to (Consignee and address, Zip Code):
	FEDERAL BUREAU OF INVESTIGATION ATTN: BUILDING 27958A QUANTICO, VA 22135

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8. Issuing Office (Address correspondence to):	9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION PROCUREMENT SECTION ROOM 6823, JEH F.B.I. BLDG. WASHINGTON, D. C. 20535	FEDERAL BUREAU OF INVESTIGATION ATTN: BUILDING 27958A QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	CONTRACT [redacted] DUE DATE:06/02/2011 [redacted]				
	CONTRACT [redacted] DUE DATE:06/02/2011 [redacted]				
	CONTRACT [redacted] DUE DATE:04/12/2011 [redacted]				
	CONTRACT [redacted] DUE DATE:04/12/2011 [redacted]				

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14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total ➧ XXXXXXXXXXX

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice Payment Status:
Commercial Payments Unit [redacted]

16. United States of America
By *(Signature)*

17. Name *(Typed)* XXXXXXXXXXXX

Title: Contracting Officer

B - BUYER

CELLSITE-5448

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
06/02/2010				2

6. To Contractor (Name, Address and Zip Code):

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

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8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	CONTRACT DUE DATE:06/02/2011				
	CONTRACT DUE DATE:06/02/2011				
	CONTRACT DUE DATE:06/02/2011				
	CONTRACT DUE DATE:06/02/2011				

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14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. **Grand Total** XXXXXXXX

See Instructions se

Point of Contact - Purchase Order Information:

16. **United States of America**
By *(Signature)*

Point of Contact - Invoice Payment Status:
Commercial Payments Unit

17. **Name** *(Typed)* XXXXXXXXXXX

Title: Contracting Officer

B - BUYER

CELLSITE-5449

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

1. Date of Order	2. C	3. Mod. No.	4. Mod. Date	5. Page No.
06/02/2010		Mod 1		1

6. To Contractor (Name, Address and Zip Code):

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

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8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	CONTRACT DUE DATE:06/02/2011				
	CONTRACT DUE DATE:06/02/2011				
	CONTRACT DUE DATE:06/02/2011				
	CONTRACT DUE DATE:06/02/2011				

b3 b4 b7E b6 b7C

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. **Grand Total** ➧ XXXXXXX.

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice Payment Status:
Commercial Payments Unit -

16. **United States of America**
By *(Signature)*

17. **Name** *(Typed)* XXXXXXXXXXXXXX

Title: Contracting Officer

B - BUYER

CELLSITE-5450

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-19-2012 BY 65179 DMH/rs

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		1

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicble)
Mod 5	06/04/10		

6. ISSUED BY	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE
		Same as Item 6.	

Federal Bureau of Investigation
[redacted] Room 6853
935 Pennsylvania Ave. N.W.
Washington, DC 20535

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8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)	(X)	9A. AMENDMENT OF SOLICIATION NO.
		9B. DATED (SEE ITEM 11)
	X	10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted]
		10B. DATED (SEE ITEM 11) 09/15/09

CODE	FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a)By completing items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPIRATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) 43.103(b)(1) Unilateral Administrative Modification

E. IMPORTANT: Contractor ☒ is not, ☐ is required to sign this document and return _____ copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is to hereby remove the [redacted] equipment from the above referenced contract. All other terms and conditions remain the same.

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Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)
	[redacted] Contracting Officer

15B. CONTRACTOR/OFFEROR	15C. DATE SIGNE		16C. DATE SIGNED
(Signature of person authorized to sign)			6/4/10

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

CELLSITE-5451

[redacted] Update

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-19-2012 BY 65179 DMH/rs

[redacted]

From: [redacted]
Sent: Friday, June 04, 2010 3:01 PM
To: [redacted]
Cc:
Subject: RE [redacted] - Update

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Good Afternoon [redacted]

Thank you for your continued patience. Please be advised, I am faxing down Mod 1 to PO [redacted] On this PO we have deobligated the funding for Lines 1 and 2 for [redacted] Based on a change in mission requirements, we will no longer be requiring these pieces of equipment. The revised PO reflects this change.

Secondly, please be advised that the FBI intends to remove the [redacted] equipment from Contract [redacted] [redacted] An official modification to the contract will also be included with the revised PO referenced above.

Please let me know if you have any questions.

Thank you again for your assistance,

[redacted]

From: [redacted]
Sent: Wednesday, June 02, 2010 3:21 PM
To: [redacted]
Cc:
Subject: [redacted] - Update
Importance: High

[redacted] product UPDATEF_FINAL.pdf>>

Good afternoon [redacted]

Please see the attached letter.

Hope you're well.

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[redacted]

Sr. Contract Administrator

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-19-2012 BY 65179 DMH/rs

[redacted]

From: [redacted]
Sent: Wednesday, June 02, 2010 3:21 PM
To: [redacted]
Cc:
Subject: [redacted] Update
Importance: High
Attachments: [redacted] product UPDATEF_FINAL.pdf

[redacted] product UPDATEF_FINAL.pdf>>

Good afternoon [redacted]

Please see the attached letter.

Hope you're well.

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[redacted]

Sr. Contract Administrator

[redacted]

"It is better to travel well than to arrive."

-Buddha

"This information is only intended for the use of the individual or entity named in this email. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or use of the contents of this information is strictly prohibited. If you have received this email in error, please notify me and delete it immediately."

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-19-2012 BY 65179 DMH/rs

[redacted]

From: [redacted]
Sent: Friday, June 04, 2010 2:44 PM
To: [redacted]
Subject: RE [redacted]

Hi [redacted]

Per our discussions, I will also send [redacted] a modification to the contract removing the [redacted] equipment from the contract.

Thank you,

[redacted]

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-----Original Message-----
From: [redacted]
Sent: Wednesday, June 02, 2010 6:36 PM
To: [redacted]
Subject [redacted]

[redacted]

I spoke with [redacted] and [redacted] about recovering the money from the [redacted] If one of you will be availabe Friday afternoon we can coordinate getting it done then. Right after you deobligate the funds you can tell [redacted] not to expect the order.

I'll be hitting the road in a few minutes but will be back Friday. I'll be availabe on my blackberry the whole time [redacted]

Thanks,

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-19-2012 BY 65179 DMH/ra

[redacted]

From: [redacted]
Sent: Friday, June 04, 2010 2:14 PM
To: [redacted]
Subject: RE: Deobligation of funds

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Hi [redacted]

Per our discussions and your request, I will be de-obligating the following lines on PO [redacted] for [redacted] equipment:

[redacted]

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Thank you,

[redacted]

From: [redacted]
Sent: Friday, June 04, 2010 1:05 PM
To: [redacted]
Subject: RE: Deobligation of funds

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Hi [redacted]

Please wait and I'll give a call if everything is good to go.

Thanks,

[redacted]

From: [redacted]
Sent: Friday, June 04, 2010 1:04 PM
To: [redacted]
Subject: RE: Deobligation of funds

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Hi [redacted]

I will be by the phone/FMS and available for the deobligations. [redacted] should I wait for your call or just deobligate at 2PM?

Thanks,

[redacted]

Stamp is on page one of Purchase Order which is FDPS page 142

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
01/07/2010		1		6

6. To Contractor *(Name, Address and Zip Code)*:

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

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b7E

10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	BANKING / ROUTING NUMBER TO ALLOW EFT PAYMENT; CONTACT NAME, TITLE AND TELEPHONE NUMBER AND ANY OTHER SUBSTANTIATING DOCUMENTATION AS REQUIRED BY THE CONTRACT. ********** MOD 1 DATED 6/4/10: FUNDING ON LINES 1 & 2 DEOBLIGATED TOTAL BASED ON CHANGE OF MISSION REQUIREMENTS				b3 b6 b7C b7E

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

CONTRACTOR NUMBER

15. Grand Total

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Commercial Payments Unit

16. United St
By *(Signa*

17. Name *(Ty*

Title: Cor

B - BUYER

CELLSITE-5456

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
01/07/2010				5

6. To Contractor *(Name, Address and Zip Code)*:

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

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10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	ALL PAYMENTS BY THE GOVERNMENT UNDER THIS ORDER SHALL BE MADE BY ELECTRONIC FUNDS TRANSFER (EFT). THE VENDOR SHALL PROVIDE THIS INFORMATION ON EACH INVOICE OR SUBMIT SF-3881 FORM TO: FBI, COMMERCIAL PAYMENTS UNIT RM. 1987, J. EDGAR HOOVER BLDG 935 PENNSYLVANIA AVENUE, NW WASHINGTON, DC 20535 IF THIS INFORMATION IS NOT AVAILABLE TO THE GOVERNMENT, THE INVOICE WILL BE CONSIDERED AN IMPROPER INVOICE AND SHALL BE RETURNED. A PROPER INVOICE SUBMITTED FOR PAYMENT TO THE FBI MUST CONTAIN THE FOLLOWING: THE NAME OF THE VENDOR; AN INVOICE NUMBER; THE CONTRACT OR PURCHASE ORDER NUMBER; THE INVOICE DATE; DESCRIPTION (I.E. NAME OR ITEM LINE NUMBER), PRICE AND QUANTITY OF GOODS OR SERVICES RENDERED; SHIPPING AND/OR PAYMENT TERMS; TAXPAYER ID#;				

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total ➧ XXXXXXXXXXX

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice Payment Status:
Commercial Payments Unit

16. United States of America
By *(Signature)*

17. Name *(Typed)* XXXXXXXXXXX

Title: Contracting Officer

B - BUYER

CELLSITE-5457

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
01/07/2010				4

6. To Contractor *(Name, Address and Zip Code)*:

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

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8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	CONTRACT DUE DATE:01/30/2011				
	CONTRACT DUE DATE:01/30/2011				
	FUNDING FOR ITEMS, QUANTITIES AND SERVICES AS IDENTIFEID IN THIS ORDER. TERMS AND CONDITIONS ARE THOSE IN EFFECT UNDER THE CURRENT CONTRACT. PERIOD OF PERFORMANCE IS 1/7/10 THUR 7/30/10 FOR LINE 1 THUR 10. PERIOD OF PERFORMANCE FOR LINES 11 THUR 14 IS 1/7/10 THUR 1/20/11 COTR OF RECORD FOR THIS REQUIREMENT IS CONTRACTOR EXCEEDS TOTAL FUNDING AT THEIR OWN RISK				

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14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total ➧ XXXXXXXXXXXX

See Instructions on Reverse

Point of Contact - Purchase Order Information:

16. United States of America
By *(Signature)*

Point of Contact - Invoice Payment Status:
Commercial Payments Unit

17. Name *(Typed)* XXXXXXXXXXXX

Title: Contracting Officer

B - BUYER

CELLSITE-5458

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
01/07/2010		1		3

6. To Contractor *(Name, Address and Zip Code):*

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

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8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	CONTRACT DUE DATE:07/30/2010				
	CONTRACT DUE DATE:07/30/2010				
	CONTRACT DUE DATE:01/30/2011				
	CONTRACT DUE DATE:01/30/2011				

b3
b4
b7E
b6
b7C

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total ➡ XXXXXXXX

See Instructions on reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice Payment Status:
Commercial Payments Unit

16. United States of America
By *(Signature)*

17. Name *(Typed)* XXXXXXXXXXX

Title: Contracting Officer

B - BUYER

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
01/07/2010				2

6. To Contractor *(Name, Address and Zip Cod*

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

b3
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8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	CONTRACT DUE DATE:07/30/201				
	CONTRACT DUE DATE:07/30/2010				
	CONTRACT DUE DATE:07/30/2010				
	CONTRACT DUE DATE:07/30/2010				

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any; including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total XXXXXXXXXX

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See Instructions on Re

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Point of Contact - Purchase Order Information:

Point of Contact - Invoice Payment Status:
Commercial Payments Unit

16. United States of America
By *(Signature)*

17. Name *(Typed)* XXXXXXXXXXX

Title: Contracting Officer

B - BUYER

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-22-2012 BY 65179 DMH/rs

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
01/07/2010				1

6. To Contractor *(Name, Address and Zip Code):*

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

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8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	CONTRACT DUE DATE:07/30/2010				
	CONTRACT DUE DATE:07/30/2010				
	CONTRACT DUE DATE:07/30/2010				
	DUE DATE:07/30/2010				

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14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total ➧ XXXXXXXXXXX

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice Payment Status:
Commercial Payments Unit

16. United States of America
By *(Signature)*

17. Name *(Typed)* XXXXXXXXXXX

Title: Contracting Officer

B - BUYER

CELLSITE-5461

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

[redacted]

Purchase Order for Supplies or Services

1. Date of Order	3. Mod. No.	4. Mod. Date	5. Page No.
06/02/2010 [redacted]			1

6. To Contractor (Name, Address and [redacted]

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION b3
ATTN: [redacted] b6
BUILDING 27958A b7C
QUANTICO, VA 22135 b7E

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	CONTRACT [redacted] DUE DATE:06/02/2011 [redacted]				
	CONTRACT [redacted] DUE DATE:06/02/2011 [redacted]				
	CONTRACT [redacted] DUE DATE:06/02/2011 [redacted]				
	CONTRACT [redacted] DUE DATE:06/02/2011 [redacted]				
	[redacted]				

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14. Type of Order

☐ A. **Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ B. **Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. **Grand Total** ➧ XXXXXXXXXXX

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice Payment Status:
Commercial Payments Unit - [redacted]

16. **United States of America**
By *(Signature)*

17. **Name** *(Typed)* XXXXXXXXXXX

Title: Contracting Officer

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HEREIN IS UNCLASSIFIED
DATE 10-22-2012 BY 65179 DMH/rs

B - BUYER

CELLSITE-5466

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DATE 10-19-2012 BY 65179 DMH/rs

ACQUISITION SECURITY REQUEST

Request Date:	Anticipated Procurement Date:

VENDOR INFORMATION

☐ **Reseller With Access to FBI Facilities** ■ **Reseller With No Access to FBI Facilities**

Vendor Name:	
Vendor Address:	

☐ **Manufacturer** ☐ **Hardware** ☐ **Software** ☐ **Maintenance**

Vendor Name:	
Vendor Address:	

☐ **Contractor Providing Classified Services** ☐ **DD Form 254 Required**

Vendor Name:	
Vendor Address:	

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PRODUCT/SERVICES INFORMATION

☐ **FISMA System** ☐ **Critical Asset System** ☐ **Telecommunications** ☐ **Audiovisual**

1. Products being procured (list the specific hardware / software / services in detail)	
2. What entity will be purchasing and using the product (Location, Division, Section, Unit, and Program)?	Wireless Intercept and Tracking Team
	Stand alone systems
4. Highest Classification / Security Requirements (i.e. Top Secret, Top Secret SCI, Secret, SBU, LES, etc.)	Secret
5. Who is installing and maintaining the equipment/software (FBI personnel, vendor, other)?	FBI personnel
6. Will the vendor require access to classified information/systems?	no

PROCUREMENT INFORMATION

Contracting Officer Name/ Phone:	
FBI COTR Name/Phone:	
Program Manager/Technical POC:	
Requisition Number:	
Purchase Order Number:	
Contract Number:	

DOCUMENTATION ATTACHED

☐ Answers to the Acquisition Risk Questions (the replacement for the SF-328)
☐ Key Management Personnel Listing (KMPL)
☐ FD-369 Requisition for Supplies and/or Equipment
☐ Statement of Work (SOW) – Required if a classified contract

PRIORITY

All requests will be handled by date received by ASU unless specific issues affecting the priority, i.e. Director's Priority, are specifically provided in writing by the Contracting Officer.

Comments:

Return to Acquisition Security Unit, RA-555
Unclassified Fax: 202-

CELLSITE-5467

FD-369 (Rev. 2-21-89)

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FEDERAL BUREAU OF INVESTIGATION

REQUISITION FOR SUPPLIES AND/OR EQUIPMENT

Req. #

ENTERED 3/23/10

Page 1 of 2

February 19, 2010
Date

Ordering Office/Cost Code

Approved By

3/9/10

Julian Date

Supply Technician:
Program Manager:
Funding Approved:
Requester:
COTR:

Specialist:
Received:
PPMS Approval:
Purchase Order #

FY 2010

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	BI#	UNIT PRICE	TOTAL
1				each					
2				each					
3				EACH					
4				each					
5				each					
6				each					
7				each					
8				each					
9				each					

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b7C
b7E

SPECIAL INSTRUCTIONS:

Ship to Code:
Delivery Instructions: M-F, 8am-4pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEMS:

see attached EC

RECEIVED
APR 12 2010
BY:

CELLSITE-5468

Req. #

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	BI#	UNIT PRICE	TOTAL
10	StockNumber			each					
11				each					
12				EACH					
13				EACH					

b3
b4
b7E

Requisition Description:
Equipment

Suggested Vendor:

CELLSITE-5469

ALL INFORMATION CONTAINED
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DATE 10-19-2012 BY 65179 DMH/rs

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE OF PAGES

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicble)
Amendment #1	09/17/09		

6. ISSUED BY	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE
FBI		FBI 935 Pennsylvania Avenue NW JEH/FBI Bldg Room 6853 Washington, DC 20535-0001	

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

(X) | 9A. AMENDMENT OF SOLICIATION NO.

X | RF [redacted] b3 b7E

9B. DATED (SEE ITEM 11)

07/28/09

10A. MODIFICATION OF CONTRACT/ORDER NO.

10B. DATED (SEE ITEM 11)

CODE | FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a)By completing items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted;

or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPIRATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
	D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this amendment is to provide the attached question for clarification of your proposal.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print) [redacted] b6 b7C

Contacting Officer

15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

CELLSITE-5470

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DATE 10-19-2012 BY 65179 DMH/rs

Questions:

Enclosure 2 (Contractor Purchasing System Review (CPSR) Approval)

Letter from [redacted] January 4, 2006 grants approval for [redacted] purchasing system. Approval is to run through December 31, 2006. Unless it is revoked it should run an additional 3 years, to December 31, 2009.

Letter from [redacted] dated March 6, 2008 references a non-enclosed letter dated March 8, 2007 from the same [redacted] regarding approval for the system to be extended for one year until March 8, 2009.

Was approval revoked between January 2006 and March 2008?
Why?
Last listed date of expiration of approval is March 8, 2009. We are past that date, is continued approval under re-consideration?
Was the March 8, 2007 letter in regards to reinstating the approval?

b3
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Volume II (Cost/Pricing) page 17 top

[redacted] has been notified by the [redacted] base allocations. ... In addition [redacted] has been notified by the [redacted]

What was the date of notification?
Where is the notification?
What is being done to remedy?
Where does the process stand as of today?

run an additional 3 years, to December 31, 2009.

Letter from [redacted] dated March 6, 2008 references a non-enclosed letter dated March 8, 2007 from the same [redacted] regarding approval for the system to be extended for one year until March 8, 2009.

Was approval revoked between January 2006 and March 2008?
Why?
Last listed date of expiration of approval is March 8, 2009. We are past that date, is continued approval under re-consideration?
Was the March 8, 2007 letter in regards to reinstating the approval?

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b7E

Volume II (Cost/Pricing) page 17 top

[redacted] has been notified by the [redacted]

[redacted]

base allocations. ... In addition [redacted] has been notified by the [redacted]

[redacted]

What was the date of notification?
Where is the notification?
What is being done to remedy?
Where does the process stand as of today?

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

Total Deleted Page(s) = 34
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Page 61 ~ b3; b4; b6; b7C; b7E;
Page 77 ~ b3; b6; b7C; b7E;
Page 164 ~ b3; b5; b7E;
Page 165 ~ b3; b5; b7E;
Page 166 ~ b3; b5; b6; b7C; b7E;
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Page 235 ~ b3; b6; b7C; b7E;

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DATE 10-19-2012 BY 65179 DMH/rs

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

January 25, 2010

b3
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b7E

Harris Corporation Inc.,
407 N John Rodes Blvd
Melbourne, FL 32934
Attn: [redacted]

REF: Contract [redacted]

Dear Madam:

Please find enclosed a copy of Statement of Work (SOW) for services developed by the Federal Bureau of Investigation (FBI),regarding support services.

The FBI is interested in obtaining a proposal for this task to be performed. Contractor shall provide a technical and cost proposal to support tasking as set forth in the Statement of Work.

If there are any question regarding this SOW please submit them to my office within the next five (5) business days.

It is therefore requested that your company review the enclosed SOW and if the proposed contract vehicle is appropriate, Cost Plus Fixed Fee (CPFF) a cost and Technical proposal should be submitted in accordance with the terms and conditions of the FBI's Contract no later than February 19, 2010, 1:00 PM or sooner.

Should you have any questions concerning this matter, please contact me at [redacted] response may be faxed to [redacted] secure fax [redacted]

b6
b7C

Sincerely

[redacted]

Contract Officer
Quantico Contracts Unit

Enclosure

DATE: 10-19-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 10-19-2037

STATEMENT OF WORK

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

[redacted] **Program**

[redacted] **Task Order 1**

b3
b7E

1 SCOPE

1.1 *Task Overview*

(S) [redacted]

b1
b3
b7E

1.2 Deliverables

- [redacted]

b3
b7E

b1
b3
b7E

1.3

(S) [redacted]

(S) [redacted]

b1
b3
b7E

1.3.1 Key Technology Areas

(S) [redacted]

b1
b3
b7E

2 Concept of Operations

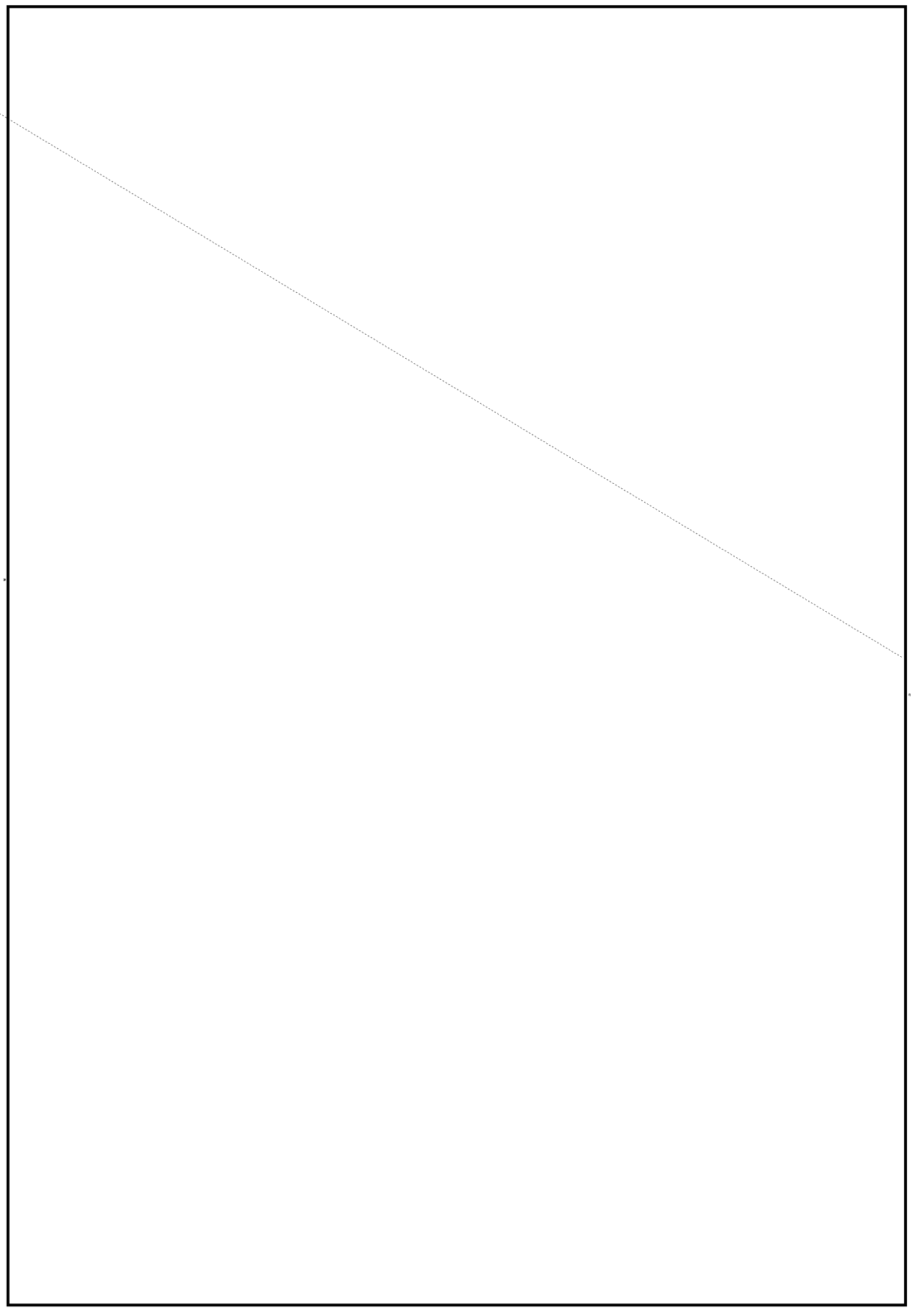
2.1 *Assumptions in Concept of Operations*

(S) [redacted]

b1
b3
b7E

2.1.1 Technical Concept of Operations

(S)



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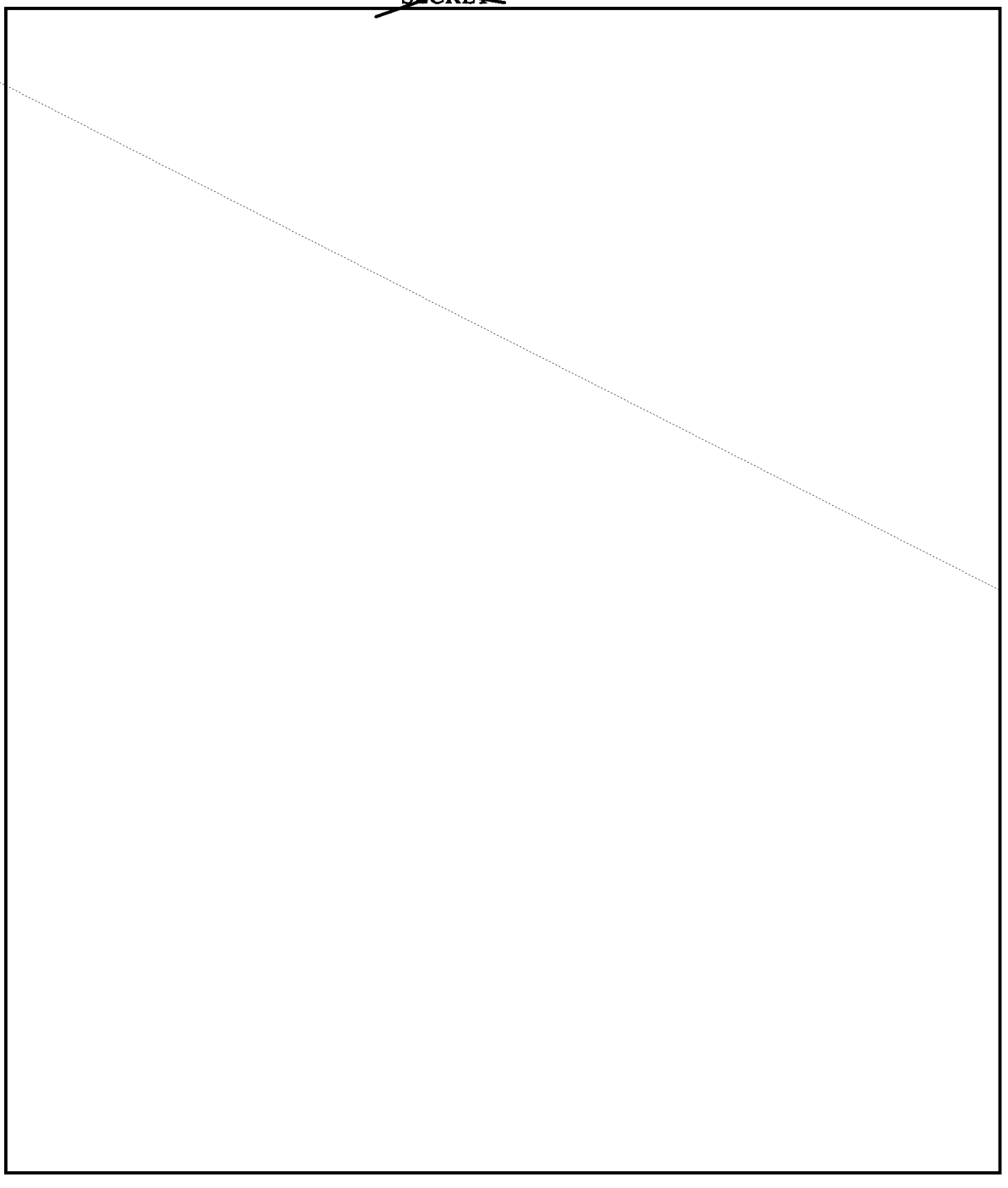

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2.1.2 Generalized Sequence of Events

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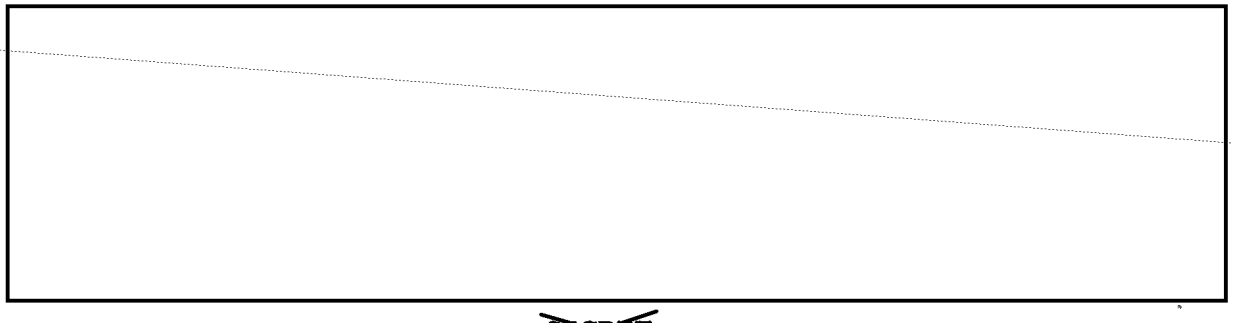

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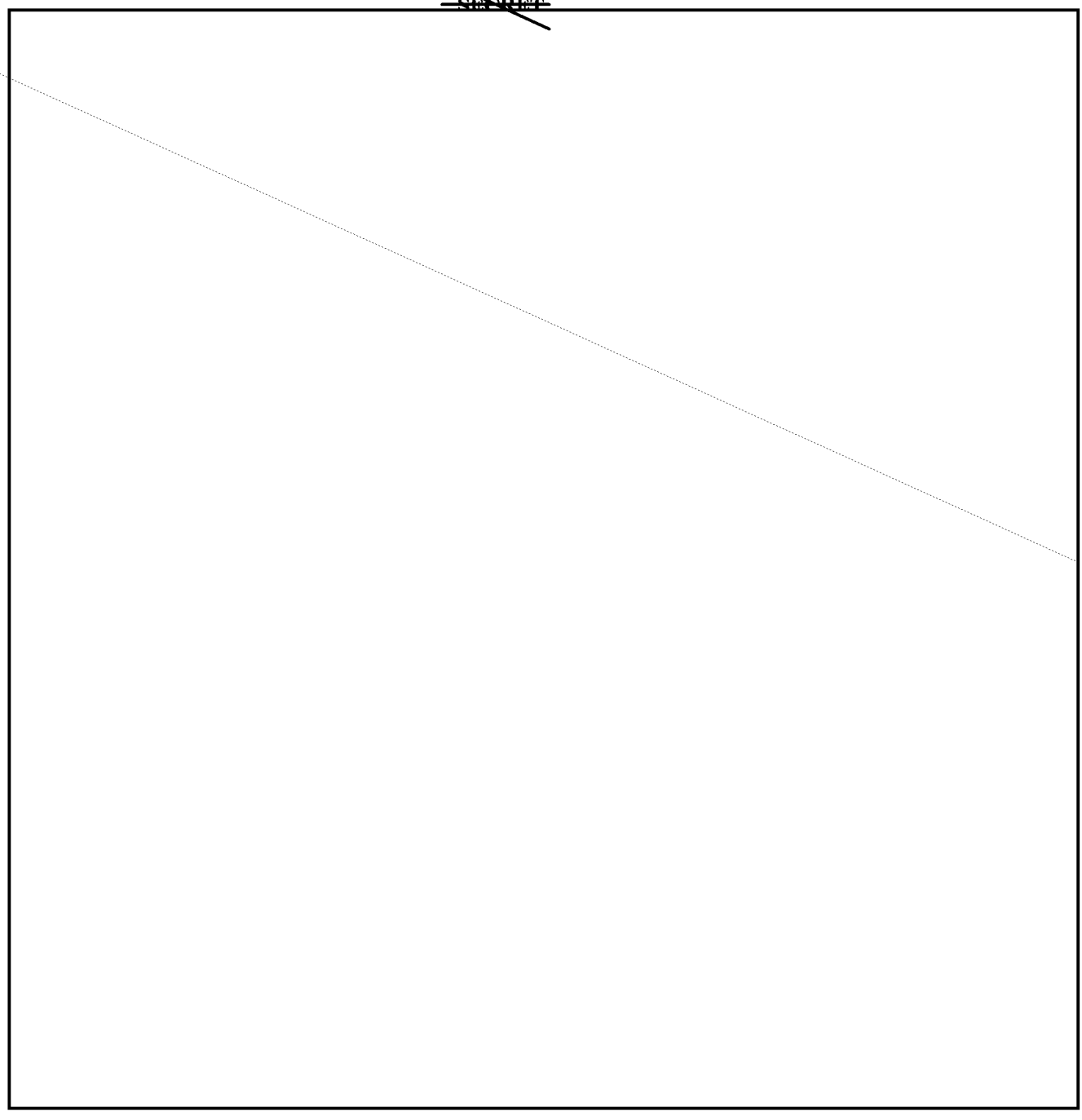

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3 Requirements

3.1 Security Standards and Regulations

Refer to [ ] Statement of Work section 2.3 for guidance.

SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract

information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

3.2 Contractor Furnished Documentation

Refer to [redacted] Statement of Work section 2.6 for list.

(S) [redacted]

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3.3 Status Reporting

Refer to [redacted] Statement of Work Section 3.3 for guidance

3.4 Formal Meetings

Refer to [redacted] Statement of Work Section 3.4 for guidance

3.5 Government Furnished Equipment

[redacted]

b1
b3
b7E

(S) [redacted]

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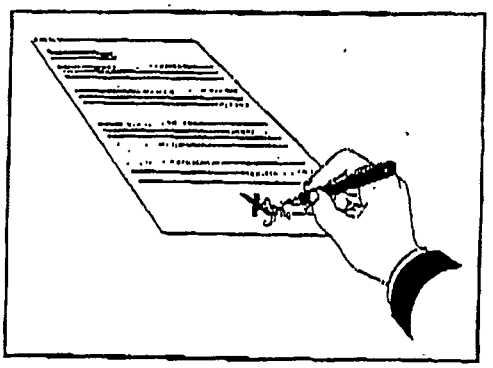
DATE 10-19-2012 BY 65179 DMH/rs

FEDERAL BUREAU OF INVESTIGATION
FACSIMILE TRANSMITTAL COVER SHEET



FROM: FEDERAL BUREAU OF INVESTIGATION
ROOM 6853, Quantico Contracts
10TH & PENNSYLVANIA AVE., N.W.
WASHINGTON, D.C. 20535

[redacted] b6 b7C

PLEASE SIGN AND RETURN TO MY OFFICE AS AUTHORIZATION OF RECEIPT OF DOCUMENTS

DATE:1/25/2010
PLEASE DELIVER THE FOLLOWING PAGE(S) TO:
NAME: [redacted]
Firm: [redacted]
Fax: [redacted]

THIS FACSIMILE IS BEING SENT BY: [redacted] b6 b7C

NAME: [redacted] b3 b7E
FAX #: [redacted]
SECURE [redacted]ic.fbi.gov

All pages received [redacted] 1/26/10

NUMBER OF PAGES, (INCLUDING COVER SHEET): 8

*IF YOU DO NOT RECEIVE ALL PAGES, OR HAVE ANY QUESTIONS, PLEASE NOTIFY ME AT [redacted]
Please advise if you do not receive all pages. Any questions please call. A hard copy will not follow . Thanks so much for your assistance.

[redacted] b6 b7C

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-23-2012 BY 65179 DMH/ra

23 June 2010

In Reply Please Refer to [redacted]

Attention [redacted] Contracting Officer

Reference: [redacted] Delivery Orders: [redacted]

b3
b7E
b6
b7C

Dea [redacted]

[redacted] ike to thank you for the opportunity to perform this work. There are several issues related to the Delivery Orders (DO) that must be resolved in order for us to perform. Without resolution it would be difficult for [redacted] support the Customer's efforts and ensure they receive the desired products, in a suitable timeframe at an agreed upon value.

To that we have detailed several changes in copies of the attached DO's and as well as additional comments, assumptions, and questions noted below.

b3
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b7C

We look forward to resolving these issues soonest and proceeding forward with these DOs

[redacted]

[redacted]

b5

[redacted] Comments & Considerations for Delivery Order Numbers:

[redacted]

b3
b7E

Each Delivery Order (DO) has been established with incremental funding. Statements of Work (SOW) are to be or have been provided. [redacted] has several questions on the SOW's received thus far necessitating the need for a technical meeting to clarify the requirements and DO deliverables. This Technical meeting must be held within the next few weeks. Once the requirements are clearly defined [redacted] must prepare and submit proposals to the Customer in order to establish the firm contract value (including COM, and fee) for each DO. Definitization should occur on or before 180 days.

The DO's once formally definitized by the Customer will establish each DO value and Period of Performance (POP).

Assumptions:

- Current Incremental Funding establishes the baseline value and is not to be construed to represent a firm total DO value and is subject to the Limitation of Funds Clause 52.232.22.
- The POP dates called out in each DO of 6/4/2010 – 6/4/2011 will be adjusted based on the negotiations.
- Payment Invoices: Block 9 states an individual to send the invoices to the attention of. Within the body of the DO direction states that the invoices will be submitted to the COTR [redacted] [redacted] Section G.3 lists the Invoice Requirements for the IDIQ.
  - Based on each of these [redacted] will submit invoices:
    - Original invoice is submitted to the COTR, currently named as [redacted] s responsible to review and verify DO progress/acceptance.
    - [redacted] s to affix his verification notice to the original invoice and forward to the cognizant CO who in turn will approve the invoice or recommend corrective action. Approved invoices will be forwarded by the CO to the payment office.
    - Payment Terms will be Net 30 once the COTR received the original invoice.
- Intellectual Property rights assertions will be made, if appropriate, each DO. [redacted] typically does not provide documentation to the Customer on its internally developed (IRAD).

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Specific Questions to individual DO's:

- DO [redacted]
  - Two CLINs (0001 and 0002) are called out.
    - CLIN 0001
    - CLIN 0002 [redacted]
- The SOW does not clearly define what is relative to CLIN 0001 and that to CLIN 0002.

b7E

- Customer please clarify why the two CLINs, and how invoices should be handled.

  _____ Expend funds linearly (expend CLIN 1 up to [redacted] then invoice CLIN 0002 up to [redacted] or whatever the firm DO value is negotiated at).

  or

  [redacted] _____ Expend funds consecutively (Contractor determines apportionment for each CLIN and invoices this amount on the invoices: based on the negotiated DO value).

  or [redacted]

  _____ _____.

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- DO [redacted] & DO [redacted]
  - DO [redacted] requires [redacted] to study and develop enhancements to the [redacted]
  - DO [redacted] orders [redacted]
  - The POP for each is noted as 6/4/10-6/4/11.
  - [redacted] currently believes that we must perform DO [redacted] to some level prior to engaging in the manufacture and delivery of [redacted]
    - POP will need to be adjusted to reflect this. Once the requirements of DO [redacted] are clarified at the upcoming Technical Meeting [redacted] will propose the value and POP to the Customer.
    - The revised hardware is what will be required by [redacted] and the period of performance will remain To Be Defined (TBD) until the outcome of [redacted] allows the team to define the delivery.
    - The per unit price for the [redacted] may change given the hardware update to the Customer's new requirements [redacted]

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b5

The Assumptions, Issues and Questions denoted herein have been reviewed and are either acceptable or in work by the Contracting Officer and/or Contractor's Contract Manager

Signed by:

b3
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_____ [redacted] _____

Customer
Date: _____

Date: _____

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		1

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicble)
~~Mod 1~~	06/04/10		

6. ISSUED BY CODE

Federal Bureau of Investigation
[redacted]
935 Pennsylvania Ave. NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) CODE

Same as Item 6.

b3
b6
b7C
b7E

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

[redacted]

(X) 9A. AMENDMENT OF SOLICIATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO.

X [redacted]

10B. DATED (SEE ITEM 11)

06/04/10

CODE FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a)By completing items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPIRATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 32.7 Funding

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

Order
The purpose of this ~~modification~~ is to provide incremental funding for ~~ongoing~~ engineering services ~~under~~ the [redacted] effort in the amount of [redacted] The period of performance is ~~6/4/10-6/4/11.~~ All work shall be performed in accordance with the Statement of Work and the terms and conditions of the Contract. All technical guidance will be provided by [redacted] COTR for this effort. Contractor exceeds funding at own risk.

The Cost Plus Fixed fee

TBN

b6
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b7E

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-19-2012 BY 65179 DMH/rs

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		1

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
~~Mod 1~~	06/04/10		

6. ISSUED BY	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE
Federal Bureau of Investigation [redacted] 935 Pennsylvania Ave. NW Washington, DC 20535		Same as Item 6.	

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)	(X)	9A. AMENDMENT OF SOLICIATION NO.
[redacted]		9B. DATED (SEE ITEM 11)
	X	10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted]
CODE / FACILITY CODE		10B. DATED (SEE ITEM 13) 06/04/10

b6 b7C b3 b7E

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

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X	D. OTHER (Specify type of modification and authority) FAR 32.7 Funding

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose ~~of this modification~~ is to provide incremental funding for ~~ongoing~~ the Cost Plus fixed fee engineering services ~~under~~ TBN [redacted] effort in the amount of [redacted] The period of performance is ~~6/4/10-6/4/11.~~ All work shall be performed in accordance with the Statement of Work and the terms and conditions of the Contract. All technical guidance will be provided by [redacted] COTR for this effort. Contractor exceeds funding at own risk.

b3 b7E b6 b7C

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

ALL INFORMATION CONTAINED
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DATE 10-19-2012 BY 65179 DMH/rs

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		1

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicble)
~~Mod 1~~	06/04/10		

6. ISSUED BY CODE

Federal Bureau of Investigation
[redacted]
935 Pennsylvania Ave. NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) CODE

Same as Item 6.

b3
b6
b7C
b7E

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

[redacted]

(X) 9A. AMENDMENT OF SOLICIATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO.

X [redacted]

10B. DATED (SEE ITEM 11)

06/04/10

CODE

ENTS OF SOLICITATIONS

☐ The above numbered

Offers must acknowledge

(a)By completing items 8

or (c) By separate letter or

PLACE DESIGNATED FOR

your desire to change an o

amendment, and is receive

for receipt of Offers ☐ is extended, ☐ is not extended.

on or as amended, by one of the following methods:

dging receipt of this amendment on each copy of the offer submitted;

ers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE

RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment

ded each telegram or letter makes reference to the solicitation and this

b7E

12. ACCOUNTING AND A

N OF CONTRACTS/ORDERS.

S DESCRIBED IN ITEM 14.

CHECK ONE	
	A. THIS NO. IN
	B. THE approp
	C. THIS
X	D. OTHER (Specify type of modification and authority) FAR 32.7 Funding

ES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER

INISTRATIVE CHANGES (such as changes in paying office,

OF FAR 43.103(b).

Y OF:

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

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The purpose ~~of this modification~~ is to provide incremental funding for ~~ongoing~~ engineering services ~~under~~ the [redacted] effort in the amount of [redacted] The period of performance is ~~6/4/10-6/4/11~~ TBN All work shall be performed in accordance with the Statement of Work and the terms and conditions of the Contract. All technical guidance will be provided by [redacted] COTR for this effort. Contractor exceeds funding at own risk.

the cost plus fixed fee

b3
b6
b7C
b7E

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NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-19-2012 BY 65179 DMH/rs

CELLSITE-10510

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		1

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
~~Mod 1~~	06/04/10		

6. ISSUED BY	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE
Federal Bureau of Investigation [redacted] 935 Pennsylvania Ave. NW Washington, DC 20535		Same as Item 6.	

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)	(X)	9A. AMENDMENT OF SOLICIATION NO.
[redacted]		9B. DATED (SEE ITEM 11)
	X	10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted]
		10B. DATED (SEE ITEM 11) 06/04/10

CODE	FACILITY CODE

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E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is to provide incremental funding for ~~ongoing~~ the Cost Plus Fixed Fee engineering services ~~under~~ for the [redacted] effort in the amount of [redacted] The period of performance is TBN ~~6/4/10-6/4/11.~~ All work shall be performed in accordance with the Statement of Work and the terms and conditions of the Contract. All technical guidance will be provided by [redacted] COTR for this effort. Contractor exceeds funding at own risk.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)

15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

ALL INFORMATION CONTAINED
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DATE 10-19-2012 BY 65179 DMH/rs

CELLSITE-10511

(Rev. 05-01-2008)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-19-2012 BY 65179 DMH/rs

139

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 3/17/2010

To: Finance **Attn:** Mr. [redacted] QT-ERF
Rm [redacted] (Enc)

From: Operational Technology Division
[redacted] TTU/QT-ERF-E
Contact: [redacted] b6 b7C

Approved By: [redacted]

Drafted By: [redacted] :jdp

Case ID #: 268-HQ-1068430 - TTU

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: The Quantico Contracts Unit (QCU) is requested to initiate the procurement of [redacted] for [redacted] equipment in support of the Bureau's [redacted] mission. b7E

Enclosure(s): ASU Checklist, FD-369 [redacted] in the amount of [redacted]

Details: The Law Enforcement community continues to employ [redacted]

[redacted]

b3 b7E b6 b7C

TTU/WITT has determined that it is necessary to procure the identified [redacted] equipment listed on the attached FD-369 from [redacted] using FBI contract, to enhance the FBI's capability to [redacted]

The Contracting Officer's Technical Representative (COTR) for this procurement is EE [redacted] and can be contacted at

UNCLASSIFIED

[redacted]

UPLOADED
MAR 25 2010
S.D.N.

CELLSITE-10512

MT#26908

To: Finance From: Operational Technology Division
Re: 268-HQ-1068430, 3/17/2010

the Engineering Research Facility, located in Quantico, Virginia, for any questions.

Contracting Officers are responsible for ensuring that [redacted] b3 b7E

To: Finance From: Operational Technology Division
Re: 268-HQ-1068430, 3/17/2010

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

The Quantico Contracts Unit (QCU) is requested to initiate the procurement of [redacted]

b6
b7C
b7E

CC: Mrs [redacted] T-ERF (Enc)
Mr. QT-ERF (Enc)

CELLSITE-10514

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-22-2012 BY 65179 DMH/rs

FD-369 (Rev. 2-21-89)

FEDERAL BUREAU OF INVESTIGATION

REQUISITION FOR SUPPLIES AND/OR EQUIPM

Req. #

ENTERED 3/31/10 KS

3/23/10

March 17, 2010
Date

TTU/1845
Ordering Office/Cost Code

Approved By

Date

Supply Technician:
Program Manager:
Funding Approved:
Requester:
COTR:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order #

b6
b7C
b7E

FY 2010

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	BI#	UNIT PRICE	TOTAL
1									
2									
3									

Requisition Description:

b3
b7E
b4

Suggested Vendor:

SPECIAL INSTRUCTIONS:

Ship to Code:
Delivery Instructions: M-F 8am-5pm except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEMS:

see attached EC

b7E

MAY 10 2010

CELLSITE-10515

(Rev. 05-01-2008)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-22-2012 BY 65179 DMH/rs

434

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 02/18/2010

To: Finance **Attn:** UC
Quantico Contracts Unit

From: Operational Technology
Contact:

b6
b7C
b7E

Approved By:

Drafted By: hbj

Case ID #: 319B4-HQ-A1487496-OTD-176

Title: PURCHASES EXCEEDING THE SIMPLIFIED ACQUISITION THRESHOLD

Synopsis: The requests the Quantico Contracts Unit to procure for the under requisition number This equipment has been designated as

b3
b7E

Enclosure(s): Requisition number Acquisition Security Request, Acquisition Security Unit Checklist, and Sole Source Justification.

Details:

The enclosed requisition identifies equipment for the The has been working in association with the to identify, evaluate, and procure Commercial Off-the-Shelf (COTS) that meet the FBI's unique technical investigative and legal requirements.

b6
b7C
b7E

UNCLASSIFIED

UPLOADED
MAR 4 2010

CELLSITE-10516

To: Finance From: Operational Technology
Re: 319B4-HQ-A1487496-OTD, 02/18/2010

Through rigorous testing of multiple COTS [redacted] has determined that the [redacted] best meets the technical and legal criteria established for a [redacted] that will be provided [redacted] b3 b7E

Without this equipment, the [redacted] will be unable to fulfill its obligations to maintain and improve the [redacted]

It should be noted that contracting officers are responsible for ensuring that [redacted] b3 b7E

To: Finance From: Operational Technology
Re: 319B4-HQ-A1487496-OTD, 02/18/2010

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

The Quantico Contracts Unit is requested to procure requested [redacted] equipment for the [redacted] as referenced in requisition number [redacted]

b6
b7C
b3
b7E

cc: [redacted]
ERF-E
ERF

♦♦

CELLSITE-10518

FD-369 (Rev. 2-21-89)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-23-2012 BY 65179 DMH/rs

FEDERAL BUREAU OF INVESTIGATION

REQUISITION FOR SUPPLIES AND/OR EQUIPMENT

[redacted] b7E

Req. #

ENTERED
3/19/10 K

February 18, 2010
Date

[redacted]
Ordering Office/Cost Code

[redacted]

Julian Date

Supply Technician: [redacted]
Program Manager:
Funding Approved:
Requester:
COTR:

FY 2010

ntract Specialist: [redacted] b6
Date Received: b7C
PPMS Approval: b7E
Purchase Order # [redacted]

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	BI#	UNIT PRICE	TOTAL
1	[redacted]		[redacted]	EA		[redacted]		[redacted]	

Requisition Description: [redacted] b3 b7E

Suggested Vendor: [redacted]

SPECIAL INSTRUCTIONS:

Ship to Code: [redacted]
Delivery Instructions:
Government's Estimate: [redacted] b7E
Previous PO # [redacted] b6
Previous Contract # [redacted] b7C

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEMS:

RECEIVED
APR 09 2010
BY: QCU

CELLSITE-10519

~~SECRET~~

DATE: 10-22-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 10-22-2037

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

Justification and Approval For Other than Full and Open Competition

In accordance With 41 U.S.C. 253 (c) (1)

1. **Identification of the agency and the contracting activity, and specific identification of the document as a "Justification for Other Then Full and Open Competition."**

   The Federal Bureau of Investigation's Quantico Contracts Unit (QCU) has prepared this justification for Other than Full and Open Competition in response to a requirement from the [redacted] to establish a fixed price contract for the acquisition for equipment.

2. **Nature and/or description of the action being approved.**

   This Justification for Other Than Full and Open Competition is being prepared in accordance with the authority of FAR 6.302-1 "Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements."

3. **A description of the supplies or services required to meet the agency's needs (including the estimated value).**

   The [redacted] has been working in association with the [redacted] to identify, evaluate, and procure Commercial Off-the-Shelf (COTS) [redacted]

b7E

(S) [redacted]

b1
b3
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~~SECRET~~

(S) [redacted] b1 b3 b7E

The total is [redacted]

4. **An identification of the statutory authority permitting other than full and open competition.**

   FAR 6.302-1 Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements.

5. **A demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited.**

   [redacted] system is proprietary, [redacted] is the only company that makes the specific item that is being requested for procurement. b3 b7E

6. **A description of efforts made to ensure that offers are solicited from as many potential sources as is practicable, including whether a notice was or will be publicized as required by Subpart 5.2 and, if not, which exception under 5.202 applies.**

   No publication of this procurement will be made in accordance with FAR 5.202(a)(1) because of the sensitive nature of this program and technical capabilities. Although some of the expertise may exist in the FBI and Intelligence Community today, it is not feasible or practicable to advertise this requirement openly as it will represent unnecessary risk by divulging the nature of the mission of the Unit and this program.

7. **A determination by the contracting officer that the anticipated cost to the Government will be fair and reasonable.**

   The Contracting Officer will ensure that the anticipated cost to the government will be fair and reasonable. Techniques may include an analysis of proposed direct costs,

audit or comparison of proposed indirect factors with audited factors in use elsewhere in the Government and comparison of proposed rates to published rates.

8. **A description of the market research conducted and the results or a statement of the reason market research was not conducted.**

Over the past year, the [redacted] has evaluated three [redacted]

[redacted]

b3
b7E

Based on its fulfillment of very specific evaluation criteria, th[redacted] has selected the [redacted]

[redacted]

FBI representatives from [redacted] will continue to do market research and meet with vendor representatives to further research.

9. **Any other facts supporting the use of other than full and open competition**

(S) [redacted]

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10. **A listing of the sources, if any, that expressed, in writing, an interest in the acquisition.**

None

11. **A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required.**

The FBI will continue to do market surveys to identify potential sources on subsequent acquisitions.

TECHNICAL REPRESENTATIVE CERTIFICATION:

As Technical Representative of the requiring office, I have reviewed the data provided in support of the Justification and Approval to Procure Using Other Than Full and Open Competition. I certify that the data is accurate and complete to the best of my knowledge and belief.

[redacted]

2/18/2010
date

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12. CONTRACT SPECIALIST:

I have reviewed the data provided in support of the Justification and Approval to Procure Using Other Than Full and Open Competition. I certify that the data is accurate and complete to the best of my knowledge and belief.

[redacted]

Date

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-22-2012 BY 65179 DMH/rs

[redacted](OTD)(FBI)

From: [redacted] (OTD) (FBI)
Sent: Friday, February 12, 2010 12:00 PM
To: [redacted]
Cc:
Subject: [redacted]

Attachments: [redacted] Sole Source Justification.doc

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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

I've attached a J&A for the purchase of [redacted] sole-source from [redacted] This purchase should use contract [redacted] with [redacted] as the COTR and [redacted] as CO.

Please let me know if you need any additional information.

Thank you

[redacted]

[redacted] Source Justific...

b6
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SENSITIVE BUT UNCLASSIFIED

~~SECRET~~

DATE: 10-22-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 10-22-2037

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

From:
Sent: Thursday, April 12, 2012 2:19 PM
To:
Subject: Fw:

Just an FYI

------Original Message------

From:
To:
To:
To:
To:
To:
Cc:
Cc:
Cc:
Cc:
Subject:
Sent: Apr 12, 2012 12:49 PM

Hi

Please see attached zip for the release. I created separate

(S)

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~~SECRET~~

CELLSITE-10526

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-22-2012 BY 65179 DMH/rs

Project
Vendor
New PO:
Req

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b7C
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PCM

Funding for items, quantities, and services identified in this order. All technical guidance will be provided by COTR for this effort. Services will be performed in accordance with the SOW. Period of Performance: 6/4/10-6/4/11. Terms and conditions are those in effect under the contract. Contractor exceeds funding at their own risk. Invoices to be sent to

****
@EFT
****
@PRO

Project:
Vendor
New PO:
Req

b3
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PCM

Incremental funding for ongoing efforts under the All technical guidance will be provided by COTR for this effort. Services will be performed in accordance with the SOW. Period of Performance: 6/4/10-6/4/11. Terms and conditions are those in effect under the contract. Contractor exceeds funding at their own risk. Invoices to be sent to

****
@EFT
****
@PRO

Mod 1

The purpose of this modification is to provide incremental funding for ongoing engineering services under the effort in the amount of The period of performance is 6/4/10-6/4/11. All work shall be performed in accordance with the Statement of Work and the terms and conditions of the Contract. All technical guidance will be provided by COTR for this effort. Contractor exceeds funding at own risk.

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Project:
Vendor:
New PO:
Req

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-22-2012 BY 65179 DMH/rs

PCM
Incremental funding for ongoing efforts under the [redacted] All technical guidance will be provided by [redacted] COTR for this effort. Services will be performed in accordance with the SOW. Period of Performance: 6/4/10-6/4/11. Terms and conditions are those in effect under the contract. Contractor exceeds funding at their own risk. Invoices to be sent to [redacted]
****
@EFT
****
@PRO

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Mod 1
The purpose of this modification is to provide incremental funding for ongoing engineering services under the [redacted] effort in the amount of [redacted] The period of performance is 6/4/10-6/4/11. All work shall be performed in accordance with the Statement of Work and the terms and conditions of the Contract. All technical guidance will be provided by [redacted] COTR for this effort. Contractor exceeds funding at own risk.

Project: [redacted]
Vendor [redacted]
New PO: [redacted]
Req: [redacted]

PCM
Incremental funding for ongoing efforts under the [redacted] project. All technical guidance will be provided by [redacted] COTR for this effort. Services will be performed in accordance with the SOW. Period of Performance: 6/4/10-6/4/11. Terms and conditions are those in effect under the contract. Contractor exceeds funding at their own risk. Invoices to be sent to [redacted]
****
@EFT
****
@PRO

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Mod 1
The purpose of this modification is to provide incremental funding for ongoing engineering services under the [redacted] effort in the amount of [redacted] The period of performance is 6/4/10-6/4/11. All work shall be performed in accordance with the Statement of Work and the terms and conditions of the Contract. All technical guidance will be provided by [redacted] COTR for this effort. Contractor exceeds funding at own risk.

Project: [redacted]
Vendor [redacted]
New PO: [redacted]

b3
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Req: [redacted]

PCM
Incremental funding for ongoing efforts under the [redacted] project. All technical guidance will be provided by [redacted] COTR for this effort. Services will be performed in accordance with the SOW. Period of Performance: 6/4/10-6/4/11. Terms and conditions are those in effect under the contract. Contractor exceeds funding at their own risk. Invoices to be sent to [redacted]
****
@EFT
****
@PRO

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b7E

Mod 1
The purpose of this modification is to provide incremental funding for ongoing engineering services under the [redacted] effort in the amount of [redacted] The period of performance is 6/4/10-6/4/11. All work shall be performed in accordance with the Statement of Work and the terms and conditions of the Contract. All technical guidance will be provided by [redacted] COTR for this effort. Contractor exceeds funding at own risk.

Project: [redacted]
Vendor
New PO: [redacted]
Req: [redacted]

PCM
Funding for items, quantities, and services identified in this order. All technical guidance will be provided by [redacted] COTR for this effort. Services will be performed in accordance with the SOW. Period of Performance: 6/4/10-6/4/11. Terms and conditions are those in effect under the contract. Contractor exceeds funding at their own risk. Invoices to be sent to [redacted]
****
@EFT
****
@PRO

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DATE 10-22-2012 BY 65179 DMH/rs

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		1

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicble)
Mod 1	Jul 7, 2011		

6. ISSUED BY CODE

Federal Bureau of Investigation
935 Pennsylvania Ave. NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) CODE

Same as Item 6.

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

b3
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(X) 9A. AMENDMENT OF SOLICIATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO.

10B. DATED (SEE ITEM 13)

7/8/2011

CODE FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a)By completing items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPIRATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE

☐ A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.

☐ B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).

☐ C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:

☒ D. OTHER (Specify type of modification and authority)
FAR 32.7 "Funding" and 43.103 "Bilateral"

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is to provide funding in the amount not to exceed [redacted] for the purpose of preparing and executing a briefing for projects under [redacted] in accordance with the terms and conditions of the Contract, [redacted] dated 7/7/11, and e-mails ending 7/8/11 at 7:47 AM between COs. Technical POC for briefing is [redacted] and COTR for the Contract is [redacted] POP for services: 7/7/11-7/11/11. Contractor exceeds funding at own risk.

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Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)

[redacted]
Contracts Manager

16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)

[redacted]
Contracting Officer

15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

FD-369 (Rev. 2-21-89)

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DATE 10-22-2012 BY 65179 DMH/rs

FEDERAL BUREAU OF INVESTIGATION

REQUISITION FOR SUPPLIES AND/OR EQUIPME

b7E

ENTERED

Req. #

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July 7, 2011
Date

OTD
Ordering Office

Approved By

Julian Date

Supply Technician:
Program Manager:
Funding Approved: 7/7/11
Requester:
COTR:

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FY 2011

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order #

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	COST CODE	UNIT PRICE	TOTAL
1				ea					

Requisition Description:

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Suggested Vendor:

SPECIAL INSTRUCTIONS:

Ship to Code:
Delivery Instructions:
Government's Estimate:
Previous PO # None
Previous Contract #

b7E

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEMS:

CELLSITE-10531

DECLASSIFIED BY 65179 DMH/rs
ON 10-22-2012

[redacted](OTD) (FBI)

From: [redacted](OTD) (FBI)
Sent: Thursday, July 07, 2011 10:44 AM
To: [redacted]
Cc:
Subject: FW: Follow on brief with [redacted] request for suggested dates. --- SECRET

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Classification: SECRET

Classified By: C37W75B74
Declassify On: 20210601
Derived From: FBI NSISC
==========

[redacted]

Thanks for helping me out on this. Since I'm not in a unit, I don't have a financial person assigned, and [redacted] from [redacted] is on leave....

Vendor: [redacted]

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b7C

Justification: [redacted] provide a detailed briefing to OTD management and OGC personnel of work being performed under the [redacted] contract as well as legal compliance modifications to [redacted] products. The briefing is necessary for OTD management to conduct program oversight of activities covered under the [redacted]

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Cost: Estimated at [redacted] - (quote is due [redacted] today).

Funding source [redacted] (I spoke with [redacted] this morning. He will release funding once I identify the exact amount).

Contracting officer: [redacted]
Requestor: SSA [redacted] (703) [redacted]

If I have left anything out, please call me (703) [redacted] or cell (202 [redacted] I am committed to getting this to [redacted] by close of business today.

Thanks again,
[redacted]

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From [redacted] FD)(FBI)
Sent: Thursday, July 07, 2011 9:34 AM
To [redacted] OTD) (FBI)
Subject: RE: Follow on brief with [redacted] request for suggested dates. --- SECRET

Classification: SECRET

Classified By: C37W75B74
Declassify On: 20210601
Derived From: FBI NSISC

==========

FYI - [redacted] I'm at ERF today and tomorrow – please have the req come to me. I will keep [redacted] informed of anything that arises.

Thanks,
[redacted]

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From: [redacted] (OTD) (FBI)
Sent: Thursday, July 07, 2011 9:32 AM
To: [redacted] (OTD) (FBI)
Cc: [redacted]
Subject: RE: Follow on brief with [redacted] request for suggested dates. --- SECRET

Classification: SECRET

Classified By: C37W75B74
Declassify On: 20210601
Derived From: FBI NSISC
==========

[redacted]

b3
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I am authorizing funding from [redacted] for this brief. The difference between this brief and the one they gave on March 3rd is that this one will include the projects they were prohibited from discussing at the first brief.

I am in communication with [redacted] and [redacted] and will have a requisition to them by COB today.

Thank you,
[redacted]

From: [redacted] (OTD) (FBI)
Sent: Thursday, July 07, 2011 8:49 AM
To: [redacted] (OTD) (FBI)
Cc: [redacted] OTD) (FBI)
Subject: RE: Follow on brief with [redacted] request for suggested dates. --- SECRET
Importance: High

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Classification: SECRET

Classified By: C37W75B74
Declassify On: 20210601
Derived From: FBI NSISC
==========

[redacted] Need EC justification, requisition , cost proposal, funding source, etc so this can get completed. [redacted] **will need to do a PO by Friday morning** . I you have authorized this already [redacted] will bill the FBI for their time to do power points, travel, and time as this has been a historical issue [redacted] did not authorize this nor are funds to be taken from

existing [redacted] projects/tasks since these are already encumbered [redacted] discussed this with you already). . If [redacted] is doing this on their dime then no problem. [redacted] wants to cut a separate PO so that funding from ongoing task orders will not be utilized for this briefing.. Currently [redacted] has three personnel to conduct this brief and it is the same brief that was conducted with you several weeks ago.

To prevent a possible Ratification issue this needs to be completed and [redacted] needs requisition NLT Friday am.. .

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From: [redacted] (OTD) (FBI)
Sent: Wednesday, July 06, 2011 2:48 PM
To: [redacted]
Cc: [redacted]
Subject: RE: Follow on brief with [redacted] request for suggested dates. --- SECRET

Classification: SECRET

Classified By: C37W75B74
Declassify On: 20210601
Derived From: FBI NSISC
==========

[redacted]

(U) I heard back from OGC S&TLU and A/DAD Bryars about their planned attendance, but nothing from [redacted] as of yet. Do you plan to send a representative?

V/R,

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SSA [redacted]
[redacted]
Operational Technology Division
703 [redacted]

From [redacted] (OGC) (FBI)
Sent: Tuesday, July 05, 2011 9:30 AM
To: [redacted] (OTD) (FBI)
Subject: RE: Follow on brief with [redacted] request for suggested dates. --- SECRET

Classification: SECRET

Classified By: C37W75B74
Declassify On: 20210601
Derived From: FBI NSISC
==========

[redacted]

If you have any latitude on timing for this important brief, later is better for me than earlier. I have a 10:45 at JEH with my Section Chief that will run to about 12:00. It's possible that I can make [redacted] by 1:00 but it will be tight.

[redacted]

[redacted]
Associate General Counsel and Unit Chief
Science and Technology Law Unit
Office of the General Counsel
(703) [redacted]
(Cell) (202) [redacted]

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From: [redacted] (OTD) (FBI)
Sent: Friday, July 01, 2011 9:37 AM
To: [redacted]
Cc: [redacted]
Subject: RE: Follow on brief with [redacted] request for suggested dates. --- ~~SECRET~~

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Classification: ~~SECRET~~

Classified ~~By~~: C37W75B74
Declassify On: 20210601
Derived From: FBI NSISC
==========

[redacted]

I confirmed with [redacted] that they are available to travel to [redacted] location on July 11th for completing the briefing of FBI [redacted] The start time is still TBD, but will likely be 1pm.

Please contac [redacted] and permit them to brief all FBI [redacted] without restriction.

The target audience for the brief is the FBI's [redacted] team, OGC S&TLU representatives, and OTD Executive Management. Of course, the CO, COTR and project leads are welcome to attend, if available.

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SSA [redacted]
[redacted]
Operational Technology Division
703 [redacted]

From: [redacted] (OTD) (FBI)

Sent: Thursday, June 09, 2011 2:28 PM
To: [redacted]

[redacted] b3 b6 b7C b7E

Subject: RE: Follow on brief with [redacted] request for suggested dates. --- SECRET

Classification: SECRET

Classified By: C37W75B74
Declassify On: 20210601
Derived From: FBI NSISC
==========

[redacted]

(U) (S) I appreciate that the program management and oversight that comes with [redacted] Over the past three years, I have received numerous briefings from the projects leaders in the units, yet I continue to learn of previously undisclosed projects that require a determination regarding their inclusion in the FBI's portfolio.

(U) (S) Over the past year, I have had the opportunity to receive a few briefings from [redacted] and found them to contain information that adds greatly to the information provided by the FBI project leaders. There have also been times when I have learned of projects and capabilities that hadn't been briefed to me by our own personnel, and learned that [redacted] continues to be prohibited by the FBI project leads from briefing me on some projects. This troubles me. b3 b6 b7C b7E

(U) (S) In order for me to be satisfied that I am getting a complete and accurate picture of activities at [redacted] I must proceed with scheduling a briefing by [redacted] is welcome to send representatives, as well as representatives from QCU, OGC S&TLU and OTD management. I will make available additional funding as necessary (FY11 and FY12) to cover the cost of this necessary program management activity.

(U) (S) [redacted] is planning to conduct a briefing regarding [redacted] on July 11th for [redacted] I intend to schedule an FBI specific brief for the following day. For those who have an interest in attending, please advise as to your availability.

SSA [redacted]
[redacted]
Operational Technology Division
703 [redacted]

From: [redacted]
Sent: Monday, June 06, 2011 11:23 AM
To: [redacted]
Cc: [redacted]
Subject: RE: Follow on brief with [redacted] request for suggested dates. --- SECRET

b3 b6 b7C b7E

Classification: ~~SECRET~~

Classified By: C37W75B74
Declassify On: 20210601
Derived From: FBI NSISC
==========

Good Morning [redacted]

Just to follow-up and provide some additional information, I've reviewed the contract and PO documents and we currently do not have funding available within the current budget to accommodate additional presentations or briefings. Please let me know if you have any questions. b6 b7C

Thank you and have a good day,

[redacted]

From: [redacted] (FD)(FBI)
Sent: Friday, June 03, 2011 3:40 PM
To: [redacted] b6 b7C b3 b7E
Subject: RE: Follow on brief with [redacted] request for suggested dates. --- ~~SECRET~~

Classification: ~~SECRET~~

Classified By: C37W75B74
Declassify On: 20210601
Derived From: FBI NSISC
==========

Good Afternoon [redacted]

It is in the FBI's best interest to have our own representatives provide the presentation. This strategy would be more cost effective as it would not require the funding for [redacted] preparation/presentation and would eliminate the need for government travel. Furthermore, our FBI representatives could provide a more in depth presentation as they are intricately involved in the programs and are more familiar with the FBI operational needs.

I support [redacted] recommendation for an internal presentation. If I can be of any further assistance please do not hesitate to contact me. b3 b6 b7C b7E

Thank you,

[redacted]

703 [redacted]

From: [redacted] (OTD) (FBI)
Sent: Thursday, June 02, 2011 7:40 AM
To: [redacted]

Cc:

Subject: RE: Follow on brief with request for suggested dates. --- SECRET

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Classification: SECRET

Classified By: C37W75B74
Declassify On: 20210601
Derived From: FBI NSISC
==========

via PM and COTAR can conduct a full brief at no cost. Additionally is unaware of our Con Ops an can provide an enhanced brief here at ERF. Will this meet your requirement.. We can also include

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From:
Sent: Wednesday, June 01, 2011 4:15 PM
To:
Cc:
Subject: Follow on brief with request for suggested dates. --- SECRET

Classification: SECRET

Classified By: C37W75B74
Declassify On: 20210601
Derived From: FBI NSISC
==========

All,

(U) (S) I would like to receive the follow-on brief from soon, to include the projects that they weren't permitted to brief to myself and OGC last time.

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(U//FOUO has advised that they are prepared to present at their location and it would cost the FBI approx for the prep and presentation time. I was very pleased with the earlier briefing and would like to wrap this up soon.

(U) Please advise regarding your availability so we can get this accomplished.

V/R,

SSA
Operational Technology Division
703

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-22-2012 BY 65179 DMH/rs

U.S. Department of Justice

Federal Bureau of Investigation

935 Pennsylvania Ave. NW
Washington, DC 20535

1 July 2010

Subject: Action Items for 6-23-10 Program Meeting
Contract

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Dear

Thank you for taking the time to meet with our on June 23, 2010. As we made clear during the meeting, we are anxious to get work started under this contract. Additionally, our funding has a life expectancy. As advised on during this Program Meeting has been instructed not to proceed with any additional services and additional work regarding any Purchase Orders revoked during the meeting has been advised to stop work until such time that the FBI submits official tasking statements of work and has provided funding for services.

Cancelled Purchase Orders: The following Purchase Orders are hereby withdrawn and is instructed to destroy these documents as funding has been deobligated until Taskings have been officially awarded. These awards will be issued under new Purchase Orders. POs to destroy:

Forthcoming Tasking Requests: The FBI is working diligently to complete our final, official Statements of Work (SOW) for the above Taskings. It is our intention to submit these Taskings on 7/12/10 for a technical and cost proposal from Each Tasking should be treated as an individual project; therefore, a response for one Tasking should not be held or delay any responses to other Taskings is the Contracting Officer's Technical Representative for the Contract. Any Technical Leads on individual Taskings will be identified within the SOW or at the Tasking Kick-Off Meeting.

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Security Matters: Please provide the FBI with a status of the secured space for work and a proposed schedule for any outstanding requirements in order to . We are working with Security to coordinate the requested STE and making adjustments to the DD-254. Unfortunately, these requirements must go through the security division. We have provided them with the

background and delays on this project; however, we are unable to control the rate at which they provide us with the final equipment and documentation.

NDAs: The NDAs for all participants in [redacted] contract require an FBI employee to witness the signature on behalf of the Director of the FBI. [redacted] is making arrangements during the week of 7/6/10 for those [redacted] individuals still needing to sign an NDA before assisting in the proposal responses. All original documents shall be mailed to [redacted] for tracking. Any travel conducted as a result of these signatures will not be funded by the FBI.

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[redacted] Services: The engineers for this program have signed the required NDA, as such, services under PO [redacted] for the [redacted] may start as soon as possible [redacted] under this effort are classified, while the specific [redacted] development is unclassified – please see the SOW and other contract documentation for specific details – all terms and conditions apply per the contract.

[redacted]

If I can be of further assistance with this effort you may contact me via e-mail at [redacted]@ic.fbi.gov.

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Sincerely,

[redacted]
Contracting Officer

[redacted] Task Order 1 Questions

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Regarding Section "1.3.1 Key Areas" of the [redacted] SOW, the items are listed as "examples" of what should be done on the Task. In order to properly bid these activities, we are making the following assumptions. The contractor requests that you review these assumptions, verify their accuracy and provide more clarification where necessary.

1) [redacted]

2) [redacted]

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3) [redacted]

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[redacted] SITE-10543

	Current Restriction	Sponsor Proposed Restrictions	Assumptions
No Court Order			
Network Owner Authorization or Consent			
Pen Register/Trap & Trace			

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TE-10544

Title III/			
Search Warrant			

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4)
5)
6)
7)
8)

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-10545

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DATE 10-22-2012 BY 65179 DMH/rs

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

25 April 2012

[redacted]

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Subject: Contrac[redacted]
Task Order Letter Request

Dear [redacted]

Please find enclosed a copy of the Statements of Work (SOW) for training developed by the Federal Bureau of Investigation (FBI). This requirement describes the need for training of FBI personnel in the operation of the [redacted] device. The FBI intends to award this requirement as a new Task Order under the existing [redacted] Contract utilizing Firm Fixed Price (FFP) provisions. The FBI is interested in obtaining a proposal for this task to be performed in accordance with the subject Contract. Contractor shall provide technical and cost proposals to support tasking as set forth in the Statement of Work. Contractor is requested to provide pricing on a per person/student basis and per class for a comparison and determination of most cost effective and efficient strategy for obtaining the necessary training. In the future, the FBI may consider adding this training to the Contract price list.

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The award of this TO is contingent upon receipt of funding. If there are any question regarding this SOW please submit them to my office, in writing, within the next five (5) business days. It is therefore requested that your company review the enclosed SOW and if the proposed contract vehicle is appropriate, a cost and technical proposal should be submitted in accordance with the terms and conditions of the FBI's Contract no later than 10 May 2012 at 1:00 PM EST or sooner. Unclassified proposals maybe email t[redacted]@ic.fbi.gov.

Should you have any questions concerning this matter, please contact me at 202[redacted] response may be faxed to 202[redacted]

[redacted]

Attached: Statement of Work fo[redacted]raining Tasking

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DATE 10-22-2012 BY 65179 DMH/rs

[redacted]

From: [redacted]
Sent: Wednesday, April 25, 2012 1:54 PM
To: [redacted]
Subject: [redacted] New Task Order unde[redacted]
Attachments: [redacted] TO 2_4-25-12 Letter t[redacted] Training_TO 2_4-25-12.pdf

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Good Afternoo[redacted]

Attached, please find a Task Order Request Letter and accompanying SOW for a new task order under th[redacted] Contract. The FBI requests a technical and cost proposal in accordance with the Contract to obtain the identified services. Within the next 5 business days, please submit any questions regarding this requirement to my office, directly. Proposals are due by 1PM on 10 May 2012. E-mail submission is preferred.

Thank you for your assistance,

[redacted]

Contracting Officer
Federal Bureau of Investigation
HQ: (O) 202[redacted] | (F) 202[redacted]
QT: (O) 703[redacted] | (F) 703[redacted]
BB: 202[redacted]

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[redacted] called around 3pm to inform that training materials had already been developed. They will send materials for review & send [redacted] per class

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DATE 10-22-2012 BY 65179 DMH/rs

Provided By [redacted] 9/8/12

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[redacted] Training Evaluation

Cost Assessment:

The cost of the course is [redacted] for one instructor per four students. The FBI requests [redacted] students and [redacted] instructors so we can perform [redacted] classes simultaneously for a cost of [redacted]. This equates to [redacted] per student for [redacted] days of instruction which includes [redacted] of classroom instruction [redacted] of deployment practical exercises with emphasis on [redacted] will include a written test and a practical application test. [redacted] b7E

We also requested two classes simultaneously to get as many [redacted] trained in the shortest amount of time.

Technical Evaluation:

The [redacted] training material consists of six sections.

1 [redacted]
2
3
4
5
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[redacted]

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WHERE SHOWN OTHERWISE

~~SECRET~~

DATE: 10-23-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 10-23-2037

[redacted](FD)(FBI)

From: [redacted](OTD) (FBI)
Sent: Thursday, September 09, 2010 12:12 PM
To: [redacted]
Subject: RE: [redacted]

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~~SECRET//NOFORN~~
~~RECORD 268-HQ-1068430~~

(S) [redacted]

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b7E

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
703 [redacted]
202

From: [redacted](OTD) (FBI)
Sent: Thursday, September 09, 2010 11:14 AM
To: [redacted]
Subject: [redacted]

~~SECRET//NOFORN~~
~~RECORD 268-HQ-1068430~~

[redacted]

Here is the [redacted] Anything marked with red is not directly traceable to exact wording. Some may be inferred but not defined, others may not be compliant. These are the areas where we need to question them.

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[redacted]

<< File: [redacted] xls >>

DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20350909
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DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20350909
SECRET//NOFORN

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CELLSITE-10549

DECLASSIFIED BY 65179 DMH/rs
ON 10-23-2012

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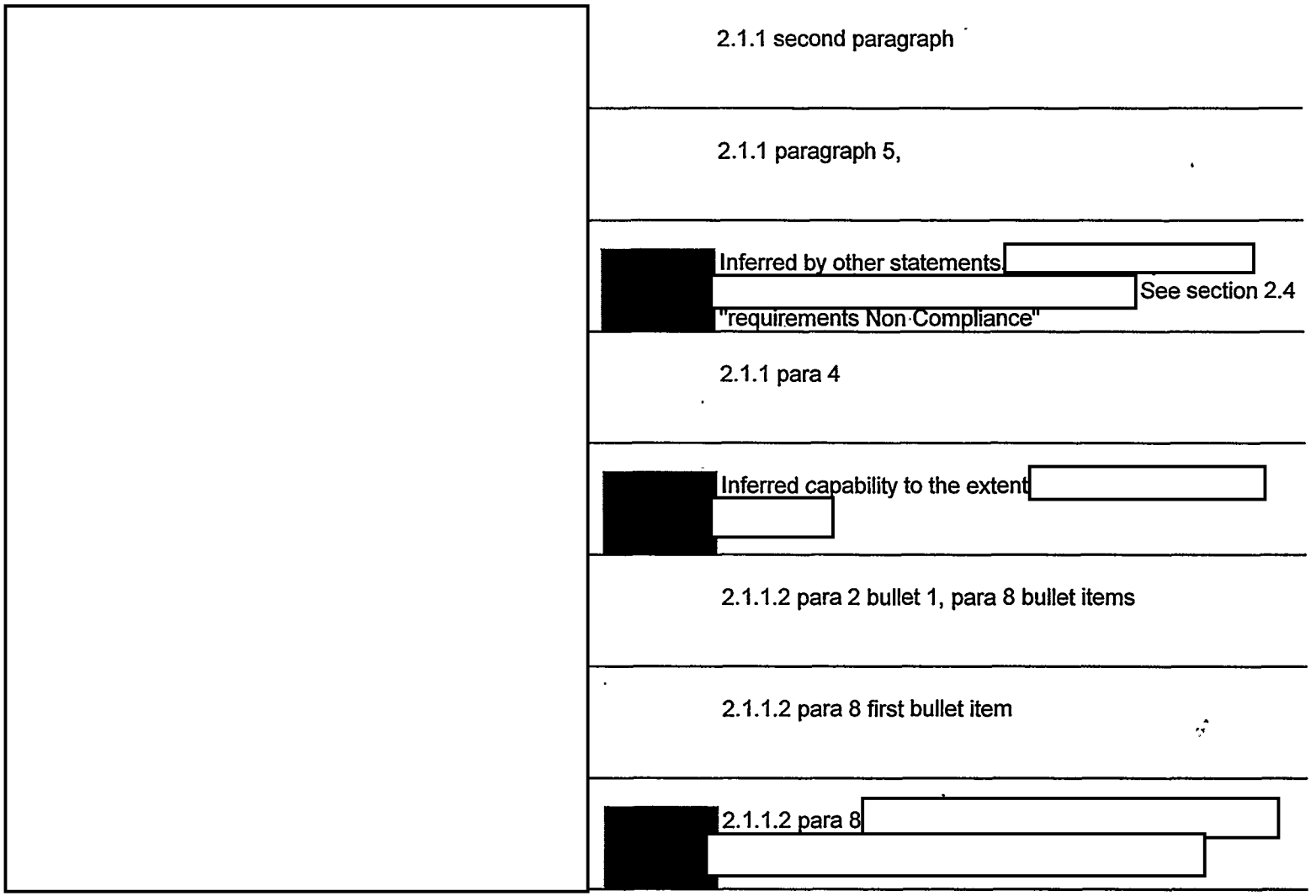
SOW vs. Proposal



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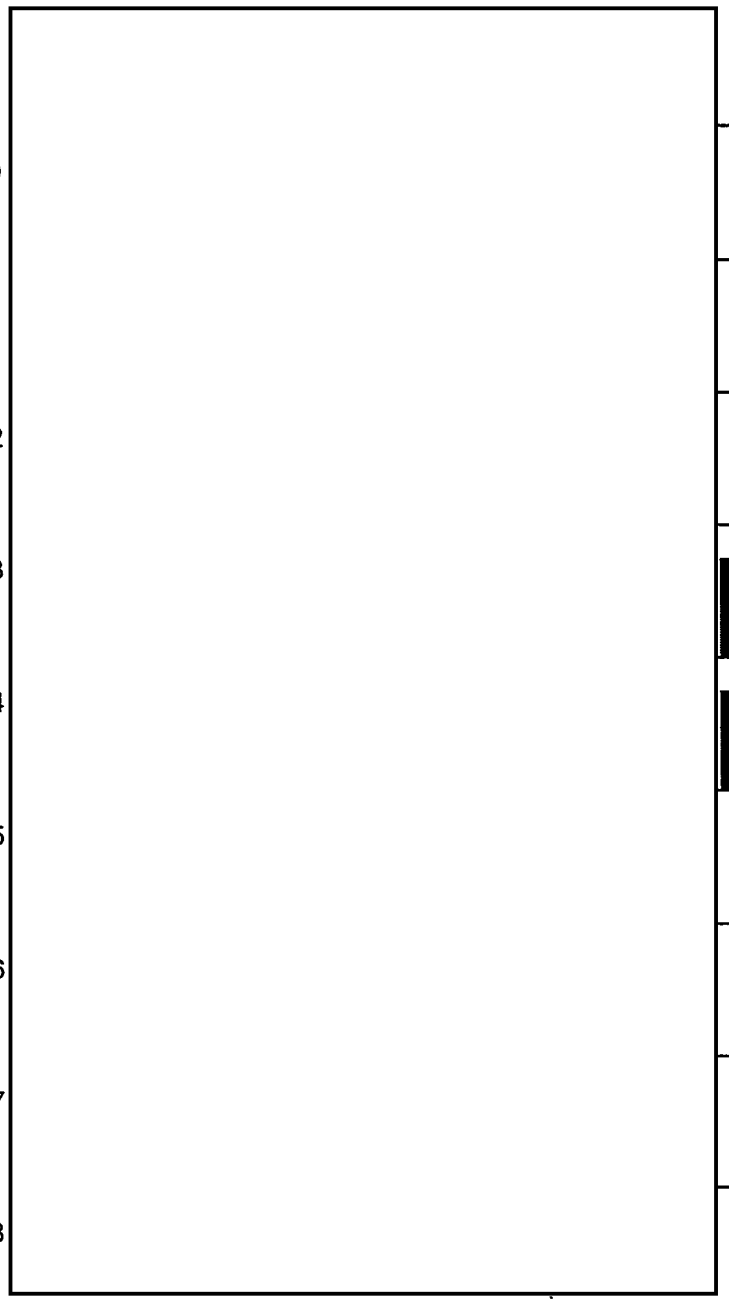

9	2.1.1.2 para 2 bullet 2, 2.1.1.2 para 3 bullet 2
10	2.1.1.2 para 2 bullets 4&5
11	2.1.1.2 para 2 bullet 5
12	2.1.1.2 para 8
13	2.1.1.2 para 8
14	See section 2.4 "Requirements Non Compliance"
15	2.1.1 para 5, 2.1.1.1 para 1
16	2.1.1.2 para 2 bullet 3, 2.1.1.2 para 3 bullet 4, 2.1.1.2 para 6
17	2.1.1.2 para 2 bullet 7
18	2.1.1.2 para 7

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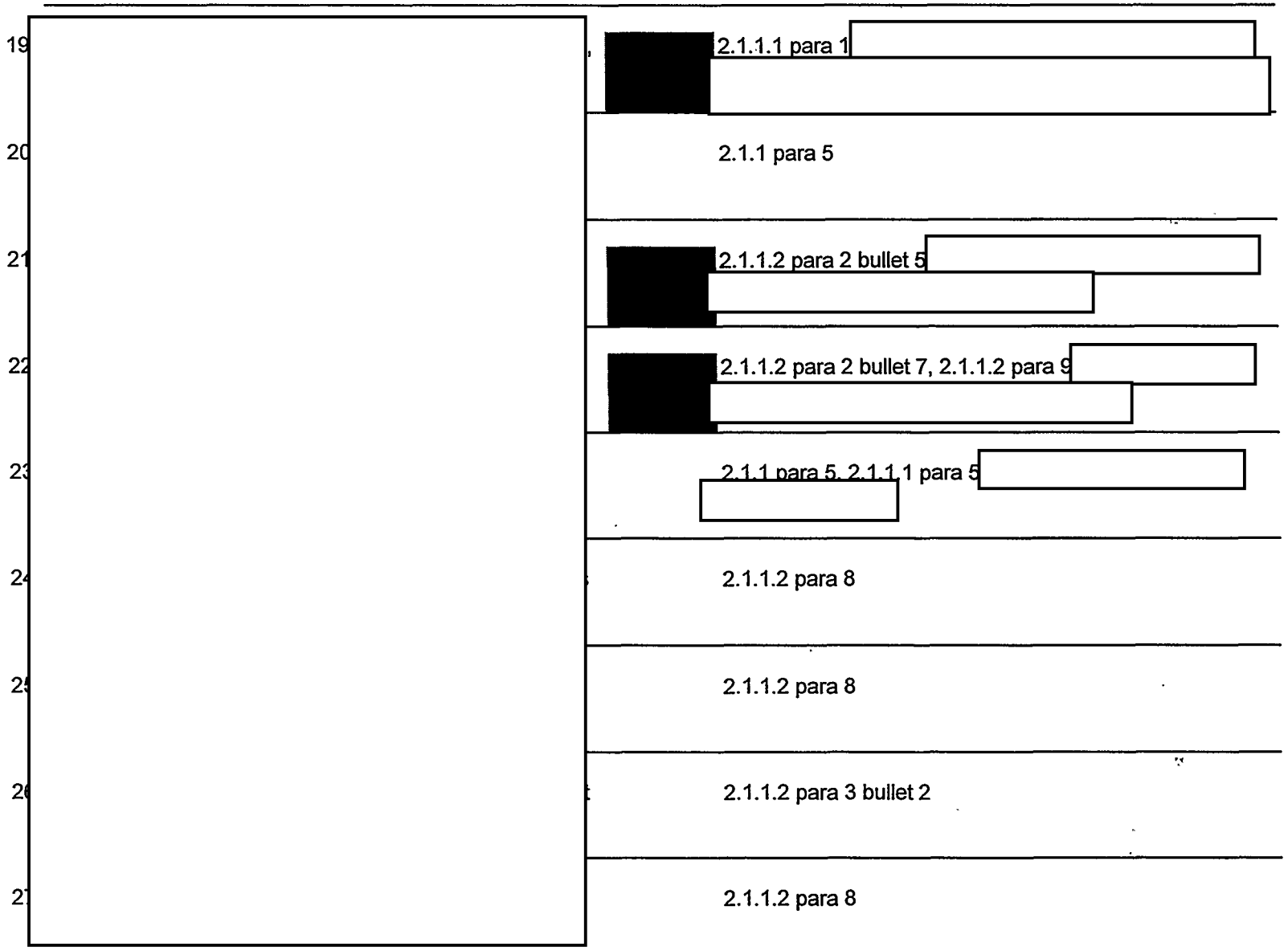
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2.1.1.2 para 2 bullet 5
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2.1.1.2 para 2 bullet 7, 2.1.1.2 para 9
23
2.1.1 para 5, 2.1.1.1 para 5
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2.1.1.2 para 8
25
2.1.1.2 para 8
26
2.1.1.2 para 3 bullet 2
27
2.1.1.2 para 8

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28	[redacted] 2.1.1.2 para 8 [redacted]	b3 b7E
29	2.1.1.2 para 8	
30	2.1.1.2 para 2 bullets 4,6,10,13,15,16; 2.1.1.2 para 3 bullets 3, 6; 2.1.1.2 para 7; 2.1.1.2 para 8	
31	2.1.1.2 para 2 bullet 7; 2.1.1.2 para 3 bullet 6; 2.1.1.2 para 8	
32	2.1.1.2 para 8	
33	2.1.1.2 para 8	
34	[redacted] Is part of stage 2, but not mentioned specifically	
35	[redacted] 2.1.1.2 para 8 [redacted]	b3 b7E
36	2.1.1.2 para 8	

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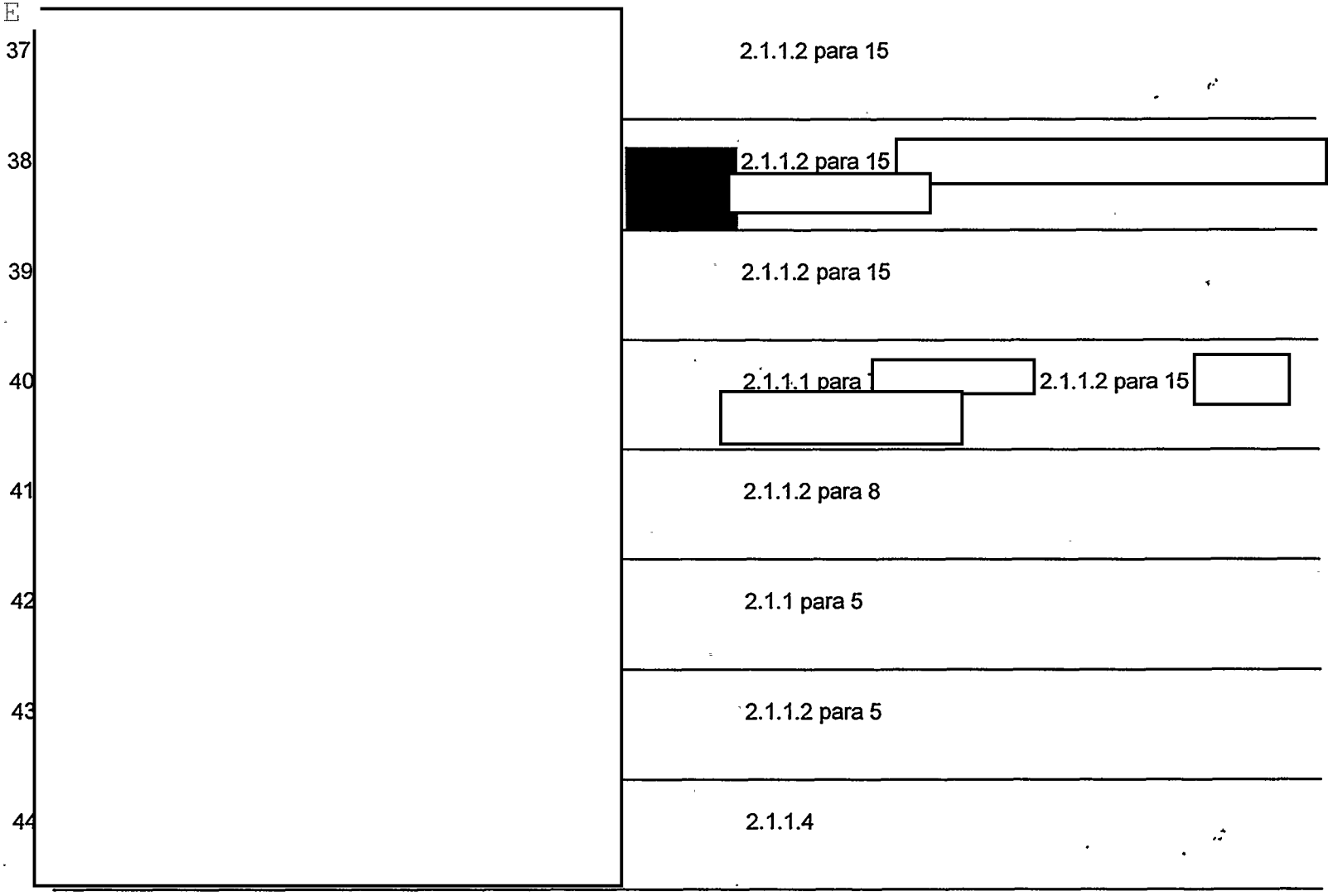
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39
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40
2.1.1.1 para 1
2.1.1.2 para 15
41
2.1.1.2 para 8
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2.1.1 para 5
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2.1.1.2 para 5
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2.1.1.4

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[redacted] Training Program provides [redacted] to the [redacted] in conducting [redacted] The Program of Instruction will emphasize the use of [redacted] equipment [redacted] This includes [redacted] b3 b7E

The basic outline of the Program of Instruction is broken down into [redacted] the [redacted] equipment [redacted] b3 b7E

[redacted] b3 b7E

[redacted] shall demonstrate the required understanding of [redacted] through both written and practical operation examinations. The requirements for receiving WITT certification are as follows:

1. [redacted]
2. b3 b7E
3.

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

Total Deleted Page(s) = 105
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Page 9 ~ Duplicate - Finance-3, p. 22 & following;
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Page 20 ~ b3; b4; b6; b7C; b7E;
Page 24 ~ b3; b4; b7E;
Page 25 ~ b3; b4; b7E;
Page 26 ~ b3; b4; b7E;
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DATE 10-31-2012 BY 65179 DMH/rs

[redacted]

From: [redacted]
Sent: Wednesday, March 03, 2010 11:21 AM
To: [redacted]
Subject: Fw [redacted]
Importance: High

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FYI

From: [redacted]
To: [redacted]
Cc: [redacted]
Sent: Wed Mar 03 11:16:43 2010
Subject: RE: [redacted]

Hi [redacted]

[redacted] did a check on our records which DOES indicate you have [redacted] for all of you [redacted] and [redacted] systems. [redacted] will be in contact to assist with getting [redacted] Please accept our apologies for any confusion this has caused.

Is there a time we (you [redacted]) can talk today regarding your projects through the [redacted] contract and follow-ons on [redacted] WE have an immediate issue we must resolve in order to keep work going. I am available after 2pm today - please let me know when would be convenient for your team.

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Thanks,

[redacted]

From: [redacted]
Sent: Wednesday, March 03, 2010 10:28 AM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted]

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[redacted]

Have you heard anything more about the [redacted] issue. We have [redacted] without the [redacted]

[redacted] has the [redacted]

But the other [redacted] are:

[redacted]

We would like to get these out to the field ASAP.

Thanks,

[redacted]

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********** -COMM. JOURNAL- ********** DATE NOV-23-2010 ***** TIME 17:33 ********

MODE = MEMORY TRANSMISSION START=NOV-23 17:30 END=NOV-23 17:33

FILE NO.=119

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	[redacted]	[redacted]	003/003	00:02:25

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DATE 10-31-2012 BY 65179 DMH/rs

[redacted] - ***** - [redacted] *********

FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION
FACSIMILE COVER SHEET

PRECEDENCE

○ Immediate ○ Priority ○ Routine

CLASSIFICATION

○ Top Secret ○ Secret ○ Confidential ○ Sensitive ○ Unclassified

TO

Name of Office: [redacted]

Facsimile Number: [redacted]

Date: **11/23/2010**

Room:

Telephone Number:

FROM

Name of Office: **FBI - Science and Technology Contracts Unit**

Number of Pages: (including cover) **3**

Originator's Name: [redacted]

Originator's Telephone Number:

Originator's Facsimile Number: [redacted]

Approved:

DETAILS

Subject: **Mod 1** [redacted] **extending POP.**

Special Handling Instructions:
Please let me know if the document does not come out clearly and I can try submitting differently.

Brief Description of Communication Faxed:
Thank you for your assistance and have a Happy Thanksgiving.

WARNING

Information attached to the cover sheet is U.S. Government Property. If you are not the intended recipient of this information disclosure, reproduction, distribution, or use of this information is prohibited (18.USC, § 641). Please notify the originator or local FBI Office immediately to arrange for proper disposition.

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FEDERAL BUREAU OF INVESTIGATION CELLSITE-16043

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DATE 10-31-2012 BY 65179 DMH/rs

RE [redacted] Issue

[redacted]

Sent: Thursday, August 19, 2010 7:40 PM
To: [redacted]
Cc:
Attachments: Legacy [redacted] Interactions.pdf (234 KB)

And let's try that again WITH the attachment...

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[redacted]

<<Legacy [redacted] Interactions.pdf>>

From: [redacted]
Sent: Thursday, August 19, 2010 7:38 PM
To: [redacted]
Cc:
Subject: RE: [redacted] Issue

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Hi [redacted]

Here is an updated version including the [redacted]

Take care,

[redacted]

[redacted]

From: [redacted]
Sent: Thursday, August 05, 2010 10:18 PM
To: [redacted]
Cc:
Subject: [redacted] Issue

Hi [redacted]

Please take a look at the attached and let me know if this will suffice for clarifying this issue.

Regards,

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[redacted]

[redacted]

[redacted]

<< File: Legacy_[redacted]_cjd.pdf >>

********** -COMM. JOURNAL- ********** DATE MAR-14-2011 ***** TIME 13:19 *******

MODE = MEMORY TRANSMISSION START=MAR-14 13:18 END=MAR-14 13:19

FILE NO.=295

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	#	[redacted]	001/001	00:00:32

[redacted]

********** - ***** - [redacted] **********

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DATE 10-31-2012 BY 65179 DMH/rs

MAR-11-2011 10:54 [redacted] [redacted] P.05

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AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE | PAGE OF PAGES: 1 | 1

2. AMENDMENT/MODIFICATION NO.: Mod 2
3. EFFECTIVE DATE: 03/10/11
4. REQUISITION/PURCHASE REQ. NO.:
5. PROJECT NO. (If applicable):
6. ISSUED BY: 2059 — Federal Bureau of Investigation, Room 6053, 935 Pennsylvania Ave. NW, Washington, DC 20534
7. ADMINISTERED BY (If other than Item 6): Same as Item 6. CODE
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code): [redacted]
9A. AMENDMENT OF SOLICITATION NO.: (X)
9B. DATED (SEE ITEM 11):
10A. MODIFICATION OF CONTRACT/ORDER NO.: K
10B. DATED (SEE ITEM 11): 03/24/11
CODE: FACILITY CODE:

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.
Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:
(a) By completing Items 8 and 15, and returning ____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN Item 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation data, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
D. OTHER (Specify type of modification and authority)
K — FAR 43.103(a) Bilateral

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is to provide additional funding in the amount of [redacted] for additional WBI [redacted] in accordance with the SOW, Terms & Conditions of the Contract, and FY11 Continuing Resolution restrictions. Period of Performance is extended to 1/24/11-12/31/11 All technical guidance is to come from the COTR. Contractor exceeds funding at own risk.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print): [redacted]
15B. DATE SIGNED: 3-14-20[illegible]
16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print): [redacted]
16B. DATE SIGNED: 3/14/11

30 (REV. 10-83)
48 CFR) 53.243

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TOTAL P.05

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-31-2012 BY 65179 DMH/rs

TRANSMISSION VERIFICATION REPORT

TIME : 06/24/2011 13:15
NAME : DCU
FAX :
TEL :
SER.# : 000F6J321760

DATE,TIME	06/24 13:13
FAX NO./NAME	
DURATION	00:01:12
PAGE(S)	05
RESULT	OK
MODE	STANDARD ECM

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FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION
FACSIMILE COVER SHEET

PRECEDENCE

○ Immediate ○ Priority ○ Routine

CLASSIFICATION

○ Top Secret ○ Secret ○ Confidential ○ Sensitive ○ Unclassified

TO

Name of Office:	Facsimile Number:	Date:
		06/24/2011
Attn:	Room:	Telephone Number:

FROM

Name of Office:	Number of Pages: (including cover)
FBI - Science and Technology Contracts Unit	**5**

Originator's Name:	Originator's Telephone Number:	Originator's Facsimile Number:

Approved:

DETAILS

Subject:
Please find attached Mod 4 to the [redacted] Task Order, PO [redacted] providing award of [redacted]

b3
b7E

Special Handling Instructions:
Please sign the attached SF-30 (Mod 30) and fax back to the number above.

Brief Description of Communication Faxed:
Thank you for your assistance and have a good day.

CELLSITE-16102

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DATE 10-31-2012 BY 65179 DMH/rs

FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION

FACSIMILE COVER SHEET

PRECEDENCE

○ Immediate ○ Priority ○ Routine

CLASSIFICATION

○ Top Secret ○ Secret ○ Confidential ○ Sensitive ○ Unclassified

TO

Name of Office:	Facsimile Number:	Date:
		06/24/2011
Attn:	Room:	Telephone Number:

FROM

Name of Office:		Number of Pages: (including cover)
FBI - Science and Technology Contracts Unit		**5**
Originator's Name:	Originator's Telephone Number:	Originator's Facsimile Number:

Approved:

DETAILS

Subject:
Please find attached Mod 4 to the [redacted] Task Order, PO [redacted] providing award of [redacted]
[redacted]

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Special Handling Instructions:
Please sign the attached SF-30 (Mod 30) and fax back to the number above.

Brief Description of Communication Faxed:
Thank you for your assistance and have a good day.

WARNING

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CELESTE-16103

ALL INFORMATION CONTAINED
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DATE 10-31-2012 BY 65179 DMH/rs

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE OF PAGES
	1 | 1

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
Mod 4	Jun 23, 2011		

6. ISSUED BY	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE
Federal Bureau of Investigation [redacted] Room 6853 935 Pennsylvania Ave. NW Washington, DC 20535		Same as Item 6.	

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)	(X)	9A. AMENDMENT OF SOLICIATION NO.
	[ ]	9B. DATED (SEE ITEM 11)
	[X]	10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted]
		10B. DATED (SEE ITEM 13) 05/18/2011

b3 b6 b7C b7E

CODE	FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

[ ] The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers [ ] is extended, [ ] is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
[ ]	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
[ ]	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
[ ]	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
[X]	D. OTHER (Specify type of modification and authority) FAR 32.7 "Funding" and 43.103 "Bilateral"

E. IMPORTANT: Contractor [ ] is not, [X] is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is to provide funding for services for the [redacted] [redacted] Tasking. Services are to be provided in accordance with the Terms & Conditions of the contract, SOW, and ECP agreements. POP for [redacted] is 6/10/11-8/31/11; original [redacted] Task is extended through 8/30/11 for consistency. For [redacted] Contractor shall not exceed [redacted] and does so at own risk. Technical guidance will come from [redacted], TL; invoice to COTR [redacted]. The following documentation is hereby incorporated into the award of [redacted] and Contract: 1) SOW and support docs e-mailed 5/23/11 at 4:33PM; 2) ECP Technical [redacted] doc e-mailed 6/14/11 at 5:10PM; 3) e-mail chain 6/23/11 at 3:43PM; and 4) [redacted] ECP Cost doc to be revised and agreed upon ASAP.

b3 b6 b7C b7E

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)
[redacted]	[redacted] Contracting Officer
15B. CONTRACTOR/OFFEROR	16B. UNITED STATES OF AMERICA
(Signature of person authorized to sign)	(Signature of Contracting Officer)
15C. DATE SIGNED	16C. DATE SIGNED

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-31-2012 BY 65179 DMH/ra

[redacted](FD)(FBI)

From: [redacted](FD)(FBI)
Sent: Tuesday, June 07, 2011 3:10 PM
To: [redacted](OTD) (FBI)
Subject: FW: requisition [redacted]-- UNCLASSIFIED

Classification: UNCLASSIFIED
==========

b3
b6
b7C
b7E

Hi [redacted]

Attached is the revised requisition with the additional equipment we discussed yesterday.

Thanks,
[redacted]

From: [redacted](OTD) (FBI)
Sent: Tuesday, June 07, 2011 1:26 PM
To: [redacted](FD)(FBI)
Subject: RE: requisition [redacted]--- UNCLASSIFIED

Classification: UNCLASSIFIED
==========

b3
b6
b7C
b7E

[redacted] Attached is req [redacted] with the changes. SRU made all changes in FMS. The quantity on line 18 was changed and lines 19-27 were added using a different account.

[redacted]_3598.pdf

From: [redacted](OTD) (CON)
Sent: Monday, June 06, 2011 2:46 PM
To: [redacted](OTD) (FBI)
Subject: requisition [redacted]-- UNCLASSIFIED

Classification: UNCLASSIFIED
==========

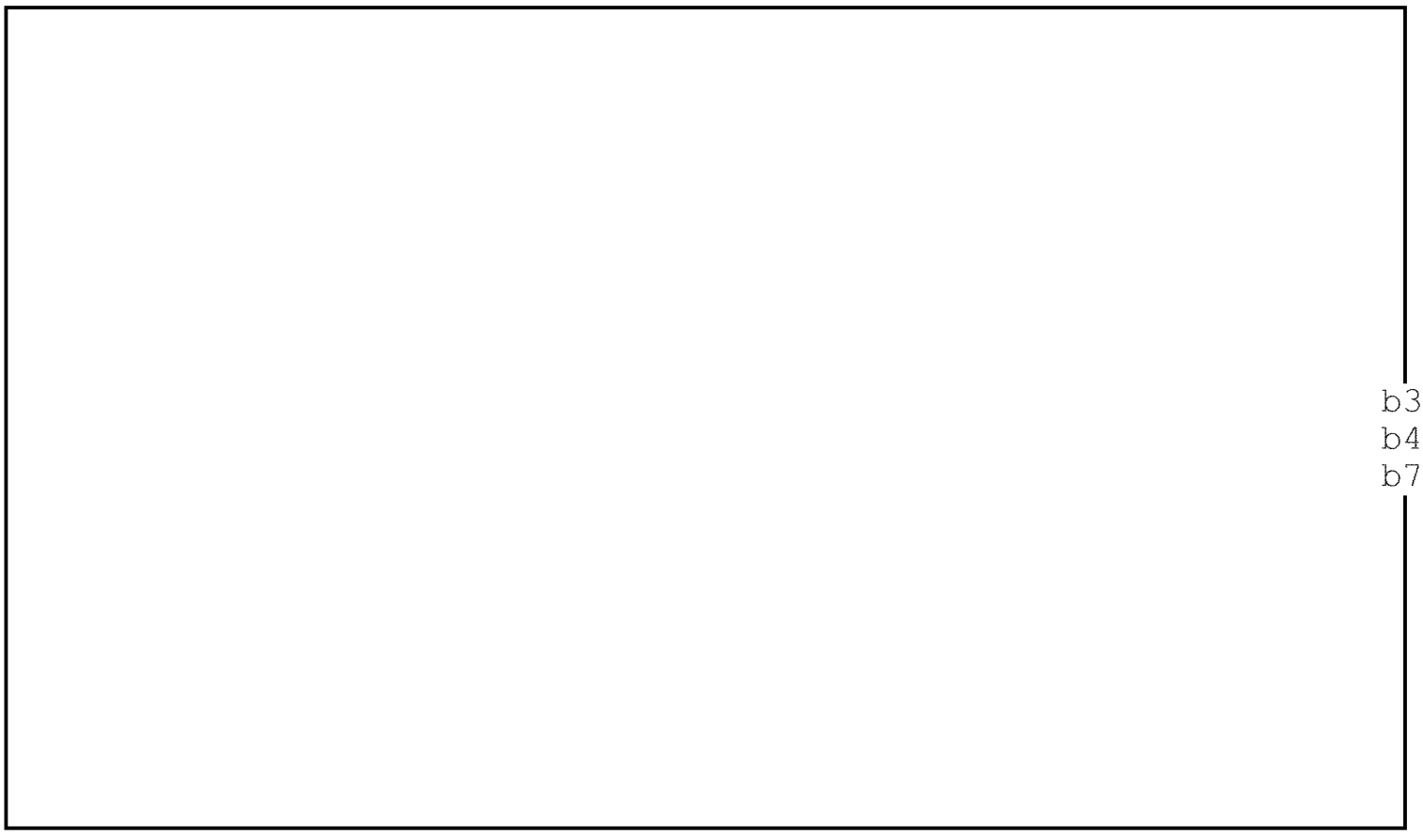
b3
b6
b7C
b7E

[redacted]

Can you please add lines below in PAMS for the above requisition -

Increase line #18 to a total of [redacted]

[redacted]



b3
b4
b7E

[redacted]- once the changes have been made in PMA I will send print out a new req and send it to you.

Thank you both for your help!!!! ☺

b6
b7C

[redacted]
cell
office

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

FD-369 (Rev. 2-21-89)

RECEIVED
2009 DEC 22 PM 2:45
ACQUISITION STRATEGY AND PLANNING UNIT

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 10-31-2012 BY 65179 DMH/rs

ENTERED 12/16/09

FEDERAL BUREAU OF INVESTIGATION

REQUISITION FOR SUPPLIES AND/OR EQUIPMENT

Req. #

December 8, 2009
Date

TTU/1845
Ordering Office/Cost Code

/ Marcus C. Thomas
Approved By

12/3/09
Julian Date

Supply Technician:
Program Manager:
Funding Approved:
Requester:
COTR:

12/10/09

09-0

FY09-00

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order #

b3
b6
b7C
b7E

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	BI#	UNIT PRICE	TOTAL
1				each					
2				each					
3				each					
4				each					
5				each					
6				each					
7				each					
8				each					
9				each					
10				each					

b3
b4
b7E

SPECIAL INSTRUCTIONS:

Ship to Code: P45
Delivery Instructions: M-F, 8am-4pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEMS:

see attached EC

CELLSITE-16107

Req. #

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	BI#	UNIT PRICE	TOTAL
11	StockNumber			each					
12				each					
13				each					
14			laptop	each					

b3
b4
b7E

Requisition Description:
Equipment

Suggested Vendor:

RECEIVED
JAN 08 2010
BY: QCU

CELLSITE-16108

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-31-2012 BY 65179 DMH/rs

FD-369 (Rev. 2-21-89)

FEDERAL BUREAU OF INVESTIGATION

REQUISITION FOR SUPPLIES AND/OR EQUIPMENT

Req. #

ENTERED 3/7/11 DM

February 8, 2011
Date

TTU
Ordering Office

Marcus C. Thomas 2/28/2011
Approved By

Julian Date

Supply Technician:
Program Manager:
Funding Approved:
Requester:
COTR:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order #

b3
b6
b7C
b7E

FY 2011

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	COST CODE	UNIT PRICE	TOTAL
1				each					
2			laptop	each					
3				EACH					
4				EACH					
5				EACH					
6				EACH					
7				EACH					
8				EACH					
9				EACH					
10				EACH					

b3
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SPECIAL INSTRUCTIONS:

Ship to Code: P45
Delivery Instructions: M-F 8am-4pm
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEMS:

see attached EC

MAR 17 2011
STCU

CELLSITE-16109

Req. #

ITEM #	NATIONAL STOCK NUMBER StockNumber	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	COST CODE	UNIT PRICE	TOTAL
11				EACH					
12				EACH					
13				EACH					
14				EACH					
15				EACH					
16				EACH					
17				EACH					
18				EACH					

b3
b4
b7E

Requisition Description:

Equipment

Suggested Vendor:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-31-2012 BY 65179 DMH/rs

FD-369 (Rev. 2-21-89)

FEDERAL BUREAU OF INVESTIGATION

REQUISITION FOR SUPPLIES AND/OR EQUIPMENT

Req. #

ENTERED 3/7/11 PD

February 8, 2011
Date

TTU
Ordering Office

Marcus C. Thomas 2/24/2011
Approved By

Julian Date

Supply Technician:
Program Manager:
Funding Approved: 3/22/11
Requester:
COTR:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order #:

FY 2011

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	COST CODE	UNIT PRICE	TOTAL
1				each					
2			laptop	each					
3				EACH					
4				EACH					
5				EACH					
6				EACH					
7				EACH					
8				EACH					
9				EACH					
10				EACH					

b3
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b3
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b7E

SPECIAL INSTRUCTIONS:

Ship to Code: P45
Delivery Instructions: M-F 8am-4pm
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEMS:

see attached EC

[redacted]

[redacted]

b3
b7E

13 June 2011

In Reply Please Refer to: [redacted]

935 Pennsylvania Ave. N.W.
JEH Bldg Room 6853
Washington, D.C. 20535

Attention: [redacted] Contracting Officer

Subject: Updated Product Pricing Sheet dated 10 June 2011

Reference: [redacted] IDIQ Contract No. [redacted]
[redacted] Dated 31 March 2011

Attached: Pricing List 6 June 2011

b3
b6
b7C
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Dear [redacted]

The attached price listing is as of 6 June 2011 and includes updates to the following:

1) Addition of firm pricing for the [redacted]
2) Change to [redacted] pricing policy

The items are highlighted in orange on the updated listing for your convenience. Please incorporate the Pricing Sheet into the contract.

Should you have any questions, please contact me at [redacted]

Regards,

[redacted]

b3
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[redacted]

E-16112

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-31-2012 BY 65179 DMH/rs

[redacted] (FD)(FBI)

From: [redacted] (OTD) (CON)
Sent: Monday, June 06, 2011 2:46 PM
To: [redacted] (OTD) (FBI)
Subject: requisition [redacted] --- UNCLASSIFIED

b6
b7C

Classification: UNCLASSIFIED
==========

[redacted]

Can you please add lines below in PAMS for the above requisition -

Increase line #18 to a total of [redacted]

b3
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[redacted]

[redacted] - once the changes have been made in PMA I will send print out a new req and send it to you.

b6
b7C

Thank you both for your help!!!! ☺

ALL INFORMATION CONTAINED
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DATE 10-31-2012 BY 65179 DMH/rs

FD-369 (Rev. 2-21-89)

FEDERAL BUREAU OF INVESTIGATION

REQUISITION FOR SUPPLIES AND/OR EQUIPMENT

Req. #

ENTERED 3/7/11 DM

February 8, 2011
Date

TTU
Ordering Office

Marcus C. Thomas 2/28/2011
Approved By

Julian Date

Supply Technician:
Program Manager:
Funding Approved:
Requester:
COTR:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order #

b3
b6
b7C
b7E

FY 2011

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	COST CODE	UNIT PRICE	TOTAL
1				each					
2				each					
3				EACH					
4				EACH					
5				EACH					
6				EACH					
7				EACH					
8				EACH					
9				EACH					
10				EACH					

b3
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b7C
b7E

SPECIAL INSTRUCTIONS:

Ship to Code: P45
Delivery Instructions: M-F 8am-4pm
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEMS:

see attached EC

CELLSITE-16120

Req. #

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	COST CODE	UNIT PRICE	TOTAL
11	StockNumber			EACH					
12				EACH					
13				EACH					
14				EACH					
15				EACH					
16				EACH					
17				EACH					
18				EACH					

b3
b7E

Requisition Description:

Equipment

Suggested Vendor:

APR. 6. 2011 4:07PM [redacted] NO. 641 P. 1

b3
b7E

[redacted]

[redacted]

THE HIGHEST CLASSIFICATION CONTAINED HEREIN IS: U - FOUO - LES

DATE: 6 APR 11

OFAX# 204-007

SECURE FAX HEADER SHEET

TO: [redacted] FAX

FBI RM 6853

935 PA AVE

WASH DC 20535

FROM: [redacted]

b3
b6
b7C
b7E

STU-III FAX#: [redacted]

UNCLASS FAX#: [redacted]

UNCLASSIFIED SUBJECT/COMMENTS: [redacted] ID10 - ECP

For

THIS FAX CONSISTS OF HEADER + 7 PAGES.

PLEASE SIGN THE DOCUMENT RECEIPT BELOW AND FAX BACK TO EITHER NUMBER ABOVE TO AVOID TRACER ACTION. THANK YOU.

[redacted] revd 4/6/11 @ 4:17 PM

(Pr e) (Date)

b3
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b7C
b7E

THE HIGHEST CLASSIFICATION CONTAINED HEREIN IS:

U - FOUO - LES

THIS HEADER SHEET IS UNCLASSIFIED

[redacted]

[redacted]

[redacted]

b3
b6
b7C
b7E

In Reply Please Refer to: [redacted]

6 April 2011

935 Pennsylvania Ave. N.W.
JEH Bldg Room 6853
Washington, D.C. 20535

Attention: [redacted] Contracting Officer

Subject: [redacted] IDIQ – ECP for [redacted]

Reference: (a [redacted] IDIQ Contract No [redacted]
(b) Letter Received 3/22/11 for ECP on [redacted]

b3
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b7C
b7E

Attachment: [redacted] Taskable Engineering ECP Proposal

Dear [redacted]

Please see the enclosed ECP proposal for the above referenced item.

For technical questions please contact [redacted]
[redacted] or contact the undersigned at [redacted]

Very truly yours,

[redacted]

b3
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b7C
b7E

[redacted] 16123

Effort 01 [redacted] Taskable Engineering **Date: 04/05/2011**
Taskable Engineering Number: Effort - 01
Taskable Engineering Name: [redacted]

1.0 Scope

The Contractor shall [redacted]

b3
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2.0 Deliverables

- [redacted]

3.0 Schedule

The effort starts immediately after COTR approval and will run approximately 4 weeks in duration. The effort includes software design, development, and test phases.

b3
b7E

4.0 Assumptions

- No additional Program Manager, Administrative Support, Finance Support, Security, and Project Engineering are bid based on the assumption that this effort will run in conjunction with the existing [redacted] Task.
- Regression and acceptance testing will be conducted by [redacted] at the [redacted]

- Due to the quick turn-around nature of the work, all Customer responses and document approvals are requested within in 5 days of receipt.
- A [redacted] will be made to reduce overhead.
- Increased productivity is based on the assumptions that a streamlined process will be used (e.g., no design updates or reviews are required) and that an existing [redacted] will be available.
- This bid does not include a final demonstration.

b3
b7E

5.0 GFE/GFI
Contractor will make use of currently available GFE.

6.0 Materials
None

7.0 Travel
None

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b7E

8.0 Total Cost
Total cost anticipated: [redacted] (includes [redacted] prop prep for both efforts)

I have reviewed this estimate and find it consistent with the [redacted] Contract, and therefore authorize this task to be performed.

_____ Approval
[redacted]
COTR

CELLSITE-16125

Effort 02 [redacted] Taskable Engineering **Date: 04/05/2011**
Taskable Engineering Number: Effort - 02
Taskable Engineering Name: [redacted]

1.0 Scope

The Contractor shall perform changes to the [redacted]

[redacted]

b3
b7E

2.0 Deliverables

- Modified [redacted]
- Modified
- Updated

3.0 Schedule
The task starts immediately after COTR approval and will run approximately 4 weeks in duration. The task includes software design, development, and test phases.

b3
b7E

4.0 Assumptions

- No additional Program Manager, Administrative Support, Finance Support, Security, and Project Engineering are bid based on the assumption that this task will run in conjunction with the existing [redacted] Task.
- Regression and acceptance testing will be conducted by [redacted] at the [redacted]
- Due to the quick turn-around nature of the work, all Customer responses and document approvals are requested within in 5 days of receipt.
- A [redacted] will be made to reduce overhead.
- Increased productivity is based on the assumptions that a streamlined process will be used (e.g., no design updates or reviews are required) and that an existing [redacted] will be available.
- This bid does not include a final demonstration.

5.0 GFE/GFI
Contractor will make use of currently available GFE.

6.0 Materials
None

7.0 Travel
None

8.0 Total Cost
Total cost anticipated: [redacted]

I have reviewed this estimate and find it consistent with the [redacted] Contract, and therefore authorize this task to be performed.

b3
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b7E

[redacted] _____ **Approval**
COTR

U//FOUO/LES

b3
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b7C
b7E

Subject: [redacted] ECP Discussion / Questions
Date: March 24, 2011
Attendees: [redacted]

Questions on Effort 1:

- [redacted]

b3
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U//FOUO/LES

b3
b7E

Questions on Effort 2:

b3
b7E

b3
b7E

[redacted]

THE HIGHEST CLASSIFICATION CONTAINED HEREIN IS: U/FOUO/LES

Rec'd 3:25PM

[redacted]

DATE: 30 MAR 11

OFAX# 2011-006

SECURE FAX HEADER SHEET

TO: [redacted]

FROM: [redacted]

b3
b6
b7C
b7E

STU-III FAX#:

UNCLASS FAX#: [redacted]

UNCLASSIFIED SUBJECT/COMMENTS: Submittal For [redacted] ECP Task Order Questions & Answers [redacted]

THIS FAX CONSISTS OF HEADER + 3 PAGES.

PLEASE SIGN THE DOCUMENT RECEIPT BELOW AND FAX BACK TO EITHER NUMBER ABOVE TO AVOID TRACER ACTION. THANK YOU.

b3
b7E

(Printed Name) (Signature) (Date)

THE HIGHEST CLASSIFICATION CONTAINED HEREIN IS:

THIS HEADER SHEET IS UNCLASSIFIED

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-31-2012 BY 65179 DMH/rs

[redacted]

From: [redacted]
Sent: Friday, March 18, 2011 4:58 PM
To: [redacted]
Cc:
Subject: FW: [redacted] Document and ATP

Attachments: [redacted]df; 8023043 Rev A.pdf; 8023043 Rev A_Changes Displayed.pdf

b3
b6
b7C
b7E

[redacted]df (194 KB) 8023043 Rev A.pdf (1 MB) 8023043 Rev _Changes Displaye.

These are for your record. The files are the updated test plans [redacted] wants to use for the actual acceptance test, rather than the one they sent for approval last week.

b3
b6
b7C
b7E

From: [redacted]
Sent: Friday, March 18, 2011 4:47 PM
To: [redacted]
Cc: [redacted]
Subject: [redacted] Document and ATP

[redacted]

[redacted] asked me to email you copies of the [redacted] Document and ATP. Soft copies were also mailed on CD. There's actually two ATP documents attached. One showing the final version and one showing what has changed since the last version we sent you. Have a great weekend.

[redacted]

Subject: [redacted] SRR/MSR
Date: November 16, 2011
Attendees: [redacted]

b3
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b7C
b7E

SRR

- Reviewed [redacted] system requirements; all updates have been incorporated into the System Requirements Specification document

Status

- [redacted]

b3
b7E

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

Total Deleted Page(s) = 204
Page 2 ~ Duplicate;
Page 3 ~ Duplicate;
Page 4 ~ Duplicate;
Page 5 ~ Duplicate;
Page 6 ~ Duplicate;
Page 7 ~ Duplicate;
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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-31-2012 BY 65179 DMH/rs

[redacted]

From: [redacted]
Sent: Thursday, April 07, 2011 4:46 PM
To: [redacted]
Cc:
Subject: Error in [redacted]
Importance: High

Hi [redacted]

[redacted] is currently out of the office and I didn't want to delay getting this correction to you. I just noticed an error in [redacted] The document we faxed contained following in [redacted]

[redacted]

I transposed [redacted]

[redacted]

The correct values are shown in the [redacted] we originally provided.

I would resubmit the document but it was U\FOUO\LES and I can't get a [redacted] out this late in the day. Sorry for the confusion.

Have a great weekend & hope you are in business next week,

[redacted]

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12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

[redacted]

Purchase Order for Supplies or Services

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
09/14/2010	[redacted]			2

6. To Contractor *(Name, Address and Zip Code)*:

[redacted]

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	WASHINGTON, DC 20535 IF THIS INFORMATION IS NOT AVAILABLE TO THE GOVERNMENT, THE INVOICE WILL BE CONSIDERED AN IMPROPER INVOICE AND SHALL BE RETURNED. ********** A PROPER INVOICE SUBMITTED FOR PAYMENT TO THE FBI MUST CONTAIN THE FOLLOWING: THE NAME OF THE VENDOR; AN INVOICE NUMBER; THE CONTRACT OR PURCHASE ORDER NUMBER; THE INVOICE DATE; DESCRIPTION (I.E. NAME OR ITEM LINE NUMBER), PRICE AND QUANTITY OF GOODS OR SERVICES RENDERED; SHIPPING AND/OR PAYMENT TERMS; TAXPAYER ID#; BANKING / ROUTING NUMBER TO ALLOW EFT PAYMENT; CONTACT NAME, TITLE AND TELEPHONE NUMBER AND ANY OTHER SUBSTANTIATING DOCUMENTATION AS REQUIRED BY THE CONTRACT.				

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b4
b6
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b7E

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.
CONTRACTOR NUMBER [redacted]

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total [redacted]

See Instructions on Reverse

Point of Contact - Purchase Order Information:

[redacted]

Commercial Payments Unit - (202) 324-5614

16. [redacted]

17.

C - PROCUREMENT

FBI-SITE-1205

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-31-2012 BY 65179 DMH/rs

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
09/14/2010				1

6. To Contractor *(Name, Address and Zip Code)*:

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

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10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
0001	CONTRACT # DUE DATE:09/14/2011				

INCREMENTAL FUNDING FOR TECHNICAL GUIDANCE TO COME FROM TECHNICAL LEAD. SERVICES TO BE PERFORMED IN ACCORDANCE WITH THE SOW. POP: 9/14/10-9/14/11. TERMS AND CONDITIONS ARE THOSE IN EFFECT UNDER THE CONTRACT. CONTRACTOR EXCEEDS FUNDING AT OWN RISK. SEND INVOICES TO COTR.

****

ALL PAYMENTS BY THE GOVERNMENT UNDER THIS ORDER SHALL BE MADE BY ELECTRONIC FUNDS TRANSFER (EFT). THE VENDOR SHALL PROVIDE THIS INFORMATION ON EACH INVOICE OR SUBMIT SF-3881 FORM TO: FBI, COMMERCIAL PAYMENTS UNIT
RM. 1967, J. EDGAR HOOVER BLDG
935 PENNSYLVANIA AVENUE, NW

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total ➡ XXXXXXXXXXX

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice Payment Status:
Commercial Payments Unit - (202) 324-5614

16. United States of America
By *(Signature)*

17. Name *(Typed)* XXXXXXXXXXX

Title: Contracting Officer

C - PROCUREMENT

CELLSITE-1206

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-31-2012 BY 65179 DMH/rs

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		2

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicble)
Mod 1	09/14/10		

6. ISSUED BY CODE

Federal Bureau of Investigation
Room 6853
935 Pennsylvania Ave. NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) CODE

Same as Item 6.

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

CODE FACILITY CODE

(X) 9A. AMENDMENT OF SOLICIATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO.

X 10B. DATED (SEE ITEM 11) 09/14/10

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a)By completing items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPIRATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 32.7 Funding

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E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

Please see attached document for details.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)
Contracts Manager	Contracting Officer
15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)	15C. DATE SIGNED
16B. UNITED STATES OF AMERICA (Signature of Contracting Officer)	16C. DATE SIGNED

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

CELLSITE-1207

SF-30 AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

SF-30 PAGE 2 OF 2

Purchase Order Number
Modification # 1
Task Order under

Documentation Incorporated:
The purpose of this modification is to provide incremental funding in the amount of for services under the Task Order. Period of Performance: 9/14/10-9/14/11. All technical guidance to come from technical lead Services to be performed in accordance with the sow and documents below.

The following documents are hereby incorporated into the SOW for this Task Order under

- FBI Task Order Letters, Statement of Work, and accompanying documents dated 7/13/10;
- Cost and Technical Proposals dated 8/9/10;
- FBI technical questions and requests for clarifications submitted 8/26/10;
- Revisions dated 9/9/10; Contractor Bid or Proposal Information (Revised Costing), Price Summary Table and accompanying Technical Proposal Revisions, and Responses to Government Questions;
- FBI Revised Responses to Conditions and Assumptions (C&As)
  - The FBI concurs with the following C&As: 1, 5, 12, 17, 29, 30, and 34;
  - C&As 18, 27, and 28 responses stand per 9/9/10 revisions.
  - Responses for all other C&As shall be those provided in the FBI's Responses to C&As for the tasking e-mailed 9/14/10;

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Award Summary:
The FBI the hereby awards this Task Order on the following estimates provided in Summary Price Table" dated 9/9/10 under the previously agreed up on Cost-Plus Fixed Fee pricing:

- Development:

The Total estimated cost of this Task Order is The FBI provides incremental funding through in the amount of

General:
Terms and conditions are those in effect under the contract. Contractor exceeds funding at own risk. Invoices to be sent to COTR.

~~SECRET~~

DATE: 10-31-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, d)
DECLASSIFY ON: 10-31-2037

[redacted]

~~SECRET~~

From: [redacted]
Sent: Thursday, August 26, 2010 3:07 PM
To: [redacted]
Subject: FW: [redacted] Clarifications

~~SECRET//NOFORN~~
RECORD 268-HQ-1068430

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

From: [redacted]
Sent: Thursday, August 26, 2010 9:13 AM
To: [redacted]
Subject: RE: [redacted] Clarifications

~~SECRET//NOFORN~~
RECORD 268-HQ-1068430

[redacted]

I used the [redacted] for generating the questions, and it is very similar or identical to the [redacted] So when I refer to deficiencies in the [redacted] I mean both.

[redacted]

Please forward clarification to [redacted]

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From: [redacted]
Sent: Thursday, August 26, 2010 8:48 AM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted] Clarifications

~~SECRET//NOFORN~~
RECORD 268-HQ-1068430

Good Morning Guys,

I'm compiling all our questions/clarification requests to send over to [redacted] can you clarify the red text below? It will not be evident in a [redacted] Please confirm that I'm interpreting correctly:

[redacted]

Thanks

[redacted]

From: [redacted]
Sent: Thursday, August 26, 2010 8:20 AM
To: [redacted]
Subject: FW: [redacted] Clarifications

~~SECRET~~

~~SECRET//NOFORN~~
RECORD 268-HQ-1068430

~~SECRET~~

I didn't have time to review most of these, but I know there are some that are confusing. We'll just have to deal with it when we get there. And again some are contractual and covered in all of the responses and some are actual technical.

From: [redacted]
Sent: Monday, August 23, 2010 1:50 PM
To: [redacted]
Cc:
Subject: [redacted] Clarifications

~~SECRET//NOFORN~~
RECORD 268-HQ-1068430

[redacted]

Reference Documents
(S//NF) Doc A: [redacted]
(S//NF) Doc B:
(S//NF) Doc C:

(U) *Clarifications: (S//NF) All statements below are valid for Doc B and Doc C, as the FBI seeks the same capabilities for the* [redacted]

(S) [redacted]

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b7E

FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION

FACSIMILE COVER SHEET

PRECEDENCE

○ Immediate ☒ Priority ○ Routine

CLASSIFICATION

○ Top Secret ☒ Secret ○ Confidential ○ Sensitive ○ Unclassified

TO

Name of Office:

Facsimile Number:

Date: 08/26/2010

Room:

Telephone Number:

FROM

Name of Office:
FBI - Science and Technology Contracts Unit

Number of Pages: (including cover) 9

Originator's Name:

Originator's Telephone Number:

Originator's Facsimile Number:

~~Approved:~~ COTR:

DETAILS

Subject:
Technical Questions for:

b3
b6
b7C
b7E

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-31-2012 BY 65179 DMH/rs

Special Handling Instructions:
Please confirm receipt of documentation: in Security and in

Please sign this unclassified fax cover + fax back to # above.

Brief Description of Communication Faxed:
Thank you for your assistance and have a good day.

WARNING

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-01-2012 BY 65179 DMH/rs

FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION
FACSIMILE COVER SHEET

PRECEDENCE

○ Immediate ○ Priority ○ Routine

CLASSIFICATION

○ Top Secret ◉ ~~Secret~~ ○ Confidential ○ Sensitive ○ Unclassified

TO

Name of Office:	Facsimile Number:	Date:
[redacted]	[redacted]	07/13/2010
Attn:	**Room:**	**Telephone Number:**
[redacted]		[redacted]

FROM

Name of Office:		Number of Pages: (including cover)
FBI - Quantico Contracts Unit		30
Originator's Name:	**Originator's Telephone Number:**	**Originator's Facsimile Number:**
[redacted]	[redacted]	

Approved:

DETAILS

Subject:
Task Order Letters for [redacted] documents by signing the cover page and confirming page numbers. ***ALL DOCUMENTATION TO GO TO [redacted]

Special Handling Instructions:
Unclass Fax: [redacted]

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b7E

Brief Description of Communication Faxed:
Thank you and have a good day.

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[redacted]

FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION
FACSIMILE COVER SHEET

PRECEDENCE

○ Immediate ○ Priority ○ Routine

CLASSIFICATION

○ Top Secret ◉ ~~Secret~~ ○ Confidential ○ Sensitive ○ Unclassified

TO

Name of Office:

Facsimile Number:

Date: **07/13/2010**

Attn:

Room:

Telephone Number:

FROM

Name of Office:
FBI - Quantico Contracts Unit

Number of Pages: (including cover)
30

Originator's Name:

Originator's Telephone Number:

Originator's Facsimile Number:

Approved:

DETAILS

Subject:
Task Order Letters for **Please confirm receipt of the documents by signing the FAX TO GO and confirming page numbers. ***ALL DOCUMENTATION TO GO***

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DATE 11-01-2012 BY 65179 DMH/rs

Special Handling Instructions:
Unclass Fax:

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Brief Description of Communication Faxed:
Thank you and have a good day.

WARNING

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DATE 11-01-2012 BY 65179 DMH/rs

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

13 July 2010

[redacted]

Subject: [redacted]

Dear [redacted]

Please find enclosed a copy of the Statements of Work (SOW) for [redacted] developed by the Federal Bureau of Investigation (FBI).

The FBI is interested in obtaining a proposal for this task to be performed in accordance with the subject Contract. Contractor shall provide technical and cost proposals to support tasking as set forth in the Statement of Work.

If there are any question regarding this SOW please submit them to my office within the next five (5) business days.

It is therefore requested that your company review the enclosed SOW and if the proposed contract vehicle is appropriate, [redacted] be submitted in accordance with the terms and conditions of the FBI's Contract prior to but no later than August 3, 2010 1:00 PM EST. Unclassified proposals maybe email to [redacted]

Should you have any questions concerning this matter, please contact me at [redacted] response may be faxed to [redacted] secure fax [redacted]

Sincerely,

[redacted]

Contracting Officer

Attached: Statement of Work for [redacted]

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DATE: 11-01-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 11-01-2037

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WHERE SHOWN OTHERWISE

STATEMENT OF WORK

[redacted] Program

[redacted] Task Order 1

Derived From: NSISCG-20090615
Declassify On: 20350325

1 (U) SCOPE

1.1 *(U) Task Overview*

(U//FOUO) Vendor shall study and determine [redacted]

[redacted] Vendor shall focus on [redacted]

[redacted] Vendor shall and provide for [redacted]

[redacted]

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b7E

(U//FOUO) Vendor shall also study and determine [redacted]

[redacted]

(U//FOUO) Vendor shall ensure that all [redacted]

[redacted]

1.2 (U//FOUO) Deliverables

- (U//FOUO) Weekly Status Report (See Section 3.3)
- (U//FOUO) Monthly Program Review (See Section 3.3)
- (U//FOUO) System Testing Plan (See Section 3.2)
- (U//FOUO) [redacted]
- (U//FOUO) System Demonstration at contractor facility

- (U//FOUO) Pictorial system connection diagram (See Section 3.2)
- (U//FOUO) Final Technical Summary Report (See Section 3.2)

1.3 *(U//FOUO) Driving System Requirements*

(U//FOUO) The study shall be based on [redacted]

[redacted]

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1.3.1 (U//FOUO) Key Technology Areas

a) **(U//FOUO)** [redacted]

b) **(U//FOUO)** [redacted]

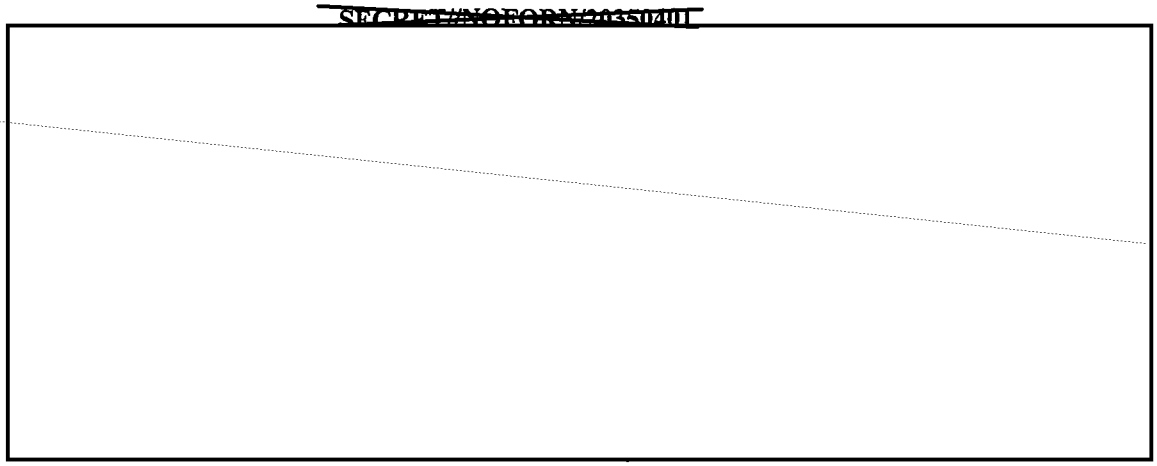
c) **(U//FOUO)** [redacted]

2 (U/FOUO) Concept of Operations

(U) 2.1 *(S//NF) Assumptions in Concept of Operations*

(S) [redacted]

(S)



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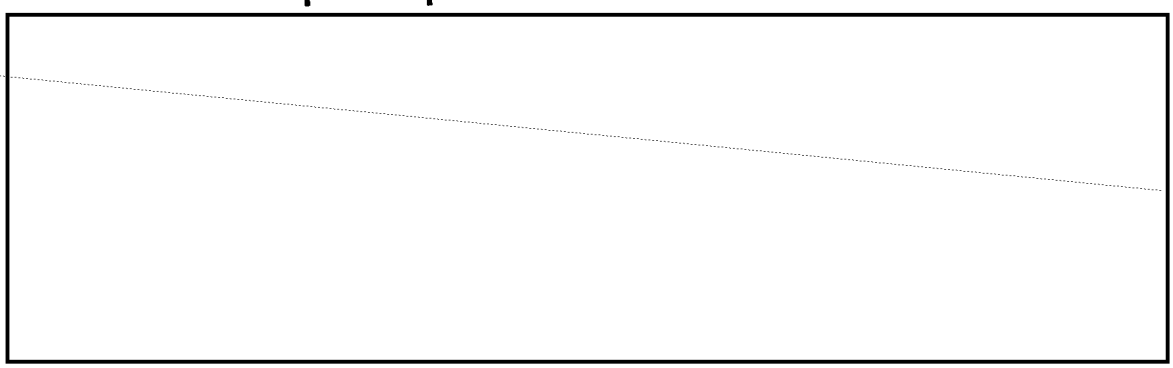
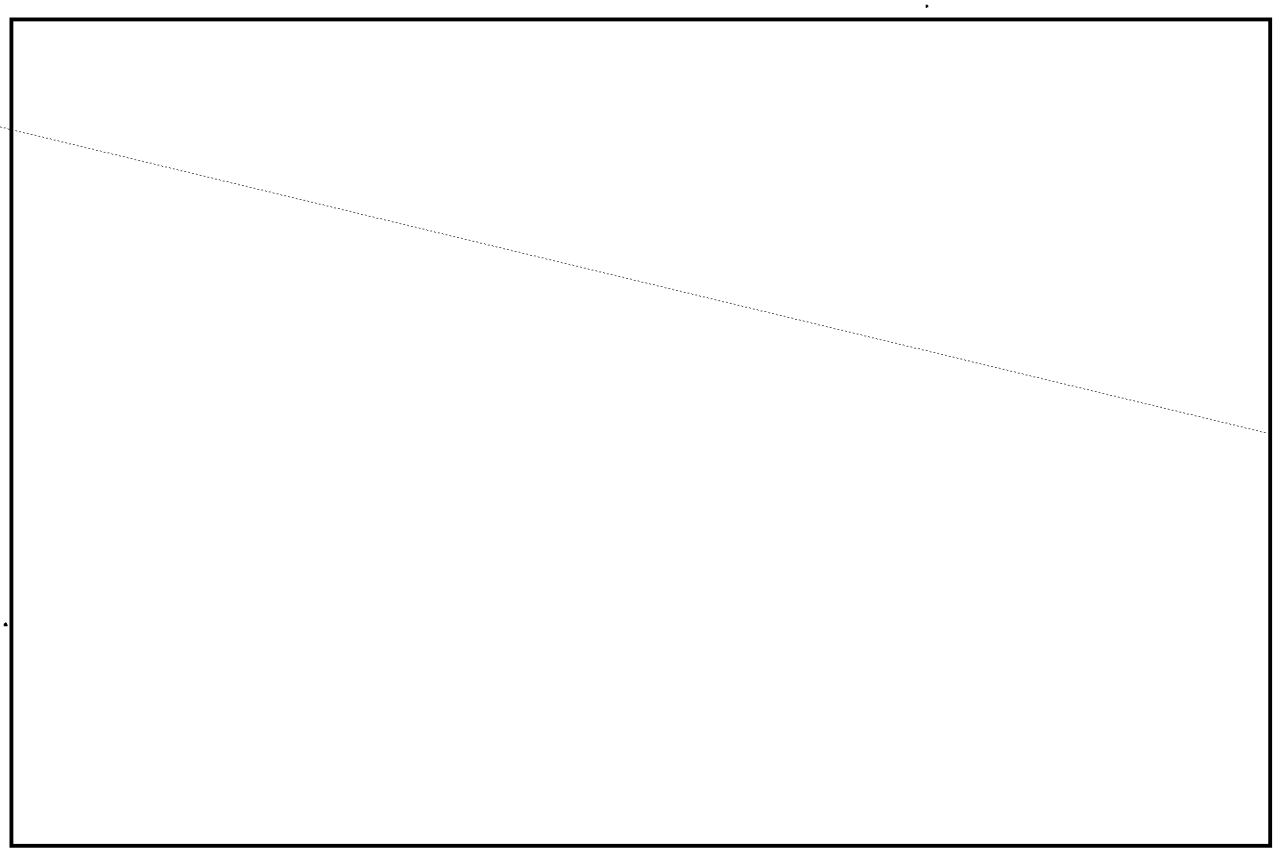
2.1.1 Technical Concept of Operations

(S)



(U) 2.1.2 (~~S~~//NF) Generalized Sequence of Events

(S)



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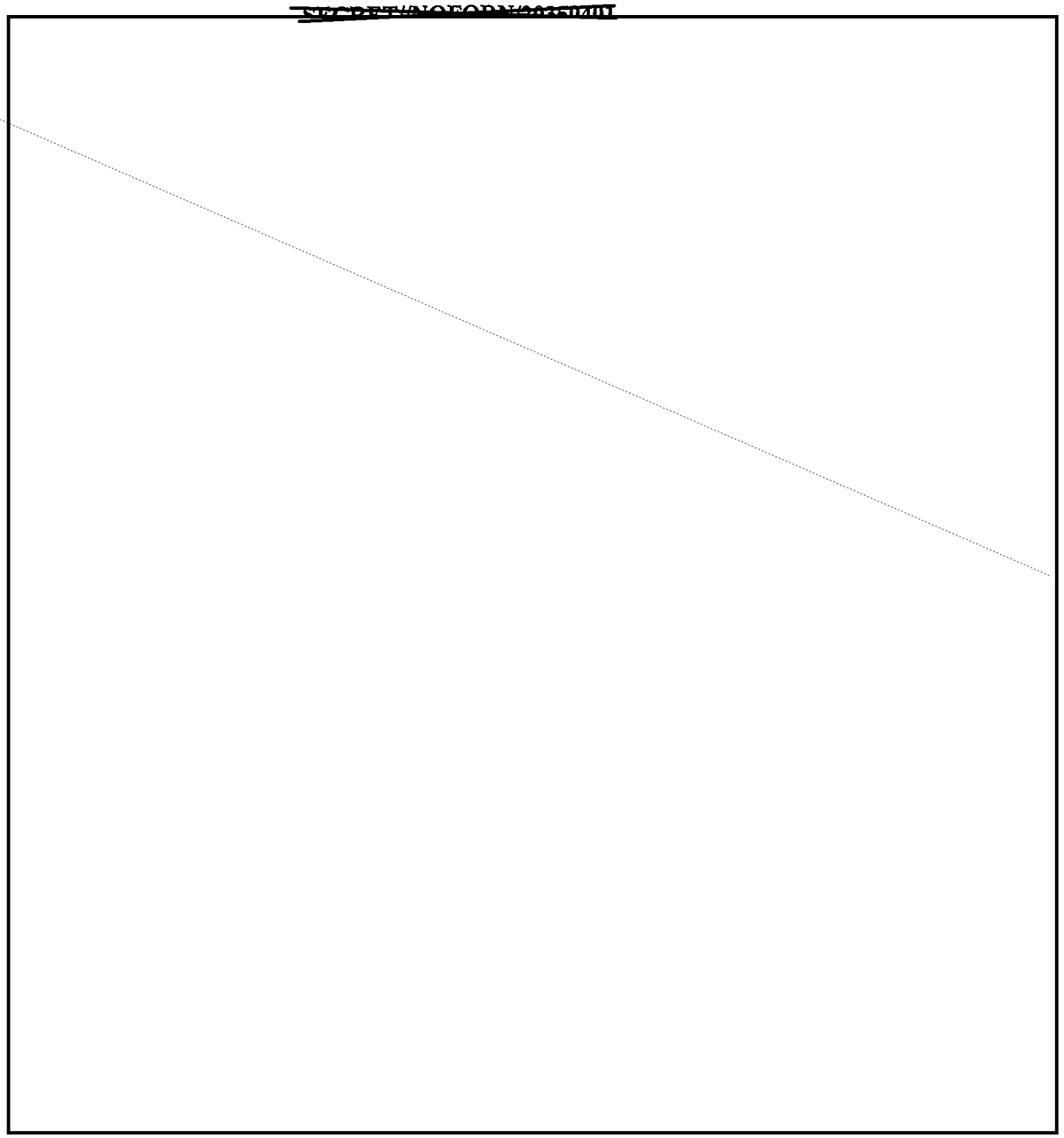

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3 (U//FOUO) Requirements

3.1 (U//FOUO) Security Standards and Regulations

(U//FOUO) Refer to [ ] Statement of Work section 2.3 for guidance.

(U//FOUO) SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

3.2 (U//FOUO) Contractor Furnished Documentation

(U//FOUO) Refer to [redacted] Statement of Work section 2.6 for list.

3.3 (U//FOUO) Status Reporting

(U//FOUO) Refer to [redacted] Statement of Work Section 3.3 for guidance

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3.4 (U//FOUO) Formal Meetings

(U//FOUO) Refer to [redacted] Statement of Work Section 3.4 for guidance

3.5 (U//FOUO) Government Furnished Equipment

(U//FOUO) Government shall not supply any systems for fulfillment of this task.

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DATE 11-13-2012 BY 65179 DMH/STP

STATEMENT OF WORK

[redacted] Program

[redacted] Task Order 1

1 (U//FOUO) SCOPE

1.1 *(U//FOUO) Task Overview*

(U//FOUO) Vendor shall study and determine [redacted]

Vendor shall focus on [redacted]

Vendor shall and provide for [redacted]

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(U//FOUO) Vendor shall also study and determine [redacted]

(U//FOUO) Vendor shall ensure that all [redacted]

1.2 (U/FOUO) Deliverables

- (U//FOUO) Weekly Status Report (See Section 3.3)
- (U//FOUO) Monthly Program Review (See Section 3.3)
- (U//FOUO) System Testing Plan (See Section 3.2)
- (U//FOUO) [redacted]
- (U//FOUO) System Demonstration at contractor facility
- (U//FOUO) Pictorial system connection diagram (See Section 3.2)
- (U//FOUO) Final Technical Summary Report (See Section 3.2)

CELLSITE-1250

1.3 *(U//FOUO) Driving System Requirements*

(U//FOUO) The study shall be based

1.3.1 (U//FOUO) Key Technology Areas

a) **(U//FOUO)**

b) **(U//FOUO)**

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c) **(U//FOUO)**

2 (U//FOUO) Concept of Operations

(U//FOUO) Refer to CLASSIFIED Concept of Operations Document

3 (U//FOUO) Requirements

3.1 (U//FOUO) Security Standards and Regulations

(U//FOUO) Refer to Statement of Work section 2.3 for guidance.

(U//FOUO) SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

CELLSITE-1251

3.2 (U//FOUO) Contractor Furnished Documentation

(U//FOUO) Refer to [redacted] Statement of Work section 2.6 for list.

3.3 (U//FOUO) Status Reporting

(U//FOUO) Refer to [redacted] Statement of Work Section 3.3 for guidance

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3.4 (U//FOUO) Formal Meetings

(U//FOUO) Refer to [redacted] Statement of Work Section 3.4 for guidance

3.5 (U//FOUO) Government Furnished Equipment

(U//FOUO) Government shall not supply any systems for fulfillment of this task.

CELLSITE-1252

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DATE: 11-01-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 11-01-2037

(Rev. 05-01-2008)

439

~~SECRET//NOFORN/20350401~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 03/31/2010

To: Finance **Attn:** [redacted]

From: Operational Technology Division
[redacted]
Contact: [redacted]

Approved By: [redacted]

Drafted By: [redacted]

(U) **Case ID #:** ~~(S//NF)~~ 268-HQ-1068430-718

(U) **Title:** ~~(S//NF)~~ WIRELESS INTERCEPT AND TRACKING TEAM

(U) **Synopsis:** ~~(S//NF)~~ To request finance division initiate a contract modification action for the [redacted]

Derived From: ~~FBI NSISCG-20090615~~
Declassify On: ~~20350401~~

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(U) **Enclosure(s):** ~~(S//NF)~~ Statement of Work and FD369 [redacted]

(U) [redacted]

MT#27178

~~SECRET//NOFORN/20350401~~

[redacted]

UPLOA[redacted]
MAR 31 2010
S.D.J.

CELLSITE-1253

To: Finance From: Operational Technology Division
(U) Re: ~~(S//NF)~~ 268-HQ-1068430, 03/31/2010

(S)

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(U) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

(U) Contracting Officers are responsible for ensuring that

To: Finance From: Operational Technology Division
(U) Re: ~~(S//NF)~~ 268-HQ-1068430, 03/31/2010

LEAD(s):

Set Lead 1: (Info)

FINANCE

AT WASHINGTON, DC

FOR INFORMATION ONLY

CC: [redacted] (Enc)

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♦♦

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DATE 11-01-2012 BY 65179 DMH/rs

FD-369 (Rev. 2-21-89)

FEDERAL BUREAU OF INVESTIGATION

REQUISITION FOR SUPPLIES AND/OR EQUIPMENT

Req. #

ENTERED 4/14/2010

February 19, 2010
Date

Ordering Office/Cost Code

Approved By

Supply Technician:
Program Manager:
Funding Approved:
Requester:
COTR:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order #

FY 2010

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	BI#	UNIT PRICE	TOTAL
1				EACH					

Requisition Description:

Suggested Vendor:

b3
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SPECIAL INSTRUCTIONS:

Ship to Code:
Delivery Instructions: M-F, 8am - 4pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEMS:

SEE ATTACHED EC

RECEIVED
APR 29 2010
BY: QCU

CELLSITE-1256

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
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FOI/PA# 1212582-1

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DATE: 11-19-2012
CLASSIFIED BY 65179 DMH/MJS
REASON: 1.4 (c)
DECLASSIFY ON: 11-19-2037

[redacted]

From: [redacted]
Sent: Thursday, August 26, 2010 3:06 PM
To: [redacted]
Subject: (S) [redacted]

~~SECRET~~//NOFORN
RECORD 268-HQ-1068430

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[redacted]

Some information you may want to discuss with Mr. [redacted]

[redacted]

From: [redacted]
Sent: Thursday, August 26, 2010 12:40 PM
To: [redacted]
Cc:
Subject: (S) [redacted]

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~~SECRET~~//NOFORN
RECORD 268-HQ-1068430

[redacted]

[redacted]

From: [redacted]
Sent: Wednesday, August 25, 2010 7:35 AM
To: [redacted]
Cc:
Subject: Urgent Request for Clarification on [redacted]
Importance: High

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SECRET//NOFORN
RECORD 268-HQ-1068430

(S) [redacted]

If [redacted] can't get the document to me in a timely fashion, please have him give me a call on my cell [redacted] so I can atleast have the information before we start negotiating our tasks… but please make every effort to get this in writing.

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DECLASSIFY ON: 20350825
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DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20350825
SECRET//NOFORN

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DECLASSIFY ON: 20350825
SECRET//NOFORN

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DATE 11-01-2012 BY 65179 DMH/MJS

From:
Sent: Wednesday, August 25, 2010 11:09 AM
To:
Subject:

I confirm, that I want harris to purchase items for the project but:

This only for items that we did not already provide them, as I believe that we may have already

Also, I would like them to pay for any services needed for the as well.

These would not become property of harris at end of contract, and shall be F bumbered.

This is my opinion, and think will make final call on this.

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----- Original Message -----
From:
To:
Sent: Wed Aug 25 11:03:49 2010
Subject: RE:

Hi

Just to be clear - you do not want to issue them for any of the 4 items listed in the attachment. Instead you would like Harris to purchase these with funding from the task order once awarded. Please be advised that they will be tacking on to these purchases, i.e.

Please confirm.

Thanks,

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-----Original Message-----
From:
Sent: Tuesday, August 24, 2010 4:52 PM
To:
Subject: FW:

From:
Sent: Tuesday, August 24, 2010 4:49 PM
To:
Subject: RE:

please forward to

I did not agree to any of the to Harris. They were listed in the technical part of the proposal. I would rather they buy them, to include the service, and quote that as part of the contract price.

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From: [redacted]
Sent: Tuesday, August 24, 2010 4:35 PM
To: [redacted]
Subject: FW: [redacted]

[redacted]

Please respond to [redacted] about this.

[redacted]

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From: [redacted]
Sent: Tuesday, August 24, 2010 4:33 PM
To: [redacted]
Cc: [redacted]
Subject: [redacted]

[redacted]

Please review our attached request for [redacted] delivery order.

[redacted]

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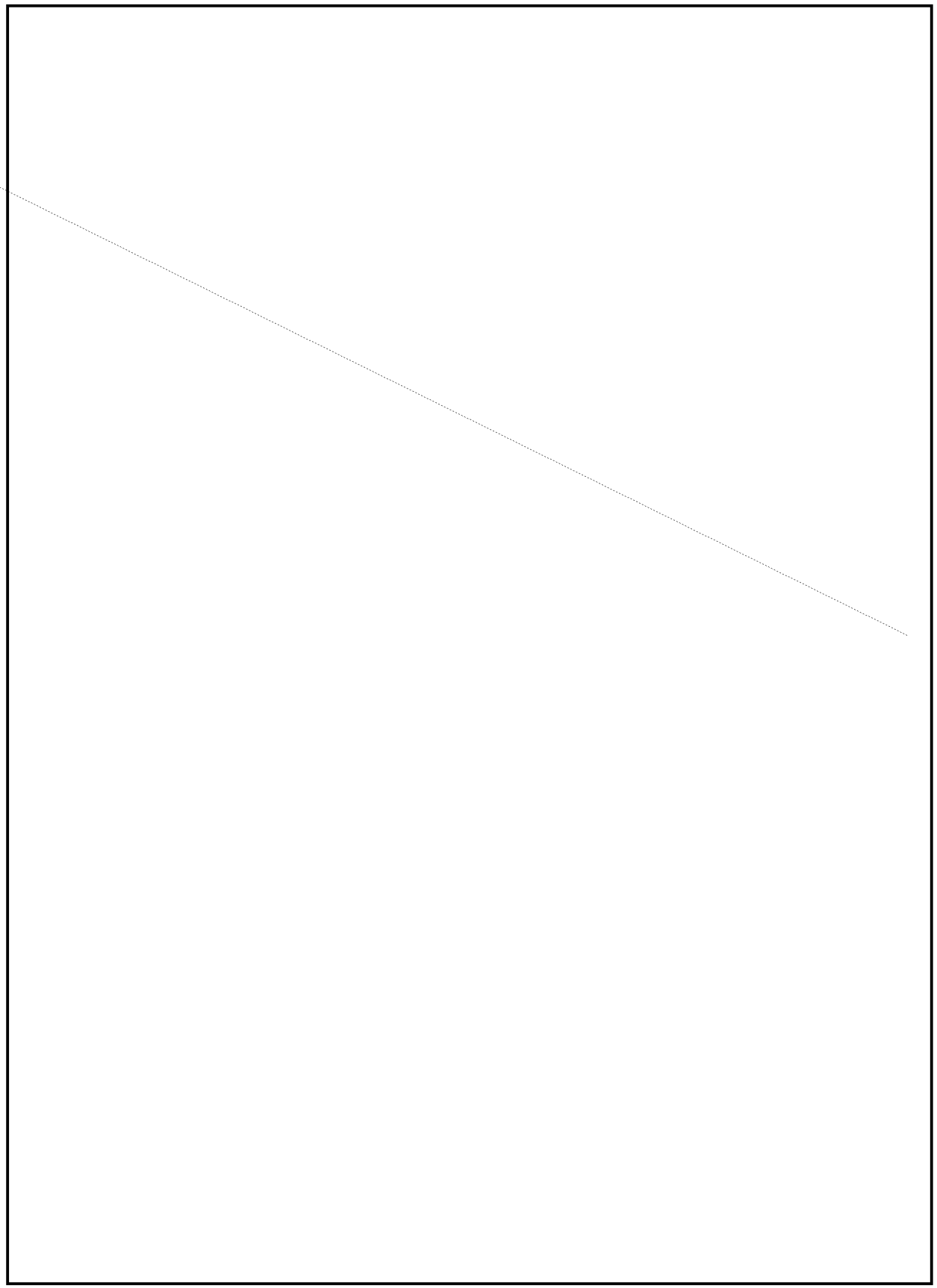
"This information is only intended for the use of the individual or entity named in this email. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or use of the contents of this information is strictly prohibited. If you have received this email in error, please notify me and delete it immediately."

[redacted]

DATE: 11-15-2012
CLASSIFIED BY 65179 DMH/MJS
REASON: 1.4 (c, g)
DECLASSIFY ON: 11-15-2037

(S)



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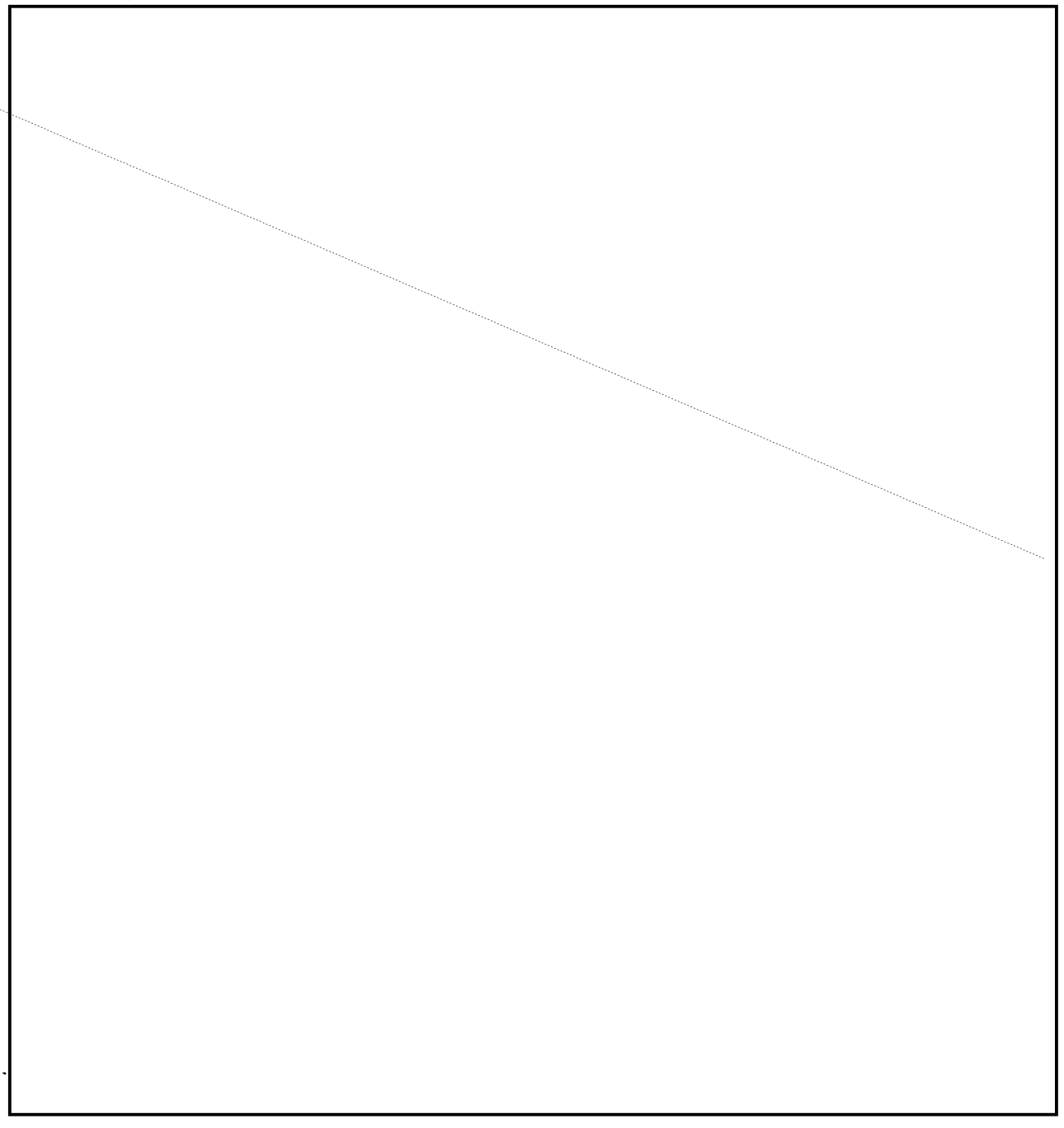

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HEREIN IS UNCLASSIFIED
DATE 11-01-2012 BY 65179 DMH/MJS

[redacted]

From: [redacted]
Sent: Thursday, December 17, 2009 12:00 PM
To: [redacted]
Subject: RE: Recap of Discussions and Agreements at December 4th Meeting, etc.

[redacted]

Thanks for following up – just wanted to make sure that this was on your radar screen.

b6
b7C

Happy holidays,

[redacted]

From: [redacted]
Sent: Thursday, December 17, 2009 8:06 AM
To: [redacted]
Subject: Re: Recap of Discussions and Agreements at December 4th Meeting, etc.

Sorry [redacted]
In NY. We are good-working on letter to you. Happy Holidays!

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b7C

[redacted]

From: [redacted]
To: [redacted]
Cc: [redacted]
Sent: Tue Dec 15 13:45:13 2009
Subject: RE: Recap of Discussions and Agreements at December 4th Meeting, etc.

H[redacted]

Just checking back in with you about this message, and to see if you have any updated information about the status of Harris' [redacted] application...

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Thanks,

[redacted]

From: [redacted]
Sent: Wednesday, December 09, 2009 4:36 PM
To: [redacted]
Cc: [redacted]
Subject: Recap of Discussions and Agreements at December 4th Meeting, etc.

[redacted]

I wanted to recap what we discussed and agreed to at our meeting on December 4th and follow up with you about the items you asked me to reconfirm with [redacted]

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I told [redacted] that you had spoken to [redacted] about the condition language that you and I developed on at our meeting on November 23rd [redacted] – and that they are willing to accept this language as the condition for the [redacted] I have reconfirmed that [redacted] is fine with this language, but we think that the condition should [redacted] We assume that Harris has no issue with making that

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[redacted]

From: [redacted]
Sent: Friday, June 18, 2010 4:30 PM
To: [redacted]
Subject: [redacted] NDA Revisions

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UNCLASSIFIED
NON-RECORD

Good Afternoon Mr [redacted]

Thank you for taking the time to meet with me this afternoon to review the NDA [redacted] provided to us in response to the original documents we drafted for them in April. Per our meeting, we determined that the revised NDA from [redacted] was insufficient. As a result [redacted]

Thank you again for your assistance,

[redacted]

[redacted]

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FD-857 (Rev. 9-15-05)

SENSITIVE INFORMATION NONDISCLOSURE AGREEMENT

An Agreement between_____ and the Federal Bureau of Investigation (FBI) regarding the following activities:

1. Intending to be legally bound, I hereby accept the obligations contained in this Agreement in consideration of my being granted access to sensitive information from FBI investigations as required to perform my duties. As used in this Agreement, sensitive information is marked or unmarked information, including, but not limited to, oral communications, the disclosure of which may compromise, jeopardize or subvert any investigation. Sensitive information also includes information relating to closed investigations, the disclosure of which might compromise, jeopardize or subvert other law enforcement activities or investigations. I understand and accept that by being granted access to this sensitive information, special confidence and trust shall be placed in me by the FBI.

2. I hereby acknowledge that I have received an indoctrination concerning the nature and protection of sensitive information, including the procedures to be followed in ascertaining whether other persons to whom I contemplate disclosing this information have been approved for access to it, and that I understand these procedures.

3. I have been advised that the unauthorized disclosure, unauthorized retention, or negligent handling of sensitive information may cause irreparable damage to FBI investigations and that I will never divulge sensitive information to anyone unless (a) I have officially verified that the recipient has been properly authorized by the FBI to receive it; or (b) I have been given prior written notice of authorization from the FBI that such disclosure is permitted. I understand that if I am uncertain as to the sensitive nature or status of information, I am required to confirm from an authorized official that the information may de disclosed prior to disclosure of this information.

4. I have been advised that any breach of this Agreement may result in the termination of my relationship with the FBI. In addition, I have been advised that any unauthorized disclosure of information by me may constitute a violation or violations of United States criminal laws, including Title 18. United States Code, or may lead to criminal prosecution for obstruction of lawful government functions. I realize that nothing in this Agreement constitutes a waiver by the United States of the right to prosecute me for any statutory violation.

5. I understand that all sensitive information to which I have access or may obtain access by signing this agreement is now and will remain the property of, or in the control of the FBI unless otherwise determined by an authorize official or final ruling in a court of law. I agree that I shall return all sensitive materials which have or may come into my possession, or for which I am responsible because of such access: (a) upon demand by an authorized representative of the United States Government; or (b) upon the conclusion of my relationship with the FBI, whichever occurs first.

6. I understand that these restrictions are consistent with and do not supersede, conflict with, or otherwise alter my obligations, rights, or liabilities created by Executive Order No. 12958; Section 7211 of Title 5, U.S.C. (governing disclosures to Congress); Section 1034 of Title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); section 2302(b)(8) of Title 5, United States Code, as amended by the Whistleblower Protection Act (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the FBI Whistleblower Protection Act (5 U.S.C. 2303, 28 C.F.R. Part 27) (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential government agents); and the statutes which protect against disclosure that may compromise the national security, including Sections 641, 793, 794, 798, and 952 of Title 18, United States Code, and Section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by said Executive Order and listed statutes are incorporated into this agreement and are controlling. I further understand, however, that any such information that is disclosed pursuant to applicable federal law continues to be subject to this agreement for all other purposes, and disclosure to the appropriate entities provided by federal law does not constitute public disclosure or declassification, if applicable, or such information.

7. Unless and until I am released in writing by an authorized representative of the FBI, I understand that all conditions and obligations imposed upon me by this Agreement apply during the time I am granted access to the sensitive information and at all times thereafter.

8. Each provision of this Agreement is severable. If a court should find any provision of this Agreement to be unenforceable, all other provisions of the Agreement shall remain in full force and effect.

9. I understand that the United Stated Government may seek any remedy available to it to enforce this Agreement including, but not limited to, application for a court order prohibiting disclosure of information in breach of this agreement. I hereby assign to the United Stated Government all royalties, remuneration, and emoluments that have resulted, will result or may result from any disclosure, publication, or revelation of sensitive information not consistent with the terms of this Agreement.

10. I have read this Agreement carefully and my questions, if any, have been answered:

Signature_____ Date _____

Organization (if contractor, provide name and address):

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The briefing and execution of this Agreement was witnessed by _____
(Type or Print Name)

Signature_____ Date _____

SECURITY DEBRIEFING ACKNOWLEDGEMENT

I reaffirm that the provisions of the Federal criminal laws applicable to the safeguarding of sensitive information have been made available to me; that I have returned all sensitive information in my custody; that I will not communicate or transmit sensitive information to any unauthorized person or organization; that I will promptly report to the FBI any attempt by an unauthorized person to solicit sensitive information, and that I have received a debriefing regarding the security of sensitive information.

Signature_____ Date _____

Name of Witness (Type or Print) _____

Signature of Witness_____ Date _____

CELLSITE-10669

From: [redacted]
Sent: Tuesday, April 13, 2010 11:28 AM
To: [redacted]
Subject: [redacted] NDAs

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NON-RECORD

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[redacted]

Security has reviewed and approved the NDAs, so they can be sent. I should get an email back from them that we can keep on file.

My trip details have changed [redacted]

[redacted]

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DATE 11-01-2012 BY 65179 DMH/MJS

[redacted]

From: [redacted]
Sent: Monday, May 03, 2010 10:05 AM
To: [redacted]
Cc:

Attachments: [redacted] doc

[redacted] (24 KB..

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Here is the NDA, based on your pony, for [redacted] employees working on [redacted] Please start it around for those who will be working on the contract. We can coordinate a way to get signed copies on file up here later.

Thanks,

[redacted]

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[redacted]

From: [redacted]
Sent: Wednesday, May 05, 2010 8:42 AM
To: [redacted]
Subject: RE: [redacted] NDA

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Thanks [redacted] didn't' want to proceed without your authorization to do so.

[redacted]

-----Original Message-----
From: [redacted]
Sent: Wednesday, May 05, 2010 7:58 AM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted] NDA

Good Morning [redacted]

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Yes, [redacted] and I worked together to finalize this NDA and I concur with its contents. He will be the primary POC for coordinating signatures based on his knowledge of the proprietary information of the program.

Please let me know if you have any questions.

Have a good day,

[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, May 04, 2010 11:04 AM
To: [redacted]
Cc: [redacted]
Subject: FW: [redacted] NDA
Importance: High

Good morning [redacted]

We received the attached NDA via the program office. Please advise of your concurrence with the program office's below request.

Thanks so much,

[redacted]

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"It is better to travel well than to arrive."
-Buddha

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-----Original Message-----
From: [redacted]
Sent: Monday, May 03, 2010 10:05 AM
To: [redacted]
Cc:
Subject:

[redacted]

Here is the NDA, based on your pony, for [redacted] employees working on [redacted] Please start it around for those who will be working on the contract. We can coordinate a way to get signed copies on file up here later.

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Thanks,

[redacted]

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DATE 11-01-2012 BY 65179 DMH/MJS

[redacted]

From: [redacted]
Sent: Friday, April 16, 2010 11:40 AM
To: [redacted]
Subject: FW: [redacted]

Attachments: NDA [redacted] doc; [redacted] NDA.doc

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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

From: [redacted]
Sent: Friday, April 16, 2010 11:39 AM
To: [redacted]
Cc:
Subject: FW: [redacted]

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NON-RECORD

You are welcome [redacted] and I reviewed, no problem as far as security is concerned as long as OGC approved. Thanks!

[redacted]

[redacted]

From: [redacted]
Sent: Tuesday, April 13, 2010 11:11 AM
To: [redacted]
Subject: [redacted]

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NON-RECORD

[redacted]

Here are the soft copies. Thanks again for reviewing.

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[redacted]

[redacted] doc (52 KB)

[redacted] doc (30 KB...

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DATE 11-01-2012 BY 65179 DMH/MJS

NON-DISCLOSURE AGREEMENT
by and between
the Federal Bureau of Investigation and [redacted]

Effective the day of , 2009, [redacted] ("Receiving Party"), a corporation of the [redacted] and the Federal Bureau of Investigation ("FBI"), having its headquarters at 935 Pennsylvania Avenue, N.W., Washington, D.C. 20535 (collectively, "the parties"), agree as follows.

WHEREAS, in furtherance of providing valuable information to develop new and/or to enhance existing products and services of the respective parties, certain disclosures may be made by the parties to one another, wherein these certain disclosures may contain information considered to be Aproprietary,@ as defined below in Article II of this Agreement. Such disclosures are hereinafter referred to as Aproprietary information,@ as defined below in Article II of this Agreement.

ARTICLE I - SUBJECT MATTER OF THIS AGREEMENT

[redacted] b3 b7E

Wireless Intercept Tracking Team (WITT) [redacted]

[redacted]

[redacted] . The WITT [redacted]

[redacted]

ARTICLE II - DEFINITIONS

As used herein, the following terms and phrases shall have the meaning set forth below.

"Proprietary" shall mean information that is not available to the public and which the parties desire to protect against disclosure or competitive use, and which may be subject to a trade secret, and shall include, but not be limited to, law enforcement sensitive information.

"Information" shall include, but not be limited to: specifications, drawings, tracings, sketches, figures, tables, charts and designs; computer software and other computer programming documentation, computer hardware and other equipment; know-how; models, samples, products and materials; data, including, but not limited to, test data; technologies, ideas and concepts; and non-public, current, future and historical commercial information, including, but not limited to, business plans, reports, marketing strategies and forecasts, product development plans and other product development information and financial plans and other financial information.

"Proprietary Information" shall mean information that is in possession of the parties, is not available to the public and which the parties desire to protect against unrestricted disclosure

or competitive use, and which, if disclosed, could harm or otherwise impede investigative activities, techniques and methods, or other activities of the parties.

"Personnel" shall include, but not be limited to: employees, contractors, authorized agents and authorized representatives of the respective parties.

ARTICLE III - DESIGNATING PROPRIETARY INFORMATION

If the proprietary information is tangible, it shall be clearly designated by the FBI as proprietary by appropriate legend, marking, stamp or other positive identification indicating the proprietary nature. If the proprietary information is communicated orally or visually to the Receiving Party, then such oral or visual communication shall be deemed proprietary at the time of the communication. The FBI shall have the right to correct any inadvertent failure to designate information as Proprietary Information by written notification as soon as practical after such inadvertent failure to designate is determined. The Receiving Party shall thereafter treat such information as Proprietary Information.

ARTICLE IV - OBLIGATIONS AND LIMITATIONS

No proprietary information disclosed by the FBI pursuant to this Agreement shall be used, duplicated or disclosed for purposes other than as set forth in Article I of this Agreement without the prior written approval of the FBI. If the proprietary information is reproduced in whole or in part, then the reproduction shall carry a proprietary designation identical to or, at least, similar to, that which appears on the original.

After receipt of proprietary information from the FBI, the Receiving Party shall disclose such information only on a need-to-know basis to personnel of the Receiving Party. Receiving Party personnel who have or had access to the FBI=s proprietary information shall be informed of and obligated to protect the proprietary information from unauthorized use, duplication or disclosure. The Receiving Party shall promptly notify the FBI of any unauthorized use, disclosure or duplication of the FBI=s proprietary information and shall endeavor to prevent further unauthorized use, duplication or disclosure thereof.

The Receiving Party shall protect proprietary information disclosed by the FBI with, at least, the same degree of care as if it were the Receiving Party=s own proprietary information, but in no case with less than a reasonable degree of care.

The Receiving Party agrees not to reverse engineer any proprietary information disclosed by the FBI pursuant to this Agreement.

ARTICLE V - NO ENDORSEMENT, LICENSE, ASSIGNMENT OR THIRD PARTY RIGHTS

The use of any materials, technologies, equipment, products and processes by the [redacted] shall not constitute an endorsement of any such materials, b7E technologies, equipment, products or processes. Such use shall not be construed as an

CELLSITE-10692

endorsement, nor imply, orally or in writing, that the [redacted] endorses any such materials, technologies, equipment, products or processes. b7E

No license, exclusive or non-exclusive, under any foreign or domestic patent or foreign or domestic patent application, provisional or non-provisional, shall be granted to the Receiving Party, either directly or indirectly by this Agreement; nor shall rights of ownership in any proprietary information be granted to the Receiving Party by this Agreement; nor shall the Receiving Party file, cause to be filed or assist in preparing or filing, any provisional or non-provisional, domestic or foreign, patent application that relates in any way to the FBI=s proprietary information without the express written consent of the FBI. All Proprietary Information shall remain the property of the FBI. If the parties decide to enter into any licensing arrangement regarding the Proprietary Information or present or future patent claims disclosed hereunder, it shall only be done on the basis of a separate written agreement between them.

This Agreement shall not be assigned by either party without the other party=s prior written consent, which consent shall not be unreasonably withheld. This Agreement shall inure to the benefit of and be binding upon the parties= successors and said consented to assigns.

This Agreement is not intended, and should not be construed, to create any right or benefit, substantive or procedural, enforceable at law or otherwise, by any third party against the United States or the parties or personnel thereof.

ARTICLE VI - TERM AND TERMINATION OF THE AGREEMENT AND THE RETURN OF PROPRIETARY INFORMATION

This Agreement shall remain in force for a period of five (5) years from the effective date set forth on page one (1) of this Agreement, unless earlier terminated as provided for herein, or unless amended and extended by mutual written agreement of the parties. Either party, upon thirty (30) days advance written notice, may terminate this Agreement. Termination shall not, however, affect the provisions, limitations and obligations contained herein of both parties with respect to proprietary information supplied under the terms of this Agreement prior to termination. These provisions, limitations and obligations shall survive the expiration of the term of this Agreement.

The Receiving Party shall, upon written request of the FBI or upon termination of this Agreement, whichever is sooner, cease use of all proprietary information received from the FBI and shall destroy all such information, including copies thereof, and shall furnish to the FBI written certification of such destruction; or, alternatively, at the FBI=s request, the Receiving Party shall return to the FBI all the FBI's proprietary information disclosed under this Agreement in substantially the same condition as it was received, to the extent possible. All notes, abstracts, memoranda, or other documents prepared by the Receiving Party which contain Proprietary Information or any discussion thereof, shall be destroyed or returned to the FBI upon written request.

The failure of either party to enforce at any time any provision of this Agreement, or the failure to require at any time performance by the other party of any provision of this Agreement,

CELLSITE-10693

shall in no way be construed to be a present or future waiver of such provision, nor in any way affect the right of either party to enforce any such provision thereafter.

Notwithstanding anything else in this Agreement, no default, delay or failure to perform on the part of either party shall be considered a breach of this Agreement if such default, delay or failure to perform is shown to be due to causes beyond the reasonable control of the party charged with default, delay or failure to perform. Causes beyond the parties' reasonable control shall include, but not be limited to: strikes, lockouts or other labor disputes, riots, civil disturbances, actions or inactions of governmental authorities or suppliers, epidemics, war, embargoes, severe weather, fire, earthquakes, acts of God or the public enemy or nuclear disasters or default of a common carrier.

ARTICLE VII - LIABILITIES

Neither party shall be liable for the use, disclosure or duplication of proprietary information under any of the following conditions:

1. the information is in the possession of or known to the Receiving Party prior to receipt thereof from the FBI;
2. the information is independently developed by the Receiving Party without use of the FBI=s proprietary information, as evidenced by the Receiving Party's records;
3. the information is or becomes public knowledge or publicly available through no fault of the Receiving Party;
4. the information is or becomes rightfully available to the Receiving Party from a source other than the FBI; and
5. disclosure of the information is required by a government or court requirement or order, in which case the Receiving Party shall provide the FBI prompt advance notice sufficient to enable the FBI time to object to such disclosure.

The relationship between the parties shall be solely that of independent contractors, wherein each party is responsible for its own personnel. Nothing in this Agreement shall be deemed to constitute, create, give effect to or otherwise recognize a teaming, joint venture, agency, partnership or other type of arrangement between the parties. Rather, the parties agree that this Agreement is for the purpose of protecting and preserving the status of the FBI's proprietary information, as well as to ensure that misunderstandings as to the subsequent use, disclosure or duplication of such proprietary information do not occur.

Neither party assumes responsibility for the other party=s costs, expenses, risks and liabilities associated with the research, development and exchange and authorized use, duplication and disclosure of the other party=s proprietary information.

The Receiving Party acknowledges that monetary damages may not be a sufficient remedy for unauthorized disclosure of the FBI=s proprietary information and that the FBI shall be entitled, without waiving any other rights or remedies, to seek injunctive or other equitable relief as may be deemed proper by a court of competent jurisdiction.

CELLSITE-10694

ARTICLE VIII - INTEGRATION AND ALTERATION

This Agreement supersedes all prior or contemporaneous oral or written representations, understandings and communications by or between the parties pertaining to the subject matter set forth in Article I of this Agreement. This Agreement applies in lieu of and notwithstanding any previous or contemporaneous agreement or other contract or arrangement pertaining to the subject matter set forth in Article I of this Agreement.

Any provision of this Agreement may be modified or otherwise altered only by a writing signed by both parties.

ARTICLE IX - SEVERABILITY

The parties agree that if any Article or provision of this Agreement shall be found illegal or in conflict with any valid controlling law, then the validity of the remaining Articles and provisions shall not be affected.

ARTICLE X - COMPLIANCE WITH LAWS

The Receiving Party shall adhere to the U.S. Export Administration laws and regulations and shall not export any proprietary information, or other materials, technologies, equipment, products or processes received from the FBI to any proscribed country listed in the U.S. Export Administration regulations, unless properly authorized by the FBI.

Disagreements between the parties arising under or relating to this Agreement shall be resolved by consultation between the parties. Any dispute, claim or controversy arising out of or relating to this Agreement, or the breach or validity hereof, shall be adjudicated, if necessary, by the U.S. District Court for the District of Columbia.

With respect to liability and indemnification, the exclusive remedy for the negligent or wrongful act by or omission of U.S. Government personnel, acting within the scope of their employment, shall be an action against the United States under the Federal Tort Claims Act, 28 U.S.C. ' ' 1346(b) and 2671-2680.

The individual executing this Agreement does so in his/her official capacity and as part of his/her official duties as an employee of the FBI and the U.S. Department of Justice. As such, this Agreement shall be governed and controlled by applicable Federal Law without regard to conflict of laws principles.

ARTICLE XI - HEADINGS

The headings used in this Agreement are for reference purposes only and shall not be deemed to be a part of this Agreement.

CELLSITE-10695

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives.

_____	Federal Bureau of Investigation
By: _____	By: _____
Printed Name: _____	Printed Name: _____
Title: _____	Title: _____
Date: _____	Date: _____

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[redacted] Special Provision on Commercialization of Technology Developed Under Contract (Contractor Retains Patent Rights)

(a) The parties to this contract agree that, although the technology being developed under this contract is unclassified, it is nonetheless sensitive in nature, and the uncontrolled dissemination of the technology outside of the Sponsor could potentially be detrimental to national security. Accordingly, the parties agree to the following special provisions to control the dissemination of the technology developed under this contract.

(b) For the purpose of this clause, the following terms shall have the following definitions:

"Data" shall have the same meaning as the term in clause 52.227-14 and shall specifically include technical data and computer software as defined in clause 52.227-14.

"Subject invention" shall have the same meaning as the term defined in clause 52.227-11.

"Commercialize" means to use any data first produced in the performance of this contract, any subject invention, or any hardware manufactured and deliverable under this contract that incorporates or was built using data first produced under this contract, for any commercial purpose other than doing business with the Sponsor.

"Technology" means intellectual property of a scientific or technical nature that comes into existence as a direct result of performance of this contract regardless of the physical properties of the technology or the stage of its development.

(c) The parties agree that:

(1) Notwithstanding any other provisions in the contract, including but not limited to clause 52.227-14 Rights in Data General, the contractor shall not take any action to commercialize the technology developed under this contract without the express, written approval of the Contracting Officer, and such approval shall not be unreasonably withheld. Should the Contracting Officer decline to grant such approval due to national security considerations, the contractor agrees that this determination shall not constitute a basis for an equitable adjustment to the contract.

(2) The contract price includes consideration for the increased rights retained by the Sponsor.

(d) The contractor shall take all necessary steps to effectuate the intent of this agreement, to include ensuring that contractor employees with access to data first produced under this contract and/or information pertaining to subject inventions execute binding non-disclosure agreements to protect the information both during their employment with the contractor as well as post-employment.

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DATE 11-01-2012 BY 65179 DMH/MJS

From:
Sent: Monday, March 21, 2011 12:08 PM
To:
Subject: RE: Transfer Request

Yes, we need to have the equipment transfered.

From:
Sent: Monday, March 21, 2011 11:56 AM
To:
Subject: RE: Transfer Request

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Please confirm: Based on your review of the items listed in the attachment, you agree that this should be transferred over to as described in the e-mail. Once I have a confirmation, I'll sign the letter and get it back to and incorporate into the contract.

Thanks,

From:
Sent: Thursday, March 10, 2011 5:59 PM
To:
Subject: Re: Transfer Request

Items that are originally ontract should be moved to the contact.

The equipment was originally as well, although them moved. This should be moved to as well.

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From:
To:
Cc:
Sent: Thu Mar 10 15:40:07 2011
Subject: Fw: Transfer Request We were involved in the contract, but it was run by people. We have discussed this with before, so do not let them forget it. THEY need to make a request to the people to start the process.

I'm almost sure that you as the cotr of the last contract, already gave them approval to move the none equipment. Could you please send a new email to saying its ok.

From:
To:
Cc:

[redacted]
Sent: Thu Mar 10 13:28:24 2011
Subject: FW: [redacted] Transfer Request [redacted]

Hi [redacted]

Please let me know what the status is on this request.

Thank you,

[redacted]

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From: [redacted]
Sent: Tuesday, January 25, 2011 8:48 AM
To: [redacted]
Cc:
Subject: [redacted] Transfer Request

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[redacted]

Please see the attached request to transfer [redacted] and call me if you have questions.

[redacted]

[redacted]

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AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE OF PAGES
	1 | 1

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
Mod 10	Jul 6, 2011		

6. ISSUED BY CODE	7. ADMINISTERED BY (If other than Item 6) CODE
Federal Bureau of Investigation Room 6853 935 Pennsylvania Ave. NW Washington, DC 20535	Same as Item 6.

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)	(X)	9A. AMENDMENT OF SOLICIATION NO.
	☐	9B. DATED (SEE ITEM 11)
	☒	10A. MODIFICATION OF CONTRACT/ORDER NO.
		10B. DATED (SEE ITEM 13) Sep 15, 2009.

CODE FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

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13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
☐	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
☐	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
☐	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
☒	D. OTHER (Specify type of modification and authority) FAR 43.103(a) "Bilateral"

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is (1) to incorporate [redacted] Letter [redacted] dated 6/13/11 and the updated price list e-mailed 6/13/11 at 2:58PM into the contract in accordance with its SOW, terms, and conditions; (2) the duties and authorities of the Contracting Officer are hereby transferred from [redacted] All other terms and conditions remain the same.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	15C. DATE SIGNED	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	16C. DATE SIGNED
	7/9/11		7/9/11

(REV. 10-83)
) 53.243

CELLSITE-10720

TRANSMISSION VERIFICATION REPORT

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-07-2012 BY 65179 DMH/MJS

TIME : 07/08/2011 13:37
NAME : QCU
FAX :
TEL :
SER.# : 000F6J321760

DATE,TIME	07/08 13:36
FAX NO./NAME	
DURATION	00:00:29
PAGE(S)	01
RESULT	OK
MODE	STANDARD ECM

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AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE OF PAGES
	1 | 1

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
Mod 10	Jul 6, 2011		

6. ISSUED BY — CODE

Federal Bureau of Investigation
Room 6853
935 Pennsylvania Ave. NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) — CODE

Same as Item 6.

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

(X) 9A. AMENDMENT OF SOLICITATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO.

Sep 15, 2009

CODE — FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning ____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
☐	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
☐	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
☐	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
☒	D. OTHER (Specify type of modification and authority) FAR 43.103(a) "Bilateral"

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

CELLSITE-10721

FEB-15-2011 11:24 [redacted] [redacted] P.02

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		2

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
Mod 8	02/15/11		

6. ISSUED BY	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE
Federal Bureau of Investigation [redacted] Room 6853 935 Pennsylvania Ave. NW Washington DC, 20535		Same as Item 6.	

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)	(X)	9A. AMENDMENT OF SOLICIATION NO.
[redacted]		9B. DATED (SEE ITEM 11)
	X	10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted]
		10B. DATED (SEE ITEM 11) 09/15/09

CODE	FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
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	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 43.103(a) Bilateral

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

See Page 2 of 2 attached for details concerning addition of: revised price list, IP Assertions Letter, exercising of Option Year 1, and addition of FAR Clause 52.209-9.

[redacted]

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2/11

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CELLSITE-10722

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-07-2012 BY 65179 DMH/MJS

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		1

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicble)
Mod 7	09/15/10		

6. ISSUED BY CODE

Federal Bureau of Investigation
[redacted], Room 6853
935 Pennsylvania Ave., NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) CODE

Same as Item 6.

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

[redacted]

CODE FACILITY CODE

(X) 9A. AMENDMENT OF SOLICIATION NO.

9B. DATED (SEE ITEM 11)

X 10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted]

10B. DATED (SEE ITEM 13) 09/15/09

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a)By completing items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

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12. ACCOUNTING AND APPROPIRATION DATA (If required)

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	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 43.103(a) Bilateral

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is to incorporate the following: 1) Add [redacted] and [redacted] equipment to the above contract. Pricing and specifications per quote [redacted] dated 9/15/10 are hereby incorporated into the contract; 2) Per FBI Security Office and Legal Council requirement, all personnel contributing to efforts under this contract shall sign the SF-868 NDA with an FBI employee as witness, preferably the COTR; 3) The following product names have been updated and shall hold all contractual weight and product/service/specification requirements as agreed upon in previous documentation, including restrictions: [redacted]

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
[redacted]			
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

********** -COMM. JOURNAL- ********** DATE SEP-15-2010 ***** TIME 18:24 ********

MODE = MEMORY TRANSMISSION START=SEP-15 18:23 END=SEP-15 18:24

FILE NO.=018

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	☎	[redacted]	001/001	00:00:39

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-07-2012 BY 65179 DMH/MJS

[redacted]

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AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		1

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
Mod 7	09/15/10		

6. ISSUED BY CODE

Federal Bureau of Investigation
[redacted] Room 6853
935 Pennsylvania Ave., NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) CODE

Same as Item 6.

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

[redacted]

(X) 9A. AMENDMENT OF SOLICIATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO.

X [redacted]

10B. DATED (SEE ITEM 11)

09/15/09

CODE FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPIRATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 43.103(a) Bilateral

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is to incorporate the following: 1) Add [redacted] and [redacted] equipment to the above contract. Pricing and specifications per quote dated 9/15/10 are hereby incorporated into the contract; 2) Per FBI Security Office and Legal Council requirement, all personnel contributing to efforts under this contract shall sign the SF-868 NDA with an FBI employee as witness, preferably the COTR; 3) The following product names have been updated and shall hold all contractual weight and product/service/specification requirements as agreed upon in previous documentation, including restrictions: [redacted]

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)

[redacted]

15B. DATE SIGNED

(Signature of person authorized to sign)

16A. NAME OF CONTRACTING OFFICER (Type or print)

[redacted]

16C. DATE SIGNED

(Signature of Contracting Officer)

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

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CELLSITE-10725

********** -COMM. JOURNAL- ********** DATE SEP-15-2010 ***** TIME 12:35 ********

MODE = MEMORY TRANSMISSION START=SEP-15 12:33 END=SEP-15 12:35

FILE NO.=013

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	☎	[redacted]	001/001	00:01:44

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-01-2012 BY 65179 DMH/MJS

********** - - ***** - [redacted] ****

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

15 September 2010

[redacted]

Contract: [redacted]
Subject: [redacted] Condition and Assumption

Good Afternoon [redacted]

During Negotiations Meetings at [redacted] 8/31-9/2, the FBI discussed clarifications and application of the following Condition and Assumption provided in Cost Proposals responding to [redacted] and [redacted] Task Orders:

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[redacted] will not provide documentation, specifications, drawings, source code, or prototypes, associated with our [redacted] As such [redacted] requires Clause H-10 and Paragraph 2.6(t) be revised or deleted with respect to [redacted] IP.

Per discussions at the above meetings, [redacted] shall provide the following information for any [redacted] intents to use as a baseline or portion of any FBI work:

1) Define [redacted] product/item and all capabilities
2) Describe how this [redacted] affects the requirements in the [redacted]
3) Describe technical effects of this [redacted] and any [redacted] add-ons to this product
4) Provide a high-level, rough order of magnitude estimate for what it would cost to fulfill the requirements in the [redacted] should the FBI not decide to utilize the proposed [redacted] in the proposed technical approach.
5) Describe any potential risks or restrictions that may affect or limit current or future FBI capabilities.

If there are any questions please do not hesitate to contact my office.

[redacted]

CELLSITE-10729

********** -COMM. JOURNAL- ********** DATE SEP-17-2010 ***** TIME 10:49 *********

MODE = MEMORY TRANSMISSION START=SEP-17 10:47 END=SEP-17 10:49

FILE NO.=030

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	[redacted]	[redacted]	005/005	00:01:25

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-07-2012 BY 65179 DMH/MJS

********** - [redacted] - ***** - [redacted] *********

SEP-15-2010 18:39 [redacted] [redacted] P.03

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		2

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
Mod 1	09/14/10		

6. ISSUED BY CODE

Federal Bureau of Investigation
[redacted] Room 6853
935 Pennsylvania Ave. NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) CODE

Same as Item 6.

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

[redacted]

(X)	9A. AMENDMENT OF SOLICITATION NO.
	9B. DATED (SEE ITEM 11)
X	10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted]
	10B. DATED (SEE ITEM 11) 09/14/10

CODE FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
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	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 32.7 Funding

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

See attached page for details.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)

[redacted]

15B. DATE SIGNED [redacted] Sept 20

16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)

[redacted]

16B. DATE SIGNED 9/17/10

Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

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CELLSITE-10730

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-07-2012 BY 65179 DMH/MJS

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF PAGES
	1	1

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
Mod 7	09/16/10		

6. ISSUED BY CODE

Federal Bureau of Investigation
[redacted]
Room 6853
935 Pennsylvania Ave. NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) CODE

Same as Item 6.

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

[redacted]

(X)	9A. AMENDMENT OF SOLICIATION NO.
	9B. DATED (SEE ITEM 11)
X	10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted]
	10B. DATED (SEE ITEM 11) 09/15/09

CODE FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

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	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 43.103(a) Bilateral

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

This mod incorporates the following: 1) Add [redacted] and [redacted] equipment to the above contract. Pricing and specifications per quote [redacted] dated 9/15/10 in e-mail on 9/16/10 at 3:34PM are hereby incorporated into the contract; 2) Per FBI Security Office and Legal Council requirement, all personnel contributing to efforts under this contract shall sign the SF-868 NDA with an FBI employee as witness, preferably the COTR; 3) The following product names have been updated and shall hold all contractual weight and product/service/specification requirements as agreed upon in previous documentation, including restrictions [redacted] is

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as here[illegible]

15A. NAME AND TITLE OF SIGNER (Type or print)	15C. DATE SIGNED	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	16C. DATE SIGNED
	16 Sept 2010		9/17/10

NSN 7540-01-152-8070 Previous edition unusable

STANDARD FORM 30 (REV. 10-83) Prescribed by GSA FAR (48 CFR) 53.243

Study * is Modified

[redacted]

TOTAL P.01

CELLSITE-10732

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-07-2012 BY 65179 DMH/MJS

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		2

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
Mod 1	09/14/10		

6. ISSUED BY CODE

Federal Bureau of Investigation
[redacted] Room 6853
935 Pennsylvania Ave. NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) CODE

Same as Item 6.

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

[redacted]

(X)	9A. AMENDMENT OF SOLICIATION NO.
	9B. DATED (SEE ITEM 11)
	10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted]
X	10B. DATED (SEE ITEM 11) 09/14/10

CODE FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

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12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 32.7 Funding

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

Please see attached document for details.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	15C. DATE SIGNED	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	16C. DATE SIGNED
[redacted]	9/16/2010	[redacted]	9/17/10

) FORM 30 (REV. 10-83)
SA FAR (48 CFR) 53.243

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-07-2012 BY 65179 DMH/MJS

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		3

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
Mod 1	09/16/10		

6. ISSUED BY	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE
Federal Bureau of Investigation [redacted] Room 6853 935 Pennsylvania Ave. NW Washington, DC 20535		Same as Item 6.	

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)	(X)	9A. AMENDMENT OF SOLICIATION NO.
[redacted]		9B. DATED (SEE ITEM 11)
	X	10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted]
		10B. DATED (SEE ITEM 11) 09/16/10

CODE	FACILITY CODE

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12. ACCOUNTING AND APPROPRIATION DATA (If required)

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CHECK ONE	
	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
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Please see attached pages for details:

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	15B. DATE SIGNED	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	16C. DATE SIGNED
[redacted]	16 Sept 2010	[redacted]	9/17/10

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-01-2012 BY 65179 DMH/MJS

[redacted] Weekly Status 9 Dec 2010

[redacted]

Sent: Friday, December 10, 2010 8:59 AM

To: [redacted]

Cc:

Attachments: [redacted]

Hello [redacted]

Please find attached the [redacted] weekly status reports for week ending 9 December 2010. Beginning next week, these status reports will be delivered every Thursday afternoon (week beginning on Friday and ending on Thursday) for delivery consistency.

Included are the usual weekly status reports along with action item logs and risk/issue logs.

If you have any questions, please contact [redacted]

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[redacted]

[redacted]

[redacted]

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CELLSITE-10736

ALL INFORMATION CONTAINED
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DATE 11-01-2012 BY 65179 DMH/MJS

RE: [redacted] Requirements Marking/Handling

[redacted]

Sent: Thursday, December 09, 2010 3:24 PM

To: [redacted]

[redacted]

I agree with the process, as outlined in the slides. Sorry I missed the conference call. Also, [redacted] is going to physically sign a couple of the [redacted] invoices for me. I'm going to try to get in for a little while Friday afternoon. It looked better yesterday, so far today has been kind of rough but I'll still try. Let me know if you might be around.

[redacted]

From: [redacted]
Sent: Thursday, December 09, 2010 3:10 PM
To: [redacted]
Subject: FW: [redacted] Requirements Marking/Handling

[redacted] said that he discussed this process with you and that you approved it already. Can you please give me a thumbs up? They are looking for something official from me and I would feel more comfortable knowing that you are in fact on board. Thanks :)

I hope you're feeling better,

[redacted]

From: [redacted]
Sent: Thursday, December 09, 2010 3:09 PM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted] Requirements Marking/Handling

Hi [redacted]

Here are the 'final' slides adding the [redacted] network access details I verbalized during our call.

We look forward to receiving [redacted] letter agreeing to this approach.

Thanks for the quick turnaround on this!!

[redacted]

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ALL INFORMATION CONTAINED
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DATE 11-01-2012 BY 65179 DMH/MJS

[redacted] Document Delivery - Monthly Status Report PE 11-26-10

[redacted]

Sent: Monday, December 13, 2010 5:30 PM

To: [redacted]

Cc: [redacted]

Attachments: [redacted]

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Hello [redacted]

Please find attached the [redacted] Monthly Status Report for Period Ending 11/26/10.

Contract Letter for this delivery

[redacted]_Monthly_Report_Period-Ending_11-26-10.pdf>>

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Monthly Status Report (PE 11/26/10)

[redacted]_Monthly_Report_Period-Ending_11-26-10.pdf>>

In addition, we are also including in this delivery:

Contract Change Candidates Logs for [redacted]

[redacted] has no change candidates at this time)

[redacted] Contract Change Candidates Log_12-10-10.pdf>> <[redacted] Contract Change Candidates Log_12-10-10.pdf>> [redacted] Contract Change Candidates Log_12-10-10.pdf>>

If you have any questions, please contact [redacted]

[redacted]

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ALL INFORMATION CONTAINED
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DATE 11-01-2012 BY 65179 DMH/MJS

[redacted] Proposals

[redacted]

Sent: Friday, August 06, 2010 11:19 AM
To: [redacted]
Cc:
Attachments: [redacted]

Hello [redacted]

[redacted] is on her way to [redacted] with classified docs to fax your way. You should be hearing from her about 11:45am. She will be faxing the following:

- [redacted] Technical Proposal
- [redacted] Technical Proposal

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We will also be mailing/FedExing the following:

- [redacted] Technical Proposal on CD (classified)
- [redacted] Cost Proposal on CD (unclassified)
- [redacted] Technical Proposal on CD (classified)
- [redacted] Technical Proposal on CD (unclassified)

The [redacted] Cost Proposal will be transmitted next week per our discussion earlier this morning.

Also attached to this email are the [redacted] Cost/Technical proposal and the [redacted] Cost Proposal and associated cover letters. Sorry the cover letters were addressed only to [redacted] is out this week and [redacted] was used to addressing to [redacted]

Let's keep our fingers crossed for the FAX working☺

[redacted]

FW:

FW:

ALL INFORMATION CONTAINED
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DATE 11-01-2012 BY 65179 DMH/MJS

Sent: Thursday, December 16, 2010 10:06 AM
To:
Cc:

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The shows here is not the same as from the old price list. I am going to go ahead and use the old price

From:
Sent: Wednesday, December 15, 2010 5:25 PM
To:
Cc:
Subject: FW:

Hi

will send you this officially tomorrow but I know you need this and I didn't want to delay getting it to you.

is in the process of adding these items to our latest price list. In the meantime, please be advised of the following pricing which is currently in effect and for which we are able to accept orders immediately.

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DESCRIPTION PRICE

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PRICE

MODEL
NUMBER
DESCRIPTION

Regards,

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[redacted]

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From: [redacted]
Sent: Wednesday, December 15, 2010 4:29 PM
To: [redacted]
Subject: FW: [redacted]

FYI

From: [redacted]
Sent: Wednesday, December 15, 2010 4:09 PM
To: [redacted]
Subject: RE: [redacted]

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Hi [redacted]

Here are a few questions we have regarding the price list. Can [redacted] provide pricing on the following items:

1) [redacted] The FBI currently has [redacted] equipment and would like to [redacted] compatible units. This has been done with other [redacted] in the past and we would like to know if this will also be an option under the new price list.

2) [redacted] Under the previous price list [redacted] offered both [redacted]. The new price list only identifies [redacted] be offered if so will there be any change to the pricing from the old list?

Thanks again for your patience - illnesses and scheduling conflicts have caused a few delays but I hope to resolve the price list and a few more action items in the next few days or early next week. I have a meeting set up for tomorrow morning to discuss the price list internally and will let you know if any more questions come up.

I'll be at QT the next 2 days. I now have a dedicated phone line with voice mail should you need to contact me there.

[redacted]

Thanks,

[redacted]

From: [redacted]
Sent: Wednesday, December 15, 2010 2:40 PM
To: [redacted]
Subject: RE [redacted]

Hi [redacted]

Please let me know if you have been able to resolve this issue and/or when you will be able to send the signed letter back to [redacted]

Thanks,

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[redacted]

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FW: [redacted]

From: [redacted]
Sent: Monday, December 06, 2010 1:47 PM
To: [redacted]
Subject: RE: [redacted]

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Hi [redacted]

Let me reach out to the group once more. I know there were some questions that went out to the property unit to clarify some in-house procedures, but I haven't heard back on them. Thanks for your patience.

[redacted]

From: [redacted]
Sent: Monday, December 06, 2010 1:35 PM
To: [redacted]
Cc:
Subject: FW: [redacted]

[redacted]

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Please let me know the status of this request.

Thank you -

[redacted]

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DATE 11-01-2012 BY 65179 DMH/MJS

[redacted]

From: [redacted]
Sent: Tuesday, April 12, 2011 1:36 PM
To: [redacted]
Subject: Fw: Contact Info and Test Plan
Attachments: [redacted] W.Paper.pdf

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[redacted]

Attached you will find the white paper we spoke of earlier. The [redacted] would be for items 2.2.1 Additional [redacted] and [redacted] 2.4. I'm attempting to obtain funding for the other items for this year, but they may have to wait until next FY.

[redacted]

From: [redacted]
To: [redacted]
Cc: [redacted]
Sent: Tue Apr 12 12:12:58 2011
Subject: Contact Info and Test Plan

[redacted]

Here is the contact info you requested:

[redacted]

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Also, would you have time for a conference call sometime this week about the white paper? I have attached it for your convenience. If you desire to try and work some of the [redacted] into the current schedule, we would need direction to do so.
Finally, our schedule has a field test at Quantico around the end of the month. Please let us know who to coordinate that through.

Thanks and congrats!

[redacted]

DECLASSIFIED BY 65179 DMH/MJS
ON 11-01-2012

[redacted]

From: [redacted]
Sent: Wednesday, April 20, 2011 12:23 PM
To: [redacted]
Cc:
Subject: [redacted]

Attachments: [redacted]

~~SECRET~~
RECORD 260A-HQ-1528740

Hi [redacted]

Please find the attached [redacted] I'm putting the CD in the mail today. Please provide an evaluation of the technical aspects, labor category mix, schedule, and overall cost. Also, if you have any questions regarding this documentation please let me know and I will forward these to [redacted] If any alterations are made to this original documentation we need to account for that through my office.

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[redacted]

Thanks for your help and let me know if you have any questions,

[redacted]

[redacted]

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20360420~~
~~SECRET~~

Thanks for your help,

[redacted]

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-01-2012 BY 65179 DMH/MJS

[redacted]

From: [redacted]
Sent: Wednesday, September 15, 2010 11:52 AM
To: [redacted]
Subject: RE: [redacted] Proposals IP

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Hi [redacted]

Per negotiations on 8/31, please add the following information to the IP letter.

[redacted] invested in the baseline protocol structure and design for the data below. The FBI recognizes this assertion of IP rights by [redacted] however, any [redacted] developed under [redacted] that support [redacted] are restricted/controlled by the FBI. Upon prior written authorization from the FBI, may [redacted] use these FBI [redacted] in [redacted] developments and product line."

Thank you for your assistance,

[redacted]

From: [redacted]
Sent: Monday, August 30, 2010 5:35 PM
To: [redacted]
Cc: [redacted]
Subject: [redacted] Proposals IP

[redacted]

Attached is the IP letter containing our rights assertions for intellectual property for the [redacted]

[redacted]

<[redacted] IP assertions.pdf>>

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Thank you,

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[redacted]

ALL INFORMATION CONTAINED
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DATE 11-01-2012 BY 65179 DMH/MJS

[redacted]

From: [redacted]
Sent: Tuesday, October 19, 2010 1:44 PM
To: [redacted]
Cc:
Subject: RE: DHS Funding for [redacted]
Follow Up Flag: Follow up
Flag Status: Red

[redacted]

Thanks very much for the email.

The IAA for the [redacted] was countersigned by the FBI in April and was obligated by [redacted] once that signature was received. Since then, however, FBI has not made any expenditures against it. I was aware that it was going to take some time to get the [redacted] contract going, but generally our IAA funding is IPACed in whole by the receiving agency at the beginning of the effort.

If you intend to pull funds periodically from [redacted] as the PO advances, that should not be an issue. However, the PoP for our IAA expires in August 2011 – so we'll just have to keep an eye on that if you plan to pull funds past that date.

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Best,

[redacted]

From: [redacted]
Sent: Tuesday, October 19, 2010 11:36 AM
To: [redacted]
Cc:
Subject: DHS Funding for [redacted]

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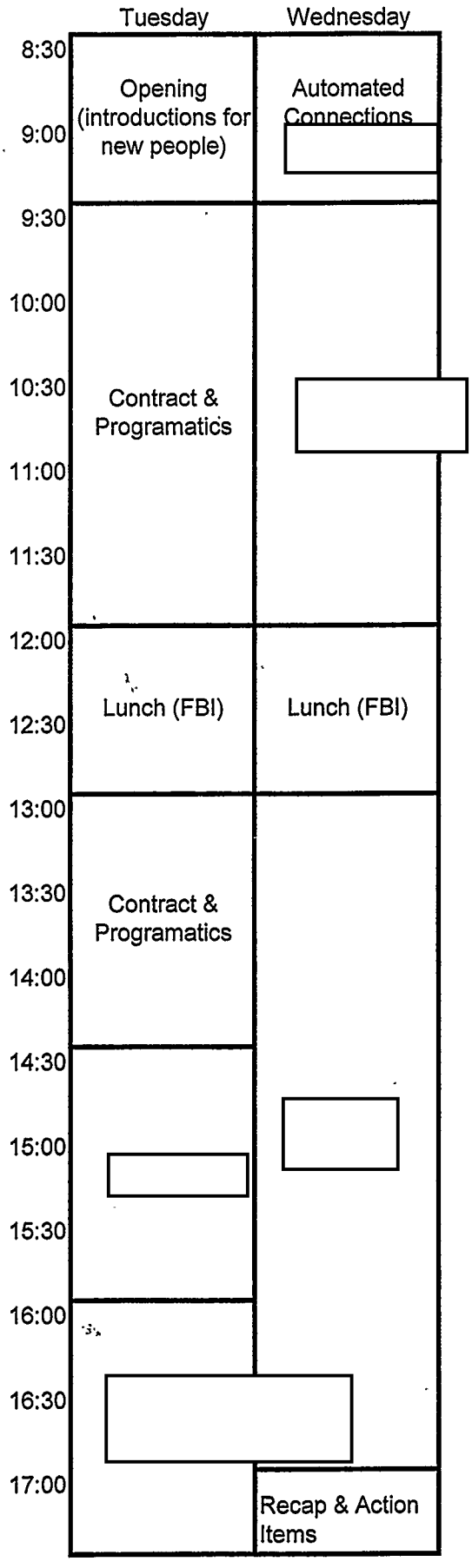
Good Morning [redacted]

I am a Contracting Officer assisting in the administration of the [redacted] Contract with [redacted] I sent a purchase order [redacted] September to fund the [redacted] effort [redacted] this purchase order. To my knowledge, work has begun on this project; however [redacted] has not submitted an invoice to the FBI for work under this PO yet. I believe we should be anticipating an invoice in the near future. Are you in need of any documentation from the FBI regarding the IA? [redacted]

Thank you for your assistance and have a good day,

[redacted]


Tuesday
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17:00
Opening (introductions for new people)
Automated Connections
Contract & Programatics
Lunch (FBI)
Lunch (FBI)
Contract & Programatics
Recap & Action Items

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DATE 11-19-2012 BY 65179 DMH/MJS

"if wasn't what we needed; new direction"

15.506 Postaward debriefing of offerors.

(c) The contracting officer should normally chair any debriefing session held. Individuals who conducted the evaluations shall provide support.

(d) At a minimum, the debriefing information shall include—

(1) The Government's evaluation of the significant weaknesses or deficiencies in the offeror's proposal, if applicable; broad areas

(2) The overall evaluated cost or price (including unit prices) and technical rating, if applicable, of the successful offeror and the debriefed offeror, and past performance information on the debriefed offeror;

(3) The overall ranking of all offerors, when any ranking was developed by the agency during the source selection;

(4) A summary of the rationale for award;

(5) For acquisitions of commercial items, the make and model of the item to be delivered by the successful offeror; and

(6) Reasonable responses to relevant questions about whether source selection procedures contained in the solicitation, applicable regulations, and other applicable authorities were followed.

(e) The debriefing shall not include point-by-point comparisons of the debriefed offeror's proposal with those of other offerors. Moreover, the debriefing shall not reveal any information prohibited from disclosure by 24.202 or exempt from release under the Freedom of Information Act (5 U.S.C. 552) including—

(1) Trade secrets;

(2) Privileged or confidential manufacturing processes and techniques;

(3) Commercial and financial information that is privileged or confidential, including cost breakdowns, profit, indirect cost rates, and similar information; and

(4) The names of individuals providing reference information about an offeror's past performance.

(f) An official summary of the debriefing shall be included in the contract file.

Decision Criteria: Technical, Cost, Time

Technical

- Existing proposed platform has limitations of providing only [redacted] Ability to address [redacted] is critical to [redacted] operations.
- [redacted] to address [redacted] and proposed solution does not address this requirement.
- [redacted]
- The proposed [redacted]

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Wireless Intercept and Tracking Team

Decision Criteria: Technical, Cost, Time

Cost

- [redacted] for [redacted] proposal is not considered cost effective or efficient due to limitations of [redacted] is not cost effective or efficient and fails to enhance capability based on [redacted]

Time

- Delivery schedule of June 2012 to address [redacted] of [redacted] is not suitable to meet the needs of Bureau mission.

- [redacted] shall be in full [redacted] and this development effort is documented to [redacted] Development starts late and FBI not willing to accept this risk.

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WITT
Wireless Intercept and Tracking Team

Decision Criteria: Technical, Cost, Time

- The customer requested [redacted] platforms will require a greater magnitude of cost and technical accommodations to meet customer requirements and [redacted]
- Conclusion: Requirements sent March 10, 2010 with original request. Since that time [redacted] have been identified by government [redacted]

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WITT
Wireless Intercept and Tracking Team

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-01-2012 BY 65179 DMH/MJS

FACSIMILE COVER SHEET

SECURITY OFFICE

ENGINEERING RESEARCH FACILITY

TELEPHONE # [redacted] FAX # [redacted]

CLASSIFICATION: [ ] Top Secret
[X] Secret
[ ] Confidential
[ ] Sensitive
[ ] Unclassified

DATE: 7/12/2010

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TO: [redacted]

Telephone # [redacted]

Facsimile # [redacted]

FROM: [redacted]

SUBJECT: [redacted]

REMARKS:

TOTAL # of PAGES (including cover sheet): 3

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-01-2012 BY 65179 DMH/MJS

[redacted]

From: [redacted]
Sent: Tuesday, February 08, 2011 1:07 PM
To: [redacted]
Subject: FW: [redacted] Access

[redacted]

I don't have a problem with this going forward, but it should be on a per case basis not global as requested. If they are working to get a new employee [redacted] clearance and they sign our NDA, I don't see a problem with them being worked into the team on UNCLASSIFIED work. I would also like to have them report on the employee's status in the weekly status updates. I don't want it to become something they/we forget about over time. I want the [redacted] team to be reminded every week when they report that the new employee should not be given access to our classified information.

If you agree we should respond with an official letter approving this individual, stating it is on a per case basis, and requesting his status be included in the [redacted] weekly reporting.

[redacted]

From: [redacted]
Sent: Tuesday, February 08, 2011 12:17 PM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted] Access

Hi [redacted]

Per our recent conversation I wanted to expand and clarify the below request. We would like to include [redacted] in our daily [redacted] stand up meetings in order to engage him productively in the work of the team and the consensus choices being made each morning about allocating folks to tasks. These meetings have been entirely focused on [redacted] task details and do not broach the subject of [redacted] or other classified material.

Moreover, we would like the discretion to include him, as necessary, in various meetings that include only unclassified content – no exposure to classified program content or [redacted] will be allowed. Please confirm that this is in concert with your security guidelines and can applied on a global basis to other employees/Tasks (i.e. an NDA'd individual without [redacted] clearance can work unclassified aspects of [redacted] Tasks).

Your concurrence in this matter is greatly appreciated.

Thanks,

[redacted]

From: [redacted]
Sent: Wednesday, February 02, 2011 5:36 PM
To: [redacted]
Cc: [redacted]
Subject:

[redacted]

We want to add a talented new masters graduate [redacted] to the [redacted] team who interned the past three summers at [redacted] working on the [redacted] baseline. He

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signed the NDA last week and we are waiting for [redacted] clearance to be granted. His experience with the [redacted] baseline will allow him to hit the ground running on [redacted]

During the interim period before his clearance arrives, [redacted] will work exclusively on [redacted] tasks that can be performed successfully without any knowledge of the [redacted] system [redacted] or any classified information. Specifically, he will focus on the [redacted] baseline, implementing [redacted] as well as working on the [redacted]
Until [redacted] receives his clearance he will only participate in select [redacted] technical discussions and not the regular [redacted] team meetings. He will be supervised in separate meetings conducted by [redacted] our lead [redacted] and [redacted] our lead [redacted]
Would this work arrangement for [redacted] be acceptable to you?

Thanks in advance,

[redacted]

[redacted]

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CELLSITE-10784

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-01-2012 BY 65179 DMH/MJS

From:
Sent: Thursday, February 10, 2011 11:04 AM
To:
Subject: RE: Access

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Long story short. I told that the only way he can get approval is to have the person under background (posses interm SECRET), they sign an NDA and only work UNCLASSIFIED. When I told him that he assumed that meant he only had to accomplish those three things, and not bother to ask permission as well. The criteria is global, not the approval. I'll send an email this afternoon.

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From:
Sent: Thursday, February 10, 2011 10:57 AM
To:
Subject: FW: Access

Hi

I don't understand concerns. Why would he ask for approval for if he thought that this process was approved in December?

Thank you,

From:
Sent: Thursday, February 10, 2011 10:43 AM
To:
Cc:
Subject: RE: Access

Hi

Thank you for approving for access to I must admit I am a bit confused as to why this isn't a global approval. It has been our understating for some time (reiterated with during late June meeting in that individuals working only unclassified aspects of Tasks need only have a signed NDA for access. This was further reiterated in the Requirements Control Process (attached) which you approved 10 December.

We fully appreciate and share the Customer's sensitivity to these projects and endeavor as much as possible to only assign staff with That said there will always be cases where that ideal situation is not possible, where a key resource can make a significant impact on Task progress, and we would like to have the latitude to implement to our agreed processes without the need to gain case by case approvals.

Thank you for your consideration,

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Sent: Thursday, February 10, 2011 8:20 AM
To:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-01-2012 BY 65179 DMH/MJS

From:
Sent: Thursday, February 10, 2011 8:45 AM
To:
Subject: RE: Summary of 2010 Price List Questions and Revisions

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They are already working a new req for and some other I don't know what quantities they are going for, but they are using the new pricing. You should see it by next week.

From:
Sent: Thursday, February 10, 2011 8:39 AM
To:
Cc:
Subject: RE: Summary of 2010 Price List Questions and Revisions

Good Morning

We have finalized our reviews of the revised price list provided by 1/6/11. I will provide a Mod to incorporating this price list. With this modification, I will provide a revised copy of for with the current prices.

I met with my accounting department earlier this week and determined that we cannot adjust our records without the reimbursed funding from I will provide an official letter from the FBI (hopefully by COB today) to provide an official for the Accounting department to provide the reimbursement checks for POs , and as referenced in Letter on 10/15/10.

Thank you,

From:
Sent: Thursday, January 06, 2011 9:33 AM
To:
Cc:
Subject: RE: Summary of 2010 Price List Questions and Revisions

b6
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Hi

Happy New Year – I hope you all had a wonderful holiday.

Please find attached, the latest revised price list. This incorporates the in your item 1 below and deletes the products in your item 4 below.

Regarding item 2, here is what has transpired since the September 2009 price list:

- X
-
- Our cost to has increased and the price was adjusted accordingly

[redacted]

Regarding item 3, we have undergone a simple name change. [redacted] was renamed to [redacted] due to concern that [redacted] This is a name change only and there is no impact to the [redacted] or pricing from last year's price list. There is no [redacted]

Please let me know if you require further clarifications

Regards,

[redacted]

[redacted]

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Sent: Friday, December 17, 2010 1:31 PM
To: [redacted]
Cc:
Subject: Summary of 2010 Price List Questions and Revisions

Good Morning [redacted]

We are reviewing the price list one final time to ensure we have identified all questions or concerns. Please accept the information below as Version 1 of the FBI's Request for Clarification or Changes. I realize some of these repeat; however, I wanted to ensure a clear log was maintained.

[redacted]

Thank you and have a good day,

[redacted]

[redacted]

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DATE 11-01-2012 BY 65179 DMH/MJS

FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION

FACSIMILE COVER SHEET

PRECEDENCE

○ Immediate ○ Priority ○ Routine

CLASSIFICATION

○ Top Secret ○ Secret ○ Confidential ○ Sensitive ○ Unclassified

TO

Name of Office: [redacted]

Facsimile Number: [redacted]

Date: **04/08/2011**

Attn: [redacted]

Room:

Telephone Number: [redacted]

FROM

Name of Office: **FBI -** [redacted]

Number of Pages: (including cover) **2**

Originator's Name: [redacted]

Originator's Telephone Number:

Originator's Facsimile Number:

Approved:

DETAILS

Subject:

Please find attached letter regarding [redacted]

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Special Handling Instructions:

Please sign the attached and fax back to the number above.

Brief Description of Communication Faxed:

Thank you for your assistance and have a good day.

WARNING

Information attached to the cover sheet is U.S. Government Property. If you are not the intended recipient of this information disclosure, reproduction, distribution, or use of this information is prohibited (18.USC, § 641). Please notify the originator or local FBI Office immediately to arrange for proper disposition.

CELLSITE-10788

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HEREIN IS UNCLASSIFIED
DATE 11-01-2012 BY 65179 DMH/MJS

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

8 April 2011

Contract:
Subject: **Delegation of** **NDA**

Good Morning

The Federal Bureau of Investigation has drafted a Non-Disclosure Agreement (NDA) that will be required as previously directed by shall coordinate the signing of these NDAs through the and require this NDA of The NDA is entitled dated 3/24/11.

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If there are any questions please do not hesitate to contact my office.

acknowledgement of and compliance with the above stated policy:

Date

CELLSITE-10789

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

Total Deleted Page(s) = 206
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P.01

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DATE 11-19-2012 BY 65179 DMH/MJS

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted] b3 b7E b6 b7C

Re: [redacted] and Non-Disclosure Obligations

Dear [redacted]

We have been advised by [redacted] of the [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted] b3 b7E

[redacted]

b3
b7E

Assistant Director
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod A
Quantico, Virginia 22135
(703) [redacted]

and

Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, Virginia 22135
(703) [redacted]

The [redacted] acceptance of the above conditions shall be evidenced by the signature below of an authorized representative of [redacted]

b7E

Sincerely,

Marcus C. Thomas
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to th[redacted]

cc: [redacted] Unit Chief, FBI Tracking Technology Unit
[redacted] FBI Office of the General Counsel
[redacted] FBI Office of the General Counsel

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DATE 11-19-2012 BY 65179 DMH/MJS

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

23 December 2011

[redacted]

b3
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Contract: [redacted]
Subject: [redacted] Request

Good Afternoon [redacted]

This Letter provides the official response of the Federal Bureau of Investigation (FBI) regarding

[redacted]

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If there are any questions please do not hesitate to contact my office.

[redacted]

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Contracting Officer
Science and Technology Contracts Unit

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DATE 11-19-2012 BY 65179 DMH/MJS

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		2

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicble)
Mod 8	02/15/11		

6. ISSUED BY	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE
Federal Bureau of Investigation [redacted] 935 Pennsylvania Ave. NW Washington DC, 20535		Same as Item 6.	

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

[redacted]

(X) | 9A. AMENDMENT OF SOLICIATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO.

X [redacted]

10B. DATED (SEE ITEM 11)

09/15/09

CODE	FACILITY CODE

b6
b7C
b3
b7E

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a)By completing items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPIRATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 43.103(a) Bilateral

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

See Page 2 of 2 attached for details concerning addition of: revised price list, IP Assertions Letter, exercising of Option Year 1, and addition of FAR Clause 52.209-9.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

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HEREIN IS UNCLASSIFIED
DATE 11-19-2012 BY 65179 DMH/MJS

SF-30 AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

SF-30 PAGE 2 OF 2

Contract # [redacted] Contract
Awarded: 9/15/09
Mod #: 8
Mod Effective Date: 2/15/11

The purpose of this modification is to incorporate the following documents into the [redacted] Contract [redacted]

- The consolidated price list entitled "[redacted] Pricing List (1-5-11) FINAL" e-mailed by [redacted] CO 1/6/11 at 9:33AM;
- The fully executed Intellectual Property Assertions Lette[redacted] rev.1 e-mailed to [redacted] from CO 2/14/11 at 10:01AM;

This modification also includes the following actions:

- The FBI hereby exercises Option Year 1 of the [redacted] Contract, with a POP of 9/15/10-9/15/11;
- Addition of FAR Clause 52.209-9 "Updates of Publicly Available Information Regarding Responsibility Matters" JAN 2011 into the Contract.

All technical guidance is to come from COTR [redacted] All other terms and conditions of [redacted] Contract apply. All work to be performed in accordance with the Statements of Work. Contractor exceeds funds at own risk.

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DATE 11-19-2012 BY 65179 DMH/MJS

[redacted]

From: [redacted]
Sent: Thursday, February 10, 2011 8:34 AM
To: [redacted]
Subject: FW: Summary of 2010 Price List Questions and Revisions
Attachments: Detailed [redacted]

b3
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[redacted]

Per our phone conversation Tuesday and our discussion on Monday, you are in concurrence with this revised price list from [redacted] is other responses below, and require no further edits to this list. As a result, I will send [redacted] a modification to the contract officially accepting this price list as the revised one for [redacted] Please base all future purchases off this price list.

Thank you,

[redacted]

From: [redacted]
Sent: Thursday, January 06, 2011 9:33 AM
To [redacted]
Cc [redacted]
Subject: RE: Summary of 2010 Price List Questions and Revisions

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H[redacted]

Happy New Year – I hope you all had a wonderful holiday.

Please find attached, the latest revised price list. This incorporates [redacted] in your item 1 below and deletes the products in your item 4 below.

Regarding item 2, here is what has transpired since the September 2009 price list:

- [redacted]

Regarding item 3, [redacted]

[redacted]

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Please let me know if you require further clarifications

Regards,

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-19-2012 BY 65179 DMH/MJS

[redacted]

From: [redacted]
Sent: Thursday, January 06, 2011 9:33 AM
To: [redacted]
Cc:
Subject: RE: Summary of 2010 Price List Questions and Revisions
Follow Up Flag: Follow up
Flag Status: Red
Attachments: Detailed [redacted]

H[redacted]

Happy New Year – I hope you all had a wonderful holiday.

Please find attached, the latest revised price list. This incorporates [redacted] in your item 1 below and deletes the products in your item 4 below.

Regarding item 2, here is what has transpired since the September 2009 price list:

- [redacted]

Regarding item 3 [redacted]

Please let me know if you require further clarifications

Regards,

[redacted]

[redacted]

From: [redacted]
Sent: Friday, December 17, 2010 1:31 PM
To: [redacted]
Cc:
Subject: Summary of 2010 Price List Questions and Revisions

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Good Morning [redacted]

We are reviewing the price list one final time to ensure we have identified all questions or concerns. Please accept the information below as Version 1 of the FBI's Request for Clarification or Changes. I realize some of these repeat; however, I wanted to ensure a clear log was maintained.

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1) The FBI requests the [redacted] and [redacted] from the Original Price List of September 2009 be included in the Revised Price list of 2010. Per E-mail from [redacted] 12/15/10, the prices are as follows:

[redacted]

2) The FBI requests tha[redacted]

[redacted]

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3) The FBI requests tha[redacted]

[redacted]

4) The FBI requests the removal of the following products from the [redacted] Price List for the contract:

[redacted]

Thank you and have a good day,

[redacted]

[redacted]

Contracting Officer
Quantico Contracts Unit
Federal Bureau of Investigation
HQ: (O) 202-[redacted] | (F) [redacted]
QT: (O) 703-[redacted] | (F) [redacted]

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-19-2012 BY 65179 DMH/MJS

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

8 June 2012

[redacted]

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Contract: [redacted]
Subject: Award o[redacted] Task Order

Good Afternoon [redacted]

Enclosed for you records are copies of all award documentation for services required to provide FBI-specific [redacted] Documentation includes a copy of SF-30 Modification awarding and funding the Task Order under [redacted] and Purchase Orde[redacted]

The FBI SOW and [redacted] documentation and test are incorporated into the Contract through this modification. The FBI requests that [redacted] add this course to the [redacted] Price List in the next revision.

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Any questions concerning this matter, please forward to the above address to my attention, e-mail to [redacted]@ic.fbi.gov, or you may call me at 202[redacted]

Sincerely

[redacted]

Contracting Officer
Science and Technology Contracts Unit

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DATE 11-19-2012 BY 65179 DMH/MJS

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AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE OF PAGES
	1 | 1

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicble)
Mod 1	Jun 8, 2012		

6. ISSUED BY	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE
Federal Bureau of Investigation 935 Pennsylvania Ave. NW Washington, DC 20535		Same as Item 6.	

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)	(X)	9A. AMENDMENT OF SOLICIATION NO.
		9B. DATED (SEE ITEM 11)
	X	10A. MODIFICATION OF CONTRACT/ORDER NO.
		10B. DATED (SEE ITEM 13) Jun 8, 2012
CODE / FACILITY CODE		

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11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a)By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPIRATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
☐	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
☐	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
☐	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
☒	D. OTHER (Specify type of modification and authority) FAR 43.103 "Bilateral" and 32.7 "Funding"

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is to award this [redacted] Tasking and provide funding in the amount of [redacted] for the [redacted] over a POP of 6/18/12 - 6/17/13. All [redacted] are to be conducted in accordance with the SOW for the Task, SOW for the Contract, Terms & Conditions of the Contract, and [redacted] proposed [redacted] documentation and test submitted via e-mail 4/27/12 and 5/21/12. COR of record is [redacted] TPOC is [redacted] Contractor exceeds funding at own risk.

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Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
		Contracting Officer	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

CELLSITE-10172

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DATE 11-19-2012 BY 65179 DMH/MJS

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		1

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicble)
Mod 2	10/27/10		

6. ISSUED BY CODE

Federal Bureau of Investigation
935 Pennsylvania Ave. NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) CODE

Same as Item 6.

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

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(X) 9A. AMENDMENT OF SOLICIATION NO.

9B. DATED (SEE ITEM 11)

X 10A. MODIFICATION OF CONTRACT/ORDER NO.

10B. DATED (SEE ITEM 11) 09/15/10

CODE FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

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(a)By completing items 8 and 15, and returning 1 copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPIRATION DATA (If required)

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	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 43.103(a) Bilateral

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is to provide a no cost extension to the POP for the above PO through 6/15/2012 to accommodate the proposed 21-month POP to complete the TO. All terms and conditions of the contract apply and services are to be performed in accordance with the SOW at the direction of the COTR and Task Lead. Contractor exceeds funding at own risk.

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Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
		Contracting Officer	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

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DATE 11-19-2012 BY 65179 DMH/MJS

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

11 April 2012

[redacted]

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Contract: [redacted]
Subject: Responses to [redacted]

Good Afternoon [redacted]

Please accept this letter as the Federal Bureau of Investigation's (FBI) official response to [redacted]

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[redacted] While the FBI has deemed this deliverable "postponed," [redacted] will not be held responsible for delivering the [redacted] within the original Task Order schedule [redacted] shall continue all other efforts as previously agreed to under [redacted] Contract.

[redacted]

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If there are any questions please do not hesitate to contact my office.

Sincerely,

[redacted]

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Contracting Officer
Science and Technology Contracts Unit

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-19-2012 BY 65179 DMH/MJS

FD-369 (Rev. 2-21-89)

FEDERAL BUREAU OF INVESTIGATION

REQUISITION FOR SUPPLIES AND/OR EQUIPMENT

[redacted]

ENTERED EC 5/21/10

Req. #

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May 21, 2010
Date

TTU/1345
Ordering Office/Cost Code

[redacted]
Approved By

Julian Date

Supply Technician: [redacted]
Program Manager:
Funding Approved: 5/15/10
Requester:
COTR:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order #:

FY 2010-R

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS	BIF	UNIT PRICE	TOTAL
1			[redacted]	each	1	[redacted]			

Requisition Description:
Services

Suggested Vendor:
[redacted]

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SPECIAL INSTRUCTIONS:
Ship to Code: [redacted]
Delivery Instructions:
Government's Estimate:
Previous PO #
Previous Contract #

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JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEMS:
see attached EC

CELLSITE-10281

DECLASSIFIED BY 65179 DMH/MJS
ON 11-20-2012

(Rev. 05-01-2008)

~~SECRET~~//NOFORN/20350914

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 09/14/2010

To: Finance **Attn:** [redacted] ERF A226.

From: Operational Technology Division [redacted] Tracking Technology Unit
Contact: [redacted]

Approved By: [redacted]

Drafted By: [redacted]

(U) **Case ID #:** ~~(S)~~(NF) 268-HQ-1068430 ~~-714~~

(U) **Title:** ~~(S)~~(NF) WIRELESS INTERCEPT AND TRACKING TEAM

(U) **Synopsis:** ~~(S)~~(NF) To request finance division initiate a contract action to apply enhancement funding received from [redacted]

~~**Derived From : FBI NSISCG-20090615**~~
~~**Declassify On: 20350716**~~

(U) **Enclosure(s):** ~~(S)~~(NF) FD369.

(U) **Details:** ~~(S)~~(NF) TTU intends to satisfy a critical requirement for providing location and identification systems for investigations that require use of [redacted]

(U) ~~(S)~~(NF) It is requested that the Engineering Contracts Unit initiate contractual action using FBI contract [redacted] with [redacted]

~~SECRET~~//NOFORN/20350914 [redacted] pd

11/5/10

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To: Finance From: Operational Technology Division
Re: (U) ~~(S)~~//NF) 268-HQ-1068430, 09/14/2010

program. Funding in the amount of [redacted] has been provided on FD-369, [redacted] b3 b7E

(U) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] b6 b7C and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

(U) Contracting Officers are responsible for ensuring that [redacted]

[redacted] wpd b3 b7E

CELLSITE-10283

To: Finance From: Operational Technology Division
(U) Re: ~~(S)~~//NF) 268-HQ-1068430, 09/14/2010

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

FOR INFORMATION ONLY

[redacted].wpd b3 b7E

CELLSITE-10284

To: Finance From: Operational Technology Division
(U) Re: ~~(S)~~/NF) 268-HQ-1068430, 09/14/2010

CC: [redacted]

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♦♦

[redacted] wpd

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DATE 11-20-2012 BY 65179 DMH/MJS

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		3

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicble)
Mod 1	09/16/10		

6. ISSUED BY	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE
		Same as Item 6.	

Federal Bureau of Investigation
935 Pennsylvania Ave. NW
Washington, DC 20535

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

(X) 9A. AMENDMENT OF SOLICIATION NO.

9B. DATED (SEE ITEM 11)

X 10A. MODIFICATION OF CONTRACT/ORDER NO.

10B. DATED (SEE ITEM 11) 09/16/10

CODE | FACILITY CODE

b3 b6 b7C b7E

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12. ACCOUNTING AND APPROPIRATION DATA (If required)

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	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 32.7 Funding

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

Please see attached pages for details:

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

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15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
		Contracting Officer	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

CELLSITE-10289

SF-30 AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

SF-30 PAGE 2 OF 3

Purchase Order Number:
Modification # 1
Task Order under

The purpose of this modification is to provide incremental funding in the amount of for services under the Task Order. Period of Performance: 9/14/10-9/14/11. All technical guidance to come from technical lead 703- Services to be performed in accordance with the sow and documents below.

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Documentation Incorporated:
The following documents are hereby incorporated into the SOW for this Task Order under

- FBI Task Order Letter, Statement of Work, and accompanying documents dated 7/13/10;
- FBI technical questions and requests for clarifications submitted 8/26/10;
- dated 9/9/10; Cost Proposal Revision I (9 September 2010), Revised Technical Proposal submitted 9/9/10, and Responses to Government Questions;
- FBI Responses to Conditions and Assumptions (C&As) in Cost Proposal Revision I (9 September 2010):
  - The FBI concurs with the following C&As: 1, 3, 4, 7, 15, 20, 22, 29, 30, 31, 33, 34, and 35;
  - C&A 5 – the FBI shall, to the best of its ability support the response provided in the FBI's Responses to C&As for the e-mailed 9/14/10; however, for the above PO funding sources prevented the FBI from allocating all funding on one PO line does not need to invoice to these lines in any specific order;
  - C&A 11 -
  - Responses for all other C&As shall be those provided in the FBI's Responses to C&As for the asking e-mailed 9/14/10.

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Award Summary:
The FBI the hereby awards this Task Order on the following estimates provided in (9 September 2010)" under the previously agreed up on Cost-Plus Fixed Fee pricing:

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SF-30 AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

SF-30 PAGE 3 OF 3

Purchase Order Number: [redacted]
Modification # 1
[redacted] Task Order under [redacted]

Award Summary (Con):
The Total estimated cost of this Task Order is [redacted] The FBI provides incremental funding through PO [redacted] in the amount of [redacted]

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General:
Terms and conditions are those in effect under the contract. Contractor exceeds funding at own risk. Invoices to be sent to [redacted] COTR.

(U) [redacted] ~~T//NOFORN//20350823~~ [redacted]

(U//FOUO//LES) Responses to [redacted] Proposal Questions

DATE: 11-23-2012
CLASSIFIED BY 65179 DMH/MJS
REASON: 1.4 (c, g)
DECLASSIFY ON: 11-23-2037

(U//FOUO//LES) This document is in response to the Government Questions and Requests for Clarification received 8/26/2010 regarding [redacted] Technical Proposal dated 8/16/2010.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

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(U//FOUO//LES) Question: 12.0 Task Pricing.

(S) [redacted]

(U//FOUO//LES) Question: 14.0 [redacted] summary.

(S) [redacted]

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(U//FOUO//LES) Question: 15.4 [redacted] system subtask 5: manual production.

(S) [redacted]

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(U) [redacted]

(U//FOUO//LES) Question: 16.3 [redacted] system subtask 3 [redacted]

(S) [redacted]

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~~SECRET//NOFORN//20350823~~

DERIVED FM NSISCG-20080301
DECLAS ON 20350629
9 SEP 2010

CELLSITE-10344

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(U//FOUO) **Question:** 1.2.2.3 support is part of not estimated as part of this proposal.

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(U//FOUO//LES) Question: 3.1.2.1

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(U//FOUO//LES) Question: 3.1.3 Verify tha

(S)

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(U//FOUO//LES) Question: 3.2.2.1

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(U//FOUO//LES) Question: 3.3.1.3 Th feature added in this phase includes

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DATE 11-20-2012 BY 65179 DMH/MJS

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

22 March 2011

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Subject: Contract [redacted]
Engineering Change Proposal – [redacted] Task Order

Dea[redacted]

Please find enclosed a copy of the Statements of Work (SOW) for engineering services to provide an enhanced capability to the ongoing [redacted] Task Order under the task previously awarded by the Federal Bureau of Investigation (FBI). This enhancement to the original Task shall be performed in accordance with the subject Contract [redacted] shall provide technical and cost proposals to support this enhancement as set forth in the attached Statement of Work. Because labor rates and similar costs were agreed upon at the award of the contract and Task Order, an extensive Cost Proposal is not anticipated. Estimates of hours per labor category are required at a minimum.

If there are any question regarding this SOW please submit them to my office within the next five (5) business days. It is requested that [redacted] review the enclosed SOW and if the proposed contract vehicle is appropriate, Cost-Plus Fixed Fee (CPFF), a cost and technical proposal should be submitted in accordance with the terms and conditions of the FBI's Contract prior to but no later than April 7, 2010 1:00 PM EST. Proposals may be submitted through fax at one of the numbers below or through unclassified e-mail at [redacted]@ic.fbi.gov.

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Should you have any questions concerning this matter, please contact me at 202[redacted] [redacted] response may be faxed to 202[redacted] secure fax 202[redacted]

[redacted]

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Contracting Officer

Attached: Enhancement to Statement of Work for [redacted] Tasking

DATE: 11-23-2012
CLASSIFIED BY 65179 DMH/MJS
REASON: 1.4 (c, g)
DECLASSIFY ON: 11-23-2037

~~SECRET//20351216~~

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WHERE SHOWN OTHERWISE

FEDERAL BUREAU OF INVESTIGATION

Supplement 1 to [redacted] Task Order

(U) INTRODUCTION

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(S) [redacted]

(U) DESCRIPTION OF REQUIREMENTS

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(S) [redacted]

Derived ~~From~~: NSISCG-20080301
~~Declassify On:~~ 20351216

~~SECRET//20351216~~

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DATE 11-23-2012 BY 65179 DMH/MJS

[redacted] TASKABLE

Effort 1: [redacted]

Definition of [redacted]

- [redacted]

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Behavior requirements:

- [redacted]

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Effort2

- b3 b7E
-

Behavior requirements:

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-
-
-

DECLASSIFIED BY 65179 DMH/MJS
ON 11-20-2012

439

(Rev. 05-01-2008)

~~SECRET~~//NOFORN/20350325

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 03/25/2010

To: Finance **Attn:** [redacted] ERF [redacted]

From: Operational Technology Division
[redacted] Tracking Technology Unit
Contact: [redacted]

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Approved By: [redacted]

Drafted By: [redacted]

(U) **Case ID #:** ~~(S~~//NF) 268-HQ-1068430 — 719

(U) **Title:** ~~(S~~//NF) [redacted] Task

(U) **Synopsis:** ~~(S~~//NF) To request finance division initiate contract modification action for the continued development of [redacted] as specified on the attached statement of work (SOW) to [redacted] using FBI contract [redacted]

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~~**Derived From :** FBI NSISCG-20090615~~
~~**Declassify On:** 20350325~~

(U) **Enclosure(s):** ~~(S~~//NF) Statement of Work and FD369 [redacted].

(U) **Details:** ~~(S~~//NF) TTU intends to satisfy a critical mission requirement [redacted]

[redacted]

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(U) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted]

MT#27173

~~SECRET~~//NORFORN/20350325 [redacted] wpd

UPLOADED
MAR 31 2010
S.D.J.

To: Finance From: Operational Technology Division
(U) Re: ~~(S~~//NF) 268-HQ-1068430, 03/25/2010

[redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions. b6 b7C b3 b7E

(U) Contracting Officers are responsible for ensuring that [redacted]

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DATE 11-20-2012 BY 65179 DMH/MJS

FD-369 (Rev. 2-21-89)

FEDERAL BUREAU OF INVESTIGATION

REQUISITION FOR SUPPLIES AND/OR EQUIPMENT

Page 1 of 1

Req. #

ENTERED 4/14/10 VS

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February 19, 2010
Date

TTU/1845
Ordering Office/Cost Code

Approved By

Julian Date

Supply Technician:
Program Manager:
Funding Approved: 4/14/10
Requester:
COTR:

FY 2010

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order #

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	BI#	UNIT PRICE	TOTAL
1				each	1				
2				each	1				

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Requisition Description:
Engineering Services

Suggested Vendor:

RECEIVED
MAY 03 2010
BY: QCM

SPECIAL INSTRUCTIONS:

Ship to Code:
Delivery Instructions: M-F, 8am-4pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

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JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEMS:

See attached EC

CELLSITE-10379

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UNCLASSIFIED Statement of Work

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FEDERAL BUREAU OF INVESTIGATION

FEDERAL BUREAU OF INVESTIGATION

STATEMENT OF WORK

(U) INTRODUCTION

(U) This statement of work shall provide the vendor with requirements for developing products and conducting research. The following shall provide an overall description and scope of the task set forth in this STATEMENT OF WORK.

(U) BACKGROUND and SCOPE

(U) The Federal Bureau of Investigation (FBI), Operational Technology Division (OTD), Tracking Technology Unit (TTU) has identified requirements to conduct research and to develop technical solutions and products, which provide the FBI with operational capabilities to

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(U) DESCRIPTION AND REQUIREMENTS

(U) TASK DESCRIPTIONS

(U) Specifically, the FBI is tasking the vendor to develop, productize, and deliver products that provide the FBI with

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provide the mentioned capabilities in an effective, efficient, and timely fashion, which provides benefit to the FBI's operational requirements.

(U) SYSTEM DESCRIPTION

(U) Included in the CLASSIFIED SOW is a description of the SYSTEM to be developed and delivered to the FBI that shall satisfy requirements as set forth in the STATEMENT OF WORK. Included are also details of requirements that define functional objectives of the SYSTEM. Functional objectives are defined as the minimum requirements that define "what" functions the SYSTEM shall perform to satisfy the goals and objectives of the development.

(U) DELIVERABLES

(U) The following section provides for a delivery schedule as listed in Table 1 below, as well as details concerning each delivery requirement.

(U) DELIVERY SCHEDULE

ITEM	Time Frame
Monthly Project Status Reports	NLT Five (5) Business Days of each new month upon project inception, to include the following: • Schedules • Financial Status • Overall description of Issues/Concerns
[redacted]	Reoccurring - [redacted]
Testing, Verification, and Demonstration	Testing and Verification shall be performed throughout the development lifecycle as required. A government Acceptance test shall be delivered to the contractor within 180 days after project start.
FINAL SYSTEM Delivery	Pending successful final acceptance testing, NLT than 548 days (1.5 Years) after project start
SYSTEM Training	Ongoing – Provided during delivery of [redacted] Final – Provided to FBI personnel on FINAL SYSTEM Delivery NLT 548 days (1.5 Years) after project inception
SYSTEM Documentation	NLT 30 days after FINAL SYSTEM Delivery

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(U) DELIVERY ITEM DESCRIPTIONS

(U) The following provides **further** descriptions of items described above in Table 1.

- (U) MONTHLY STATUS REPORTING - The vendor shall provide monthly status reporting in electronic and documented format to the FBI, which consists of at minimum information related to labor hours, other direct costs; details of work performed or project status, as well as the identification of any issues that need to be communicated to the FBI. The vendor shall provide a format to the FBI at project inception, and receive concurrence on appropriate format of monthly status reports. Monthly status reports shall describe and reflect that status of developments and deliverables, to include scheduling issues, to enable the FBI to intervene and provide any direction as necessary.

- (U) TESTING, VERIFICATION, AND DEMONSTRATION
  - [redacted] b3 b7E
  - The vendor shall provide, at vendor facilities, for a government "**ACCEPTANCE TEST**", which shall demonstrate system configuration and setup, and all functionality of the SYSTEM, prior to FINAL SYSTEM delivery. The SYSTEM shall be demonstrated as operationally connected, fully functional, end-to-end SYSTEM.

- (U) FINAL SYSTEM DELIVERY – The vendor shall provide delivery of the SYSTEM, which includes the following:
  - SYSTEM shall be operationally able to function, end-to-end.
  - SYSTEM delivery shall include all [redacted] items required to install a fully operational product, to include user manuals and other product related documentation. b3 b7E

- (U) SYSTEM TRAINING – The vendor shall provide training for a limited number of personnel as identified by the FBI on installation and use of the SYSTEM as delivered [redacted] FINAL SYSTEM Training shall be on-site at a remote location determined by the FBI

- (U) SYSTEM Operational Deployment – The vendor shall provide maintenance and troubleshooting support to resolve operational or performance issues as identified by the FBI. This period of support shall be, at a minimum, 1 year (365 days) upon delivery of the FINAL SYSTEM.

- (U) SYSTEM Documentation – The vendor shall deliver, to the FBI, technical documents that describe all components and operations of the SYSTEM. Documentation shall include

descriptions of all applicable [redacted] and related manuals used for setup, operations, and troubleshooting procedures. b3 b7E

(U) OTHER REQUIREMENTS

(U) The following sections shall describe other requirements related to the development and delivery of the SYSTEM described in this STATEMENT OF WORK.

(U) SPACE REQUIREMENTS

(U) Vendor development efforts will be conducted primarily within vendor business spaces. The Vendor shall be afforded access to the primary FBI entity's spaces for meetings, product demonstrations and general interaction with FBI personnel. All contractor access to FBI facilities is contingent on FBI security approval.

(U) OTHER DIRECT COSTS

Materials b3 b7E

(U) Other Direct Costs (ODC's) will be paid in accordance with th[redacted]ontract. The contractor shall purchase the materials needed to support the development addressed under this SOW. All purchases must be approved by the COTR prior to purchase execution. All materials, [redacted] [redacted] purchased as ODC shall be considered Government Furnished Equipment.

(U) GOVERNMENT FURNISHED EQUIPMENT

(U) Vendor shall provide the FBI with a listing of required GFE in response to this SOW.

DATE: 11-20-2012
CLASSIFIED BY 65179 DMH/MJS
REASON: 1.4 (c, g)
DECLASSIFY ON: 11-20-2037

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STATEMENT OF WORK

[redacted]

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FEDERAL BUREAU OF INVESTIGATION

~~Derived From: NSISCG-20080301~~
~~Declassify On: 20351202~~

FEDERAL BUREAU OF INVESTIGATION

STATEMENT OF WORK

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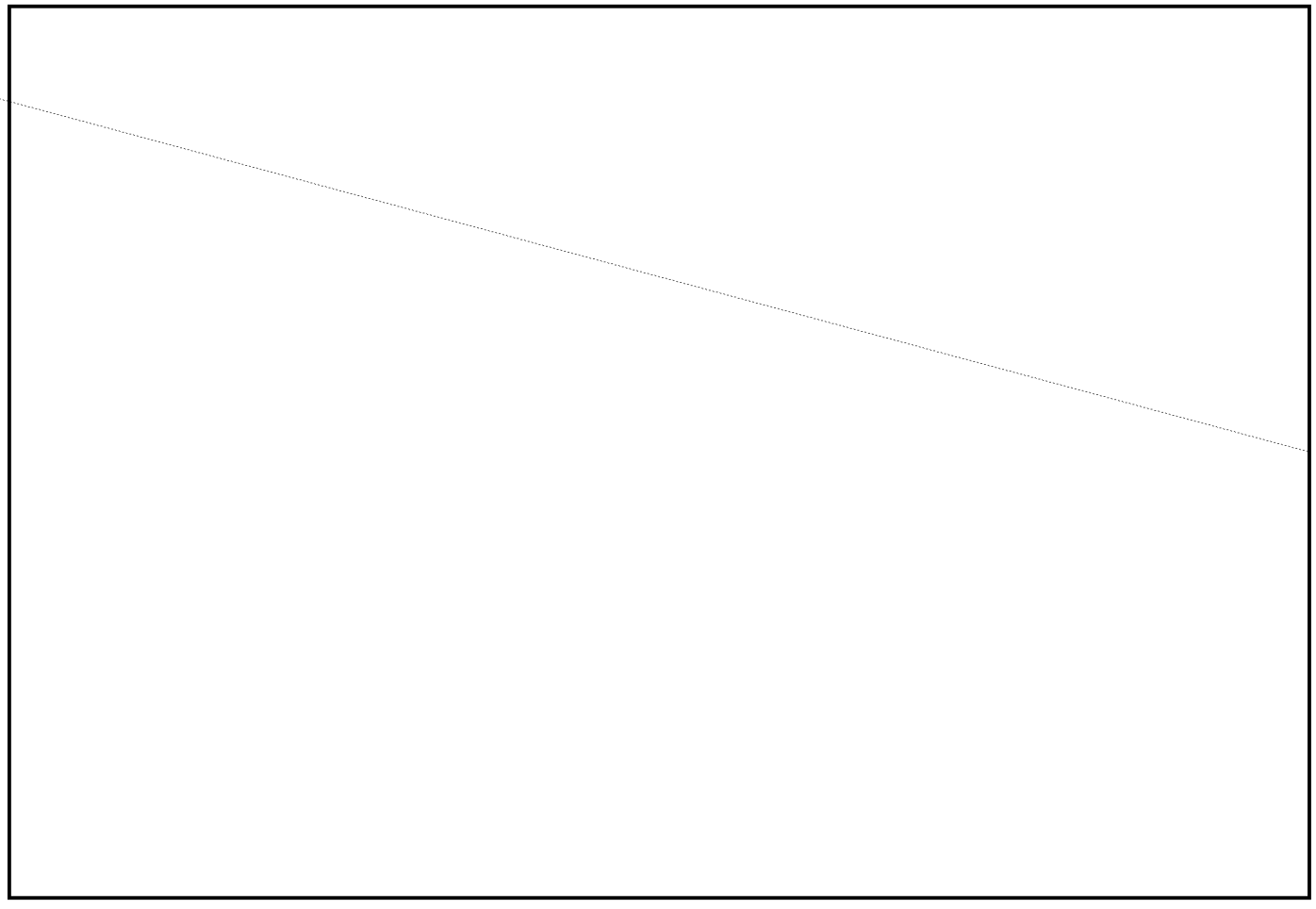

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(S//NF) SYSTEM DESCRIPTION

(U)

(U) The following shall provide a description of the SYSTEM to be developed and delivered to the FBI that shall satisfy requirements as set forth in this STATEMENT OF WORK. Included are also details of requirements that define functional objectives of the SYSTEM. Functional objectives are defined as the minimum requirements that define "what" functions the SYSTEM shall perform to satisfy the goals and objectives of the development.

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(S//NF) Figure 1 depicts a conceptual SYSTEM diagram to highlight desired components. The SYSTEM shall include all resources required to satisfy the requirements defined within the scope of this SOW.

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(U)

Description

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The request for information above and the immediate postponement of testing are intended to aid the FBI in providing concise guidance with sufficient detail. By making these inquiries and determinations during this Phase of testing the FBI intends to minimize revisions and alterations required prior to Phase 3 or Acceptance Testing. Your assistance is greatly appreciated. The FBI will provide additional background and direction as soon as possible.

To minimize the amount time required to fulfill the above effort, please do not hesitate to contact my office with any questions or concerns.

Sincerely,

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Contracting Officer
Science and Technology Contracts Unit

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FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

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Page 23 ~ b3; b4; b7E;
Page 24 ~ b3; b4; b6; b7C; b7E;
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Page 182 ~ Duplicate - Finance-2 p. 136 & following;
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DATE: 11-21-2012
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REASON: 1.4 (c, g)
DECLASSIFY ON: 11-21-2037

~~SECRET~~//20351202

ROUGH ORDER OF MAGNITUDE (ROM) ESTIMATE

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FEDERAL BUREAU OF INVESTIGATION

~~Derived From: NSISCG-20080301~~
~~Declassify On: 20351202~~

~~SECRET~~//20351202

FEDERAL BUREAU OF INVESTIGATION

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~~ROUGH ORDER OF MAGNITUDE ESTIMATE~~

(U) INTRODUCTION

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(U) DESCRIPTION OF REQUIREMENTS

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DATE 11-20-2012 BY 65179 DMH/MJS

[redacted] Meeting Minutes
November 17th 2010

[redacted] Attendees: [redacted] b3 b6 b7C

Customer Attendees [redacted] b7E

Meeting Minutes:

- Customer requested we bring applicable SOWs to future meetings.
- Discussed [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted] b3 b7E
- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]

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Communications Architecture Study

[redacted] b6 b7C

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DATE 11-20-2012 BY 65179 DMH/MJS

[redacted]

From: [redacted]
Sent: Thursday, July 28, 2011 12:10 PM
To: [redacted]
Cc: [redacted]
Subject: [redacted] Phase 3 Rescope Hours

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[redacted]

We thought that providing you development hours (rather than $$) for the current Phase 3 and the [redacted] efforts was the best way to get a quick apples to apples comparison without spending a lot of time trying to give you a detailed menu of each item. When we get agreement on what scope needs to be removed, we can then spend the time to assess the cost impact (if any) and to replan the Phase 3 work.

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The following table lists the development hours for both the [redacted] and current Phase 3 efforts. The good news is that it looks like the [redacted] gets us within [redacted] of the [redacted] hours.

Capability	Development Hours
[redacted]	[redacted]
Phase 3 Efforts	
[redacted]	[redacted]
[redacted]	[redacted]

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DATE 11-20-2012 BY 65179 DMH/MJS

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF PAGES
	1	2

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
Mod 4	Nov 15, 2011		

6. ISSUED BY	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE
Federal Bureau of Investigation Room 6853 935 Pennsylvania Ave. NW Washington, DC 20535		Same as Item 6.	

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

(X)	9A. AMENDMENT OF SOLICIATION NO.
[ ]	9B. DATED (SEE ITEM 11)
[X]	10A. MODIFICATION OF CONTRACT/ORDER NO.
	10B. DATED (SEE ITEM 13) 9/15/2010

b3 b6 b7C b7E

CODE | FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

[ ] The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers [ ] is extended, [ ] is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing items 8 and 15, and returning 1 copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
[ ]	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
[ ]	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
[ ]	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
[X]	D. OTHER (Specify type of modification and authority) FAR 32.7 "Funding" and 43.103 "Bilateral"

E. IMPORTANT: Contractor [ ] is not, [X] is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

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The purpose of this modification is to finalize the funding awarded for the [ ] Task Order and [ ] enhancement sub-tasking under Mod 3. Attached is the calculation of these figures. This revision includes the following final figures: [ ] for the Revised Total Award for the [ ] Task Order; [ ] for the [ ] under [ ] for the [ ] ECP. Prep Costs; and [ ] is identified on the PO for close out and rate adjustments. The total amount on the PO remains unchanged: [ ] No other adjustments are made to the Contract. Contractor exceeds funding at own risk.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

Contract # | **9/15/09**
PO **Dated 8/29/11**

Through this modification, the FBI acknowledges that the costs below include G&A and OH. Calculations regarding revisions to the funding under and the are below and hereby incorporated into the contract. b3 b7E

Revised and Final Calculations

Original Proposal Cost Sept 2010

Revised Cost of = Original Cost -

Revised Services Cost - Sept 2011

ECP Proposal Prep Costs b3 b4 b7E

Revised Total Cost of

FY10 Partial Funding Under

Remaining Funding Required - FY11 or

Reserved or for contract close out and rate changes

Total on

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Original

Original [redacted] Proposal Cost Sept 2010
[redacted] FY11 rates should not affect this total
[redacted] FY11 rates should not affect this total
Revised Cost of [redacted] - Cancellations
Sept Revised [redacted] Services Cost
Revised cost of [redacted]
FY10 Funds
Revised required FY11 funds (w/o [redacted] ECP)
Revised [redacted] ECP Costs (Sept 2011)
[redacted] requested revised full award potential
"savings"

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DATE 11-20-2012 BY 65179 DMH/MJS

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE OF PAGES
[redacted]	1 | 2

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
Mod 3	Aug 31, 2011		

6. ISSUED BY	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE
Federal Bureau of Investigation [redacted] Room 6853 935 Pennsylvania Ave. NW Washington, DC 20535		Same as Item 6.	

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8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)	(X)	9A. AMENDMENT OF SOLICITATION NO.
[redacted]	[ ]	9B. DATED (SEE ITEM 11)
	[X]	10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted]
		10B. DATED (SEE ITEM 13) 9/15/2010
CODE	FACILITY CODE	

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

[ ] The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers [ ] is extended, [ ] is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning 1 copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
[ ]	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
[ ]	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
[ ]	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
[X]	D. OTHER (Specify type of modification and authority) FAR 32.7 "Funding" and 43.103 "Bilateral"

E. IMPORTANT: Contractor [ ] is not, [X] is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is to 1) cancel the requirements for [redacted] 2) award the [redacted] to the [redacted] Task Order under the above Contract with ECP costs contingent up on audit; 3) provide final increment of funding for [redacted] 4) incorporate documentation; and 5) other contractual matters. See attached pages for detailed information.

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Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)
[redacted]	[redacted]
15B. (Signature of person authorized to sign)	15C. DATE SIGNED 6 Sep 2011
	16C. DATE SIGNED 8/31/11

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

CELLSITE-16202

Discussion of Issues ~~SECRET~~ 8/9/11

DATE: 11-21-2012
CLASSIFIED BY 65179 DMH/MJS
REASON: 1.4 (c, g)

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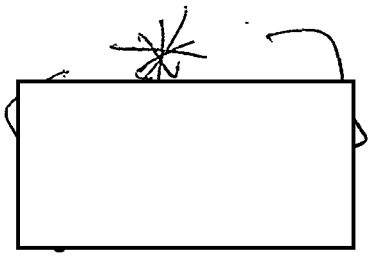

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HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

CELL S[redacted] b6 16203
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~~SECRET~~

Issues all [redacted]

DECLASSIFIED BY 65179 DMH/MJS
ON 11-21-2012

(U) ~~(S//NF)~~ [redacted] Questions

1 • (U) Is this a [redacted]

(U) 2 • ~~(S//NF)~~ Is the [redacted] always running on [redacted] For example, when the system is running a standard [redacted]

3 • (U) Does all [redacted] need to be [redacted]

4 • (U) Do you want the ability to [redacted]

(U) 5 • ~~(S//NF)~~ Do you want support added to the [redacted]

6 • (U) What is the expectation for STSTEM [redacted] This was not included in the origina [redacted] SoW or proposal.

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TRANSMISSION VERIFICATION REPORT

TIME : 08/31/2011 17:28
NAME : QCU
FAX :
TEL :
SER.# :

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DATE,TIME	08/31 17:26
FAX NO./NAME	
DURATION	00:01:31
PAGE(S)	07
RESULT	OK
MODE	STANDARD ECM

FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION
FACSIMILE COVER SHEET

PRECEDENCE

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CLASSIFICATION

○ Top Secret ○ Secret ○ Confidential ○ Sensitive ○ Unclassified

TO

Name of Office:	Facsimile Number:	Date:
		08/31/2011
Attn:	**Room:**	**Telephone Number:**

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FROM

Name of Office:	Number of Pages: (including cover)
FBI - Science and Technology Contracts Unit	7

Originator's Name:	Originator's Telephone Number:	Originator's Facsimile Number:

Approved:

DETAILS

Subject:
Please find attached SF-30 Mod 3, Purchase Order , **and award/audit letter for**

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Special Handling Instructions:
Please sign the attached SF-30 (Mod 3) and fax/scan back for finalization. Note: without signatures, funding is not officially obligated under the Mod/PO.

Brief Description of Communication Faxed:
Thank you for your assistance and have a good day.

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TO

Name of Office:	Facsimile Number:	Date:
		08/31/2011
Attn:	Room:	Telephone Number:

FROM

Name of Office:		Number of Pages: (including cover)
FBI - Science and Technology Contracts Unit		7
Originator's Name:	Originator's Telephone Number:	Originator's Facsimile Number:

Approved:

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DETAILS

Subject:

Please find attached SF-30 Mod 3, Purchase Order and award/audit letter for

Special Handling Instructions:

Please sign the attached SF-30 (Mod 3) and fax/scan back for finalization. Note: without signatures, funding is not officially obligated under the Mod/PO.

Brief Description of Communication Faxed:

Thank you for your assistance and have a good day.

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U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

31 August 2011

[redacted]

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Contract: [redacted]
Subject: [redacted] Tasking – Phase 3 Updates

Good Afternoon [redacted]

The accompanying documentation, SF-30 Mod 3 and Purchase Order [redacted] provide for the award of the [redacted] under the [redacted] Tasking of the [redacted] Contract. This documentation provides the final increment of funding for the [redacted] Task including FY10 shortfalls and the addition of the [redacted] Please provide a signed copy of Mod 3 to officially provide these funds identified through the Mod.

As was discussed in meetings August 9 and 10 of this year, the FBI had contemplated cancelling subtaskings under Phase 3 of this Task Order due to revised priorities within the agency. The award documentation reflects and provides calculations identifying the changing in funding requirements. To finalize these calculations, [redacted] is hereby requested to provide the costs and breakdown of Overhead (OH) and G&A for the each of the 2 subtasks cancelled through the award documentation. In addition, the FBI is withholding the [redacted] ECP preparation costs pending an audit of these figures as they have been deemed excessive. [redacted] is requested to provide a detailed breakdown of all costs incurred to reach the requested ECP preparation costs. Once these two figures have been settled, a supplemental modification will be issued to provide the ECP preparation costs and OH & G&A adjustments.

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Thank you in advance for your assistance with these matters. If there are any questions please do not hesitate to contact my office.

[redacted]

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Contracting Officer
Science and Technology Contracts Unit

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DATE 11-20-2012 BY 65179 DMH/MJS

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE OF PAGES
	1 | 2

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicble)
Mod 3	Aug 31, 2011		

6. ISSUED BY	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE
Federal Bureau of Investigation [redacted] Room 6853 935 Pennsylvania Ave. NW Washington, DC 20535		Same as Item 6.	

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

[redacted]

CODE | FACILITY CODE

(X) 9A. AMENDMENT OF SOLICIATION NO.

9B. DATED (SEE ITEM 11)

(X) 10A. MODIFICATION OF CONTRACT/ORDER NO.

10B. DATED (SEE ITEM 13) 9/15/2010

b3 b6 b7C b7E

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a)By completing items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPIRATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
☐	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
☐	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
☐	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
☒	D. OTHER (Specify type of modification and authority) FAR 32.7 "Funding" and 43.103 "Bilateral"

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

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The purpose of this modification is to 1) cancel the requirements for [redacted] & [redacted] and [redacted] " 2) award the [redacted] to the [redacted] Task Order under the above Contract with ECP costs contingent up on audit; 3) provide final increment of funding for [redacted] 4) incorporate documentation; and 5) other contractual matters. See attached pages for detailed information.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
		[redacted] Contracting Officer	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

b6 b7C

The purpose of this modification is to:

1. Cancel all work for the subtaskings under Phase 3 of the Task Order awarded in September 2010. According to Cost Proposal documentation dated 8/17/2011, these subtaskings are valued at respectively, not including Overhead (OH) and G&A costs. shall provide the costs for the OH and G&A costs for these two subtasks which will be reduced from the total Task Order value;
2. Award the supplement to Task Order in the amount of for services. Award of ECP preparation costs in the amount of are contingent upon an audit of these costs to be conducted as soon as possible;
3. Final increment of funding for the continuation of services under the Tasking, inclusive of the award, in the amount of is provided under this Mod and based on the following calculations:

   Original Proposal Cost Sept 2010

   Revised Cost of = Original Cost of

   Cost of Services for

   Interim Revised Total Cost = Revised Cost of + Cost of Services*
   *Note: Interim Revised Total Cost does not include the addition of ECP preparation Costs or the subtraction of OH/G&A Costs

   Interim Revised Total Cost
   FY10 Partial Funding Under
   Award = Interim Revised Total Cost – FY10 Partial Funding
   ECP Preparation Estimated Costs
   Full Award Potential = Mod 3 Award + Estimated ECP Costs

   Once the figures for the OH/G&A costs have been settled and the ECP Costs have been audited, the Award identified in this Mod 3 will be finalized to include these outstanding figures through a supplemental Mod 4;

4. The following documents are hereby incorporated into the contract: FBI SOW for Supplement 2 to the Task Order dated 8/1/11, questions regarding the ECP Request dated 8/11/11, and FBI Responses to questions dated 8/15/11, and Cost and Technical Proposals for the dated 8/17/11;
5. All work is to be performed in accordance with the SOWs for the Tasking, SOW for the Contract, and all T&C of the Contract. Period of Performance for the Task Order remains June 2012. Technical guidance is to come from COTR, . Invoice to COTR. Contractor exceeds funding at own risk.

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10-27-2004

FEDERAL BUREAU OF INVESTIGATION

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CLASSIFICATION

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TO

Name of Office:	Facsimile Number:	Date:
		08/01/2011

Attn:			Room:	Telephone Number:

FROM

Name of Office:	Number of Pages: (including cover)
FBI - Science and Technology Contracts Unit	**6**

Originator's Name:	Originator's Telephone Number:	Originator's Facsimile Number:

Approved:

DETAILS

Subject:

Please find attached Task Order Letter [redacted] Supplement #2 SOW and Task Order Letter - for the [redacted] Contract [redacted]

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Special Handling Instructions:

Please confirm receipt - sign this page and fax to the UNCLASS fax # above [redacted]

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Brief Description of Communication Faxed:

Task Order Letter and the Fax Cover are Unclassified; [redacted] Supplement SOW is ~~Secret~~. Thank you for your assistance and have a good day.

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8/1/11

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CLASSIFICATION

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TO

Name of Office:	Facsimile Number:	Date:
[redacted]	[redacted]	08/01/2011
Attn: [redacted]	Room: [redacted]	Telephone Number: [redacted]

FROM

Name of Office:	Number of Pages: (including cover)
FBI - Science and Technology Contracts Unit	6
Originator's Name: [redacted]	Originator's Telephone Number: [redacted] / Originator's Facsimile Number: [redacted]

Approved:

DETAILS

Subject:
Please find attached Task Order Letter - [redacted] Supplement #2 SOW and Task Order Letter - for the [redacted] Contract [redacted]

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Special Handling Instructions:
Please confirm receipt - sign this page and fax to the UNCLASS fax # above (x[redacted]).

[redacted] 8/1/11

Brief Description of Communication Faxed:
Task Order Letter and the Fax Cover are Unclassified; [redacted] Supplement SOW is ~~Secret~~. Thank you for your assistance and have a good day.

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CLASSIFIED BY 65179 DMH/MJS
REASON: 1.4 (c, g)
DECLASSIFY ON: 11-21-2037

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WHERE SHOWN OTHERWISE

Supplement 2 to [redacted] Task Order

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Statement of Work

FEDERAL BUREAU OF INVESTIGATION

~~Derived From: NSISCG-20080301~~
~~Declassify On: 20360726~~

FEDERAL BUREAU OF INVESTIGATION

Supplement 2 to [redacted] Task Order

Statement of Work

(U) INTRODUCTION

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(U) This purpose of this paper is to provide the vendor with a statement of work that describes additional requirements for conducting engineering services of products outlined in the Statement of Work of the original [redacted] Task Order. The following shall provide an overall description of the additional requirements not addressed in the original Statement of Work in the [redacted] Task Order, awarded in September 2010.

(U) DESCRIPTION OF REQUIREMENTS

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(S)

(S)

[redacted]

(S)

(U) DELIVERABLES

(U) ~~(S//NF)~~ The following section provides for a delivery schedule as listed in Table 2 below, as well as details concerning each delivery requirement.

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~~(S//NF)~~ DELIVERY SCHEDULE

(U)

(U)

ITEM	Time Frame and Description
Status Reports	~~(S//NF)~~ As specified in original
ystem	~~(S//NF)~~ As specified in original
Testing, Verification, and Demonstration	~~(S//NF)~~ As specified in original
FINAL SYSTEM Delivery	~~(S//NF)~~ As specified in the original
SYSTEM Training	~~(S//NF)~~ As specified in the original
SYSTEM Documentation	~~(S//NF)~~ As specified in the original

(U) ~~(S//NF)~~ **Table 2: Delivery Schedule**

(U) OTHER REQUIREMENTS

(U) ~~(S//NF)~~ The following sections shall describe other requirements related to the enhancement and delivery of this requirement for [redacted] architecture described in this Statement of Work

(U) SPACE REQUIREMENTS

(U) See original SOW.

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(U) OTHER DIRECT COSTS

(U) ~~(S//NF)~~ Vendor shall provide the FBI with costs for equipment, to include all [redacted] required for the development and delivery of the task outlined in this task order and associated costs for major components in the Phase III development of the original [redacted] Task Order. The Vendor shall use equipment previously purchased under the [redacted] Contract before considering the purchase of new equipment.

(U) GOVERNMENT FURNISHED EQUIPMENT

(U) See original SOW.

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[redacted] [redacted]

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18 August 2011

In Reply Please Refer to [redacted]

935 Pennsylvania Ave. N.W.
JEH Bldg Room 6853
Washington, D.C. 20535

Attention: [redacted] Contracting Officer

Subject: [redacted] IDIQ – [redacted] Task 16 (PC[redacted]) ECP

Reference: (a[redacted] IDIQ Contract Nc[redacted]
(b) Letter Received 22 March 2011 subject "*Engineering Change Proposal* – [redacted] *Task Order*".
(c) Letter [redacted] dated 7 April 2011
(d) Items Received 1 August 2011
(1) Task Order ECP request entitled: '[redacted]
(2) E-mail entitled: [redacted] *Supplement # 2- Task Order ECP Request*"
(3) Related SOW
(e) Email dated 17 August 2011 approving request for 2 day extension to submit ECP

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Attachments: (a) Cost Proposal
(b) Technical Proposal

Dear [redacted]

[redacted] is pleased to submit the attached ECP for the [redacted] Task Order in response to your request dated 22 March 2011. If you have any questions please contact [redacted] at [redacted] or the undersigned at [redacted]

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Very Respectfully,

[redacted]

[redacted]

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RE: Clarification on Weekly Status Reports and Risk Impact Documents

b3 b6 b7C b7E

Sent: Thursday, February 24, 2011 2:32 PM
To:
Cc:

Hi

passed your email to me since, as Project Engineer on I share schedule and risk management responsibility with the Program Manager. I wanted to prepare thoughtful responses - which took a bit longer than anticipated - for each question. The responses are indicated in your email below.

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-----Original Message-----
From:
Sent: Wednesday, February 09, 2011 5:37 PM
To:
Cc:
Subject: Clarification on Weekly Status Reports and Risk Impact Documents

b3 b6 b7C b7E

Hi

As much as I wanted to be at the last MSR, I had previously scheduled OCONUS trip and other projects that prevented me from attending. As I was reviewing the weekly status report and other related documents that passed to me, I'd like to seek some clarification on the following points:

Q1 Weekly Status Report:
Please explain the 2-4 week schedule slip and provide updated copy of project schedule / gant chart.

A1 Response:
This bullet in the weekly status report was meant as a heads up due to the longer than anticipated process of defining and getting the U//FOUO/LES System requirements out of the secure area. We are currently in the process of re-estimating our Phase 1 development effort (based on the defined system requirements) and updating our schedule to confirm a May release of the Phase 1 Once the schedule is updated, we will provide an updated project schedule.

Q2 Risk and Impact:
For each item, please address what measures were taken to mitigate the impact. The probability of impact has not changed since the document was first delivered to FBI team in early December. We would like to see the current status and progress of the mitigation. Specifically for the following items:

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A2 Response:

First, some general comments about the [redacted] risk process (based on [redacted] procedure). The risks were identified during the development of the [redacted] proposal last August and are reflective of what was known as well as recognizing what was unknown at the time. The types of the [redacted] risks identified don't lend themselves to mitigation plans prepared in advance. This is because the risks reflect information that won't be obtainable and actionable until the subject work [redacted] is carried out. Consequently, these risks indicate only an estimated impact to address them. Risks remain listed per [redacted] procedure until they are completely retired; however, the probability of realizing a risk should be adjusted - raised or lowered - as new information bearing on the risk becomes available. In [redacted] case, only the [redacted] risk has work in progress now [redacted] that will be generating information we can use to reassess that risk. As the study proceeds, it should allow us to lower the risk probability in the next few weeks and retire this risk entirely by the end of March. b3 b7E

Q3 1. Status update. Phase 1 should be close to [redacted] stage. Please update us on the progress made on testing plan.

Response:
On [redacted] we have adopted an incremental development process. [redacted] b3 b7E

The specific identified risk is that testing [redacted] that Phase 1 and Phase 2 releases are required to support proves to be more complex than expected. The [redacted] have yet to be developed so the risk cannot yet be evaluated. The [redacted] will likely become a development task spread over March and April development iterations. Risk updates following [redacted]. The ultimate risk retirement date of December, 2011 is based on an expectation that testing with a [redacted] has been in progress long enough to have confidence in its effectiveness as a test tool.

Q4 2. In the Communication Infrastructure Study document communicated to us in November 2010, there was not an indication that none of the [redacted] will be suitable to cover all the data and security need. The [redacted] is an inherent modification that has to be done to any generic [redacted] We simply do not understand the risk here.

Response:
The study completed in November was the [redacted] Communications Architecture Study whose purpose was to [redacted] b3 b7E

[redacted]

We've certainly learned more since the [redacted] was prepared and the initial architecture study gives us more confidence in the use of an [redacted]. Nonetheless, we think it prudent to carry the risk until the [redacted] trade study is completed.

Q5

3. What is the cause of the unreliability? Is it purely [redacted] What is the measure of reliability in your determination?

Response:
The [redacted]

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Q6

[redacted]

testing with the [redacted] testing. We will consult with you to determine how to address any additional scope represented in identifying/addressing an appropriate [redacted] risk factor.

End of responses...

I look forward to seeing the clarification to understand the documents better. Thanks!

[redacted]

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Task #16 /PO Schedule Delay Detail, Impact and Recommendations

Synopsis

In recent weekly report submittals, has identified a schedule slip on Phase I of the program. The amount of delay was originally estimated at 3 to 4 weeks. After extensive analysis, it has been determined that the slip is actually 2 weeks. Initial examination had revealed that this impact could be absorbed without affecting the Phase I cost. However, after further review it is believed that the cost impact for this part of the program will incur approximately of additional cost, which represents two weeks of Phase I In order to avoid impact to the overall program schedule, is recommending overtime and/or additional resources to make up the schedule. This Phase I increase will not impact the negotiated cost of the overall program. A detailed explanation is provided below.

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The following paragraphs document the reason for the slip, actions taken to date, and suggested actions going forward.

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Schedule Slip explanation

During the first iteration of two weeks cumulative team hours were devoted by most of the team to work through the following issues:

1.
2. The result led to a larger sampling than originally budgeted thus costing about 20 man days more effort than planned.
3. The required unanticipated prototyping to choose a suitable that worked within the system. were evaluated and were prototyped. This took about more effort than planned.
4. Installation of the new took a to complete than planned. The and were to take advantage of three key features of
   a.
   b.
   c.

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possible ik

Actions Taken To Date

In order to reduce the impact of the above issues, the program team has analyzed the Phase I objectives and the requirements assigned to meet those objectives. The results of that analysis showed that some of the requirements were excessive in meeting the objectives and some were really Phase II requirements. Those requirements not specifically needed to meet Phase I objectives were either moved to Phase II or, as applicable, put on a list for future consideration. The remaining requirements meet all the objectives for the Phase I deliverable [ ] system. More details follow.

Phase I functionality requires [ ] was also not required to meet Phase I objectives. These requirements were moved to Phase II.

The [ ] was always intended to be simple. During requirements allocation, the [ ] took on more features than necessary to [ ] system. The [ ] scope has been clarified thus reducing the hours required for implementation.

The ability to [ ] was not required though it would be a nice feature. The capability to [ ] as previously demonstrated in the prototype.

[ ] was moved to Phase II as it was not part of the prototype and did not contribute to meeting Phase I objectives.

Updated versions of the Phase I requirement documents have been submitted to the customer for review. These documents include the [ ] System Requirements and [ ] System Requirements.

Suggested Actions Going Forward

The projected shortfall for Phase I is approximately [ ] Several options are available to fund this shortfall without impacting the overall program.

Phase I still has management reserve in the amount of [ ] There is a about two months left so that money could be allocated to the [ ] effort. However, system test and demonstration are still looming and the potential challenges are still unknown. Recommend leaving the [ ] in MR for now.

[ ] was allocated to purchase [ ] equipment. All of that equipment has now been provided as GFE. These funds could be allocated to the development effort.

Recommend the Government permit [ ] to move the [ ] allocated to [ ] product procurement to the Phase I and II development efforts. [ ] would be allocated to Phase I [ ] The remaining [ ] would be allocated to Phase II management reserve as a contingency for future risks.

[ ]

CELLSITE-16229

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[redacted]

[redacted]

1 April 2011

In Reply Please Refer to: [redacted]

[redacted]

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935 Pennsylvania Ave. N.W.
JEH Bldg Room 6853
Washington, D.C. 20535

Attention: [redacted] Contracting Officer

Subject: [redacted] Task #16/ Purchase Order: [redacted]

Reference: [redacted] IDIQ Contract No [redacted]

Dear [redacted]

The attached report details some delays that have been identified in relation to the [redacted] Task, the subsequent impact and our recommended path forward.

Should you have any questions, please contact [redacted] or the undersigned at [redacted]

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Regards,

[redacted]

[redacted]

[redacted]

CELLSITE-16230

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DATE 11-20-2012 BY 65179 DMH/MJS

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

12 January 2012

[redacted]

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Contract: [redacted]
Subject: Postponement of [redacted] Testing

Good Afternoon [redacted]

As a result of internal discussions and collaboration at the Federal Bureau of Investigation (FBI), it has been determined that the strategies and testing of [redacted] As a result [redacted] is hereby informed and directed to postpone any and all testing of the [redacted] It is the intention of the FBI to continue with these efforts at the earliest possible date; however, strategies must first be updated internally to ensure clear direction can be provided to all projects affected.

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To assist the FBI in completing these discussions and determinations more efficiently, [redacted] is requested to provide the following information. This information is for research and strategic discussions only and shall not be interpreted as a rough order of magnitude or request for engineering change proposal. All efforts shall be taken to minimize time spent to generate this information.

- For the following, please provide the potential cost and schedule impacts. This assessment is meant to be informal and approximate in nature.
  - [redacted]
  - Impact to [redacted] Task Order of rescheduling Phase 2 testing until mid-February 2012
- Provide a systematic description of the process by which [redacted] intends to conduct testing for [redacted] Phase 2, including [redacted] Process must be repeatable and verifiable. For each test iteration, please describe the following:
  - [redacted]
  - [redacted] examples include: [redacted]

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- [redacted]
- [redacted]
- [redacted]
- What is the plan to process the test data after the tests have been concluded?

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The request for information above and the immediate postponement of testing are intended to aid the FBI in providing concise guidance with sufficient detail. By making these inquiries and determinations during this Phase of testing the FBI intends to minimize revisions and alterations required prior to Phase 3 or Acceptance Testing. Your assistance is greatly appreciated. The FBI will provide additional background and direction as soon as possible.

To minimize the amount time required to fulfill the above effort, please do not hesitate to contact my office with any questions or concerns.

[redacted]
Contracting Officer
Science and Technology Contracts Unit

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ALL INFORMATION CONTAINED
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DATE 11-21-2012 BY 65179 DMH/MJS

Agenda

1/17/12

1. Arrive at [redacted] at 12:00 PM
   a. [redacted]
   b. [redacted]
2. Setup equipment
   a. [redacted]
   b. [redacted]
   c. [redacted]
   d. [redacted]
3. Perform Testing
   a. [redacted]
      i. [redacted]
      ii. [redacted]
      iii. [redacted]
   b. [redacted]
      i. [redacted]
      ii. [redacted]

b3
b7E

1/18/12

1. Perform Testing
   a. [redacted]
      i. [redacted]
      ii. [redacted]
      iii. [redacted]
   b. [redacted]
      i. [redacted]
      ii. [redacted]
2. Pack up equipment and return to [redacted]

PAGE 1 OF RECEIPT NUMBER 23040 | 18-AUG-2011

CLASSIFIED DOCUMENT RECEIPT SENT: 18-AUG-2011

TO: FBI-ERF
BUILDING 27958A
QUANTICO, VA 22135-0000

[redacted]

Registered/Certificate#: [redacted]

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DATE 11-21-2012 BY 65179 DMH/MJS

FROM: [redacted]

[redacted]

Orig/Dept.: [redacted]

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LAN# CLASSIFICATION

COPY#/
#COPIES DOCUMENT DATE DESCRIPTION OF DOCUMENT (U)

2011-06481 S SUPPLEMENT 2 TO [redacted] TASK ORDER
17-AUG-2011

~~LAST~~ ITEM ~~NOTHING FOLL~~OWS

[redacted]

CLASSIFIED MATERIAL IS HEREBY ACKNOWLEDGED AND FULL
FOR HANDLING IN ACCORDANCE WITH CURRENT SECURITY REGULATIONS.

8/23/11
(DATE)

[redacted]

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(TYPE OR PRINT NAME) (RANK OR JOB TITLE)

TO AVOID TRACER ACTION, PLEASE SIGN AND IMMEDIATELY RETURN ONE COMPLETE COPY TO THE ADDRESS LISTED ABOVE OR FAX A SIGNED COPY TO [redacted]

CELLSITE-16236

********** - COMM. JOURNAL- **********

FAX MODE = TRANSMISSION
COM MODE = 408 ASYNCHRONOUS COMPRESSED PROTOCOL
PAGES = 9

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****

Faxed 8/26/10 @ 13:02 EST

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FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION
FACSIMILE COVER SHEET

PRECEDENCE

○ Immediate ☒ Priority ○ Routine

CLASSIFICATION

○ Top Secret ☒ Secret ○ Confidential ○ Sensitive ○ Unclassified

TO

Name of Office:	Facsimile Number:	Date:
		08/26/2010
Attn:	Room:	Telephone Number:

FROM

Name of Office:	Number of Pages: (including cover)
FBI - Science and Technology Contracts Unit	9

Originator's Name:	Originator's Telephone Number:	Originator's Facsimile Number:
		(unclass)

~~Approved:~~ COTR Via

DETAILS

Subject:

Technical Questions for: **Proposals for Task Orders under**

b3
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b7E

b3
b7E

Special Handling Instructions:

Please confirm receipt of documentation: in Security and in

Please sign this unclassified fax cover + fax back to # above.

Brief Description of Communication Faxed:

Thank you for your assistance and have a good day.

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rec 26 Aug 2010

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DATE 11-20-2012 BY 65179 DMH/MJS

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

26 August 2010

[redacted]

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Contract: [redacted]
Subject: Request for Clarification on [redacted]
Task Order Proposals

Enclosed please find the FBI's responses to [redacted] Technical and/or Cost proposals for the [redacted] Task Orders to be performed under the above Contract. Please review and prepare responds or for discussion to any questions or requests for clarifications regarding the Cost and Technical Proposals for next week.

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b7E

This proposed tasking is intended as a Cost-Plus Fixed Fee requirement and as such, in accordance with the previously agreed upon terms and conditions of this contract, revise the Cost documentation to reflect a 10% fee structure. All Terms and Conditions under the Contract [redacted] are unchanged and binding for all subsequent actions, including this intended Tasking.

To reduce administrative burdens, please make necessary changes to those affected pages and provide them for replacement in original documentation.

If I can be of further assistance with this effort you may contact me at [redacted]

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[redacted]

Sincerely,

[redacted]
Contracting Officer

unclassified

FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION

FACSIMILE COVER SHEET

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CLASSIFICATION

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TO

Name of Office: | Facsimile Number: | Date: **07/13/2010**

Attn: **Security Office for** | Room: | Telephone Number:

FROM

Name of Office: **FBI - Quantico Contracts Unit** | Number of Pages: (including cover) **30**

Originator's Name: | Originator's Telephone Number: | Originator's Facsimile Number:

Approved:

DETAILS

Subject:

Task Order Letters for **Please confirm receipt of the documents by signing the cover page and confirming page numbers. ***ALL DOCUMENTATION TO GO TO** **

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PAGES = 11

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DATE 11-20-2012 BY 65179 DMH/MJS

****

cover + [redacted] SOW

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7/13/10
@ 1:30 - 2:30 pm

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DATE 11-20-2012 BY 65179 DMH/MJS

FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION
FACSIMILE COVER SHEET

PRECEDENCE

○ Immediate ○ Priority ○ Routine

CLASSIFICATION

○ Top Secret ◉ Secret ○ Confidential ○ Sensitive ○ Unclassified

TO

Name of Office:	Facsimile Number:	Date:
		07/13/2010
Attn: Security Office for	Room:	Telephone Number:

FROM

Name of Office:		Number of Pages: (including cover)
FBI - Quantico Contracts Unit		30
Originator's Name:	Originator's Telephone Number:	Originator's Facsimile Number:

Approved:

DETAILS

Subject:
Task Order Letters for **Please confirm receipt of the documents by signing the cover page and confirming page numbers. ***ALL DOCUMENTATION TO GO TO** ***

Special Handling Instructions:
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13 July 2010

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DATE 11-20-2012 BY 65179 DMH/MJS

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

13 July 2010

[redacted]

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Subject: Contract [redacted]

Dear [redacted]

Please find enclosed a copy of the Statements of Work (SOW) for engineering services developed by the Federal Bureau of Investigation (FBI).

The FBI is interested in obtaining a proposal for this task to be performed in accordance with the subject Contract. Contractor shall provide technical and cost proposals to support tasking as set forth in the Statement of Work.

If there are any question regarding this SOW please submit them to my office within the next five (5) business days.

It is therefore requested that your company review the enclosed SOW and if the proposed contract vehicle is appropriate, Cost-Plus Fixed Fee (CPFF), a cost and technical proposal should be submitted in accordance with the terms and conditions of the FBI's Contract prior to but no later than August 2, 2010 1:00 PM EST. Unclassified proposals maybe email to [redacted]

Should you have any questions concerning this matter, please contact me at [redacted] [redacted] response may be faxed to [redacted] secure fax [redacted]

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[redacted]

Sincerely,

[redacted]

Contracting Officer

Attached: Statement of Work for [redacted] Tasking

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FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

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[redacted]

THE HIGHEST CLASSIFICATION CONTAINED HEREIN IS:

DATE [redacted]

OFA

SECURE FAX HEADER SHEET

TO [redacted]

FROM: [redacted]

UNCLASSIFIED SUBJECT/COMMENTS: [redacted]

THIS FAX CONSISTS OF HEADER + 2 PAGES.

PLEASE SIGN THE DOCUMENT RECEIPT BELOW AND FAX BACK TO EITHER NUMBER ABOVE TO AVOID TRACER ACTION. THANK YOU.

(Printed Name) *(Signature)* *(Date)*

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CELLSITE-19939

[redacted]

[redacted]

UNCLASSIFIED

HARRIS CORPORATION

[redacted]

[redacted]

1 August 2011

In Reply Please Refer to [redacted]

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DATE 11-30-2012 BY 65179 DMH/STW

935 Pennsylvania Ave. N.W.
JEH Bldg Room 6853
Washington, D.C. 20535

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Attention:

Subject:

Reference:

Attachments:

[redacted]

Dear [redacted]

Attached please find the questions relating to the above referenced request. Your written responses are requested by [redacted]

For technical questions please contact [redacted]
or contact the undersigned at [redacted]

Very truly yours,

[redacted]

Contracts

UNCLASSIFIED

[redacted]

CELLSITE-19940

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TO:

FROM:

UNCLASSIFIED SUBJECT/COMMENTS:

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8/11/11
(Date)

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********** -COMM. JOURNAL- ********** DATE AUG-11-2011 ***** TIME 15:53 ********

MODE = MEMORY TRANSMISSION START=AUG-11 15:52 END=AUG-11 15:53

FILE NO.=485

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	#	[redacted]	001/001	00:00:17

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[redacted]

********** - - ***** - [redacted] *********

[redacted]

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TO: [redacted]

FROM: [redacted]

UNCLASSIFIED SUBJECT/COMMENTS: [redacted]

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[redacted] 8/11/11 (Date)

HEREIN IS:

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DECLASSIFIED BY 65179 DMH/SIW
ON 12-03-2012

To: FBI Contracts, Attn: [redacted]

From: [redacted]

Subject [redacted]

DATE: [redacted]

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~~Derived from DD-254-20100708~~
~~Declassify On: 20350708~~

FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION
FACSIMILE COVER SHEET

DECLASSIFIED BY 65179 DMH/STW
ON 12-03-2012

PRECEDENCE

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CLASSIFICATION

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TO

Name of Office:

Facsimile Number:

Date: **08/15/2011**

Room:

Telephone Number:

FROM

Name of Office: **FBI - Science and Technology Contracts Unit**

Number of Pages: (including cover) **2**

Originator's Name:

Originator's Telephone Number:

Originator's Facsimile Number:

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DETAILS

Subject:

Please find attached FBI answers to [redacted] questions for enhancement under existing [redacted]

Special Handling Instructions:

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[redacted] 8/15/11

Brief Description of Communication Faxed:

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FAXES

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****

DECLASSIFIED BY 65179 DMH/STW
ON 01-08-2013

[redacted]

From: [redacted]
Sent: Thursday, January 06, 2011 6:12 PM
To: [redacted]
Cc:
Subject: [redacted] on 12/22/2010

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~~SECRET~~//NOFORN
RECORD 268-HQ-1068430

[redacted]

As promised, here is [redacted] Same group of people attended the call.

[redacted]

[redacted]

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From: [redacted]
Sent: Tuesday, December 21, 2010 2:10 PM
To: [redacted]
Cc:
Subject: [redacted] Call on 12/20/2010

~~SECRET~~//NOFORN
RECORD 268-HQ-1068430

[redacted]

During the [redacted] and I discussed the following issues I had in the [redacted]

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[redacted]

I'll provide you with [redacted] happens on tomorrow.

-[redacted]

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20351221~~
~~SECRET//NOFORN~~

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20351221~~
~~SECRET//NOFORN~~

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE OF PAGES
	1 1

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
Mod 2	Jun 13, 2012		

6. ISSUED BY	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE
Federal Bureau of Investigation, [redacted] Room 6853 935 Pennsylvania Ave. NW Washington, DC 20535		Same as Item 6.	

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 12-01-2012 BY 65179 DMH/SIW

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)	(X)	9A. AMENDMENT OF SOLICIATION NO.
[redacted]	[ ]	9B. DATED (See Item 11)
	[X]	10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted]
		10B. DATED (See Item 13) 9/22/2011

CODE	FACILITY CODE

b3 b4 b6 b7C b7E

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

[ ] The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers [ ] is extended, [ ] is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
[ ]	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
[ ]	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
[ ]	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
[X]	D. OTHER (Specify type of modification and authority) FAR 32.7 "Funding" and 43.103 "Bilateral"

E. IMPORTANT: Contractor [ ] is not, [X] is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	15B.	15C. DATE SIGNED
[redacted]		6/14/12

16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	16B.	16C. DATE SIGNED
[redacted]		6/13/12

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

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DATE 12-01-2012 BY 65179 DMH/STW

[redacted]

********** - ***** - [redacted] **********

06/13/2012 15:24 [redacted] STCU PAGE 01/01

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
Mod 2	Jun 13, 2012		

1. CONTRACT ID CODE [redacted] PAGE 1 OF PAGES 1

6. ISSUED BY CODE

Federal Bureau of Investigation
[redacted]
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) CODE

Same as Item 6.

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

[redacted]

(X) 9A. AMENDMENT OF SOLICITATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted]

[X] 10B. DATED (SEE ITEM 13) 9/22/2011

CODE FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer ☐ is extended, ☐ is not extended.

Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE

☐ A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.

☐ B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).

☐ C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:

[X] D. Other (Specify type of modification and authority)
FAR 32.7 "Funding" and 43.103 "Bilateral"

E. IMPORTANT: Contractor ☐ is not, [X] is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

[redacted]

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)

[redacted]

15B. DATE SIGNED 6/14/12

16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)

[redacted]

16B. DATE SIGNED 6/13/12

Previous edition unusable

STANDARD FORM 30 (Rev. 10-83) Prescribed by GSA FAR (48 CFR) 53.243

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CELLSITE-19952

TRANSMISSION VERIFICATION REPORT

TIME : 06/13/2012 15:18
NAME : STCU
FAX :
TEL :
SER. # :

DATE,TIME	06/13 15:17
FAX NO./NAME	
DURATION	
PAGE(S)	04
RESULT	OK
MODE	STANDARD ECM

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12-01-2012 BY 65179 DMH/STW

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AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)	CONTRACT ID CODE / PAGE OF PAGES
Mod 2	Jun 13, 2012			1 of 1

6. ISSUED BY — CODE

Federal Bureau of Investigation
Room 6853
935 Pennsylvania Ave. NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) — CODE

Same as Item 6.

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

(X) 9A. AMENDMENT OF SOLICITATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO.

X 10B. DATED (SEE ITEM 13) 9/22/2011

CODE — FACILITY CODE

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☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
☐	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
☐	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
☐	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 32.7 "Funding" and 43.103 "Bilateral"

CELLSITE-19953

1 copies to the issuing office

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-30-2012 BY 65179 DMH/STW

[redacted]

From: [redacted]
Sent: Monday, September 26, 2011 4:06 PM
To: [redacted]
Cc:
Subject: RE: Award of [redacted]

Yes

From: [redacted]
Sent: Monday, September 26, 2011 4:04 PM
To: [redacted]
Subject: Re: Award of [redacted]

[redacted]

Are you going to act as the TPOC for this task?

Sent from [redacted] iPhone

On Sep 22, 2011, at 17:00, [redacted] wrote:

> Good Afternoon,
>
> Please find [redacted]
>
> Also attached is [redacted]
>
> Let me know if you have any questions, [redacted]
>
> [redacted]
> Contracting Officer
> Federal Bureau of Investigation
> [redacted]

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-30-2012 BY 65179 DMH/STW

[redacted]

THE HIGHEST CLASSIFICATION CONTAINED HEREIN IS:

DATE [redacted]

OFA

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SECURE FAX HEADER SHEET

TO: [redacted]

FROM: [redacted]

UNCLASSIFIED SUBJECT/COMMENTS: [redacted]

THIS FAX CONSISTS OF HEADER + 13 PAGES.

PLEASE SIGN THE DOCUMENT RECEIPT BELOW AND FAX BACK TO EITHER NUMBER ABOVE TO AVOID TRACER ACTION. THANK YOU.

(Printed Name) (Signature) (Date)

THE HIGHEST CLASSIFICATION CONTAINED HEREIN IS: Unclassified/LES

THIS HEADER SHEET IS UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-30-2012 BY 65179 DMH/STW

[redacted]

THE HIGHEST CLASSIFICATION CONTAINED HEREIN IS:

DATE [redacted]

OFA

SECURE FAX HEADER SHEET

[redacted]

FROM: [redacted]

UNCLASSIFIED SUBJECT/COMMENTS [redacted]

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b7E

THIS FAX CONSISTS OF HEADER + 19 PAGES.

PLEASE SIGN THE DOCUMENT RECEIPT BELOW AND FAX BACK TO EITHER NUMBER ABOVE TO AVOID TRACER ACTION. THANK YOU.

[redacted]

THE HIGHEST CLASSIFICATION CONTAINED HEREIN IS:

THIS HEADER SHEET IS UNCLASSIFIED

[redacted]

[redacted]

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-30-2012 BY 65179 DMH/STW

6 September 2011

In Reply Please Refer to: [redacted]

935 Pennsylvania Ave. N.W.
JEH Bldg Room 6853
Washington, D.C. 20535

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Attention: [redacted]

Subject:

Reference:

Attachments:

[redacted]

Dear [redacted]

[redacted] is pleased to submit the attached [redacted] in response to your [redacted] If you have any questions please contact [redacted]

[redacted]

Very Respectfully,

[redacted]

[redacted] TE-20030

Code Name: [redacted]

STATEMENT OF WORK

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12-01-2012 BY 65179 DMH/SIW

8/26/11 @ 2 pm D

[redacted] Program

Task Order 1

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1 (U//LES) SCOPE

1.1 (U//LES) Task Overview

[redacted]

1.2 (U) Task Deliverables

- (U) Weekly Status Report (See Section 3.3)
- (U) System Demonstration at contractor facility (See Section 3.2)
- (U) Final Technical Summary Report (See Section 3.2)
- (U) [redacted]

1.3 (U//LES) Sub Task 1

(U) The vendor shall perform analysis, modeling, and testing to verify the capability of [redacted] This requirement shall include the following:

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[redacted]

d) **(U)** The work performed in this task shall include engineering and prototyping mechanical housings to result in the integration of electrical and mechanical improvements into a single package.

[redacted]

Revisions done out 8/29/11

1.4 (U//LES) Sub Task 2

(U//LES) The vendor shall produce a prototype [redacted] that demonstrates [redacted] This requirement shall include:

a) [redacted]

b) [redacted]

c) **(U)** The performance specifications of developments under this task shall be in accordance with [redacted] standards. b3 b7E

1.5 (U//LES) Sub Task 3

(U//LES) [redacted]

a) [redacted]

b) [redacted]

c) [redacted]

2 (U//LES) Sub Task Milestones and Requirements

2.1 (U//LES) Sub Task Milestones

- (U) The initial kick off meeting shall be held no later than 30 days after contract award.
- (U//LES) The vendor shall conduct a demonstration of the [redacted] to the COTR and approved government attendees. The vendor shall deliver a full report of the conduct of the test with a future mitigation/milestone plan based on the test results and follow on work to productize. Testing shall be conducted no later than 2 weeks prior to the end of the period of performance. b3 b7E
- (U//LES) The vendor shall deliver to the COTR a report of analysis, modeling and testing that verifies the capability of the [redacted] to support [redacted] This report shall not be an assemblage of power point slides, although their use in support of written narrative is acceptable. This report shall be due at the end of the period of performance.
- (U) Transition of deliverables shall be coordinated with the COTR at the end of the period of performance.

CELLSITE-20050

2.2 (U) Sub Task Requirements

- (U) The vendor shall provide personnel with the requisite knowledge, technical background and skills to successfully complete the tasks described in this SOW. These qualities shall include but are not limited to:
  - [redacted]

3 (U) Requirements

3.1 Security Standards and Regulations

(U) Refer to [redacted] Statement of Work section 2.3 for guidance. b3 b7E

(U) SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

3.2 (U) Contractor Furnished Documentation

(U) Final report of analysis, modeling and testing (as described in Section 2)
(U) Refer to [redacted] Statement of Work section 2.6 for any additional documentation not explicitly stated in this SOW.

3.3 (U) Status Reporting

(U) Refer to [redacted] Statement of Work Section 3.3 for guidance

3.4 (U) Formal Meetings

(U) Refer to [redacted] Statement of Work Section 3.4 for guidance

CELLSITE-20051

3.5 (U) Government Furnished Equipment

(U) The government does not anticipate the need for any Government Furnished Equipment on this task. However, if the additional purchase of equipment is required the vendor shall obtain written authorization from the government Contracting Officer prior to any individual purchase equal to or exceeding $50,000.00. The Contracting Officer may lower or raise the $50,000.00 threshold at his/her discretion. If the CO and COTR approve such a purchase the item shall become property of the government, and as such will be maintained in accordance to currently existing property accountability procedures. The COTR will determine final disposition of any such items at the end of the period of performance of this task.

3.6 (U) Period of Performance

(U) The vendor shall propose the most efficient and cost effective schedule to complete this requirement for government consideration. All deliverables and milestones are expected to be proposed at their specified date in the above deliverable / milestone schedule or otherwise adjusted by the vendor and justified. Based on the needs of the government and complexity of the requirement, the government recommends a period no longer than 12 months. This recommended period includes 90 days to allow for review, preparation and submission of deliverables and closeout activities by government personnel.

3.7 (U) Place of Performance

(U) The vendor shall perform all work under this task at the vendor's facilities. Therefore the government expects no travel charges.

4 (U) Contact Information

4.1 (U) Government Points of Contact

- Contracting Officer
  [redacted]
  Federal Bureau of Investigation
  Headquarters; Room 6853
  935 Pennsylvania Ave. NW
  Washington, DC 20535
  [redacted]

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- Contracting Officer's Technical Representative
  [redacted]
  ERF Bldg 27958A
  Quantico, VA 22135
  [redacted]

CELLSITE-20052

Interagency Agreement [redacted] Distribution

[redacted]

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 01-08-2013 BY 65179 DMH/STW

Sent: Wednesday, September 14, 2011 5:26 PM

To:

Cc:

Attachments: [redacted]

Good Afternoon, b5

Please find attached the final, executed version of our interagency agreement [redacted] b6
[redacted] Feel free to contact me if you have b7C
any questions.

Thanks,

[redacted]

Contract Specialist
Office of Procurement Operations
U.S. Department of Homeland Security

[redacted]

TRANSMISSION VERIFICATION REPORT

TIME : 03/04/2011 15:56
NAME : QCU
FAX :
TEL :
SER. # : [redacted]

DATE, TIME	03/04 15:55
FAX NO./NAME	[redacted]
DURATION	00:00:23
PAGE(S)	01
RESULT	OK
MODE	STANDARD ECM

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12-01-2012 BY 65179 DMH/SIW

FEB-15-2011 11:24 [redacted] [redacted] P.02

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AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE 1 OF PAGES 2

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
Mod 8	02/15/11		

6. ISSUED BY CODE
Federal Bureau of Investigation
[redacted] Room G859
935 Pennsylvania Ave. NW
Washington DC, 20535

7. ADMINISTERED BY (If other than Item 6) CODE
Same as Item 5.

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)
[redacted]

(X) 9A. AMENDMENT OF SOLICITATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO.
X [redacted]

10B. DATED (SEE ITEM 13)
09/15/09

CODE FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

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IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE
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- C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
- X D. OTHER (Specify type of modification and authority)
FAR 43.103(a) Bilateral

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

[redacted]

CELLSITE-20054

********** -COMM. JOURNAL- ********** DATE SEP-12-2011 ***** TIME 17:42 ********

MODE = MEMORY TRANSMISSION START=SEP-12 17:41 END=SEP-12 17:42

FILE NO.=529

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	#	[redacted]	001/001	00:00:16

[redacted] -

********** - - ***** - [redacted] *********

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12-01-2012 BY 65179 DMH/STW

[redacted]

THE HIGHEST CLASSIFICATION CONTAINED HEREIN IS: U/LES

DAT[redacted]

OF[redacted]

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SECURE FAX HEADER SHEET

TO: [redacted]

FROM: [redacted]

UNCLASSIFIED SUBJECT/COMMENTS: [redacted]

THIS FAX CONSISTS OF HEADER + 15 PAGES.

PLEASE SIGN THE DOCUMENT RECEIPT BELOW AND FAX BACK TO EITHER NUMBER ABOVE TO AVOID TRACER ACTION. THANK YOU.

[redacted] 9/12/11
(Date)

THE HIGHEST CLASSIFICATION CONTAINED HEREIN IS: U/LES

THIS HEADER SHEET IS UNCLASSIFIED [redacted]

CELLSITE-20055

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12-01-2012 BY 65179 DMH/STW

[redacted]

THE HIGHEST CLASSIFICATION CONTAINED HEREIN IS: U/LES

DATE [redacted]

OFA

SECURE FAX HEADER SHEET

TO: [redacted]

FROM: [redacted]

UNCLASSIFIED SUBJECT/COMMENTS: [redacted]

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THIS FAX CONSISTS OF HEADER + 15 PAGES.

PLEASE SIGN THE DOCUMENT RECEIPT BELOW AND FAX BACK TO EITHER NUMBER ABOVE TO AVOID TRACER ACTION. THANK YOU.

[redacted] 9/12/11 (Date)

HEREIN IS: U/LES

THIS HEADER SHEET IS UNCLASSIFIED

CELLSITE-20056

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12-01-2012 BY 65179 DMH/STW

FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION

FACSIMILE COVER SHEET

PRECEDENCE

○ Immediate ○ Priority ○ Routine

CLASSIFICATION

○ Top Secret ○ Secret ○ Confidential ◉ Sensitive ○ Unclassified

TO [redacted]

Facsimile Number: [redacted]

Date: **09/01/2011**

[redacted]

Attn: [redacted]

Room:

Telephone Number: [redacted]

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FROM

Name of Office:
FBI - Science and Technology Contracts Unit

Number of Pages: (including cover)

Originator's Name: [redacted]

Originator's Telephone Number: [redacted]

Originator's Facsimile Number: [redacted]

Approved:

DETAILS

Subject:
Please find attached the revised [redacted] originally faxed 8/19/11 under the [redacted]

Special Handling Instructions:
Please confirm receipt - sign this page and fax to the UNCLASS fax # above [redacted]

Brief Description of Communication Faxed:
The letter and the Fax Cover are Unclassified; [redacted] **Thank you for your assistance and have a good day.**

WARNING

Information attached to the cover sheet is U.S. Government Property. If you are not the intended recipient of this information disclosure, reproduction, distribution, or use of this information is prohibited (18.USC, § 641). Please notify the originator or local FBI Office immediately to arrange for proper disposition.

Received 9/01/11 5 pages plus 1 Lead.

[redacted]

********** - COMM. JOURNAL- **********

FAX MODE = TRANSMISSION
COM MODE = 408 ASYNCHRONOUS COMPRESSED PROTOCOL
PAGES = 6

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12-01-2012 BY 65179 DMH/STW

****

FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION
FACSIMILE COVER SHEET

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12-01-2012 BY 65179 DMH/STW

PRECEDENCE

○ Immediate ○ Priority ○ Routine

CLASSIFICATION

○ Top Secret ○ Secret ○ Confidential ◉ Sensitive ○ Unclassified

TO

Name of Office:	Facsimile Number:	Date:
		09/01/2011
Attn:	Room:	Telephone Number:

FROM

Name of Office:	Number of Pages: (including cover)
FBI - Science and Technology Contracts Unit	6

Originator's Name:	Originator's Telephone Number:	Originator's Facsimile Number:

Approved:

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b6
b7C
b7E

DETAILS

Subject:

Please find attached the revised [redacted] originally faxed 8/19/11 under the [redacted]

Special Handling Instructions:

Please confirm receipt - sign this page and fax to the UNCLASS fax # above [redacted]

Brief Description of Communication Faxed:

The letter and the Fax Cover are Unclassified [redacted] Thank you for your assistance and have a good day.

WARNING

Information attached to the cover sheet is U.S. Government Property. If you are not the intended recipient of this information disclosure, reproduction, distribution, or use of this information is prohibited (18.USC, § 641). Please notify the originator or local FBI Office immediately to arrange for proper disposition.

CELLSITE-20074

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12-01-2012 BY 65179 DMH/STW

FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION

FACSIMILE COVER SHEET

PRECEDENCE

○ Immediate ○ Priority ○ Routine

CLASSIFICATION

○ Top Secret ○ Secret ○ Confidential ◉ Sensitive ○ Unclassified

TO

[redacted]

Facsimile Number: [redacted]

Date: **08/19/2011**

Room: [redacted]

Telephone Number: [redacted]

b3
b6
b7C
b7E

Name of Office:
FBI - Science and Technology Contracts Unit

Number of Pages: (including cover)
6

Originator's Name: [redacted]

Originator's Telephone Number: [redacted]

Originator's Facsimile Number: [redacted]

Approved:

DETAILS

Subject:
Please find attached [redacted]

Special Handling Instructions:
Please confirm receipt - sign this page and fax to the UNCLASS fax # above [redacted]

Received all pages (6) [redacted]

Brief Description of Communication Faxed:
The letter and the Fax Cover are Unclassified; [redacted] **Thank you for your assistance and have a good day.**

WARNING

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CELLSITE-20080

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12-01-2012 BY 65179 DMH/STW

FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION

FACSIMILE COVER SHEET

PRECEDENCE

○ Immediate ○ Priority ○ Routine

CLASSIFICATION

○ Top Secret ○ Secret ○ Confidential ◉ Sensitive ○ Unclassified

TO

Name of Office:

Facsimile Number:

Date: **08/19/2011**

Room:

Telephone Number:

FROM

Name of Office:
FBI - Science and Technology Contracts Unit

Number of Pages: (including cover)
6

Originator's Name:

Originator's Telephone Number:

Originator's Facsimile Number:

Approved:

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DETAILS

Subject:
Please find attached

Special Handling Instructions:
Please confirm receipt - sign this page and fax to the UNCLASS fax # above

Brief Description of Communication Faxed:
The letter and the Fax Cover are Unclassified; Thank you for your assistance and have a good day.

WARNING

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Success R/R faxed 8/19/11 @ 12:55PM

CELLSITE-20081

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12-01-2012 BY 65179 DMH/STW

From:
Sent: Thursday, September 22, 2011 4:58 PM
To:
Cc:
Subject: Award o under
Attachments:

b3
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b7E

Good Afternoon,

Please find attached Please sign the SF 30 and return back for full execution.

Also attached

Let me know if you have any questions,

Contracting Officer
Federal Bureau of Investigation,

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE OF PAGES
	1 | 1

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicble)
	Sep 22, 2011		

6. ISSUED BY CODE

Federal Bureau of Investigation
Room 6853
935 Pennsylvania Ave. NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) CODE

Same as Item 6.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-30-2012 BY 65179 DMH/SIW

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

(X) 9A. AMENDMENT OF SOLICIATION NO.

☐ 9B. DATED (SEE ITEM 11)

☒ 10A. MODIFICATION OF CONTRACT/ORDER NO.

10B. DATED (SEE ITEM 13)

Sep 15, 2009

CODE FACILITY CODE

b3
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b7E

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPIRATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
☐	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
☒	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
☐	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
☐	D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor ☒ is not, ☐ is required to sign this document and return _____ copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)

15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16C. DATE SIGNED
(Signature of person authorized to sign)		9/22/11

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

CELLSITE-20089

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE OF PAGES
	1 1

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
[redacted]	Sep 21, 2011		

6. ISSUED BY CODE

Federal Bureau of Investigation
[redacted] Room 6853
935 Pennsylvania Ave. NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) CODE

Same as Item 6.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12-01-2012 BY 65179 DMH/STW

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

[redacted]

CODE FACILITY CODE

(X) 9A. AMENDMENT OF SOLICITATION NO.

9B. DATED (SEE ITEM 11)

(X) 10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted]

10B. DATED (SEE ITEM 13) 9/16/2011

b3
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b7C
b7E

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

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12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
☐	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
☐	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
☐	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
☒	D. OTHER (Specify type of modification and authority) FAR 43.103 "Bilateral"

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

[redacted]

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)

[redacted]

15B. [redacted]

15C. DATE SIGNED 22 Sept 2011

16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)

[redacted]

16B. [redacted]

16C. DATE SIGNED 9/21/11

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA
FAR (48 CFR) 53.243

CELLSITE-20090

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE OF PAGES
	1 | 1

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
[redacted]	Sep 21, 2011		

6. ISSUED BY CODE

Federal Bureau of Investigation
[redacted]
Room 6853
935 Pennsylvania Ave. NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) CODE

Same as Item 6.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 12-01-2012 BY 65179 DMH/STW

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

[redacted]

(X) 9A. AMENDMENT OF SOLICITATION NO.

[ ]

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO.

[X] [redacted]

10B. DATED (SEE ITEM 13)

9/15/2010

CODE FACILITY CODE

b4 b6 b7C

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

[ ] The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers [ ] is extended, [ ] is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning 1 copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE

[ ] A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.

[ ] B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).

[ ] C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:

[X] D. OTHER (Specify type of modification and authority)
FAR 43.103 "Bilateral" & RFP-E010347 Section I.7 "Option to Extend"

E. IMPORTANT: Contractor [ ] is not, [X] is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)
[redacted]	[redacted]
15B. [redacted] (Signature of person authorized to sign)	15C. DATE SIGNED 9/22/2011
[redacted]	16C. DATE SIGNED 9/21/11

NSN 7540-01-152-8 Previous edition un

STANDARD FORM 30 (REV. 10-83) Prescribed by GSA FAR (48 CFR) 53.243

CELLSITE-20091

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-30-2012 BY 65179 DMH/STW

ORIGINAL

FEDERAL BUREAU OF INVESTIGATION

REQUISITION FOR SUPPLIES AND/OR EQUIPMENT

Page _____ of _____

Req. #

9/16/11
Date

TTU
Ordering Office

b3
b4
b6
b7C
b7E

Supply Technician:
Program Manager:
Funding Approved
COTR:
Room # & Ext:

11-R

Contract Specialist:
Date Received
PPMS Approval:
Purchase Order #

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	BI#	UNIT PRICE	TOTAL
			Engineering Services	EA	1				

SPECIAL INSTRUCTIONS:
Ship to Code:
Delivery Restrictions:
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEMS:
See attached

See Instructions on Reverse

CELLSITE-20092

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-30-2012 BY 65179 DMH/STW

(Rev. 05-01-2008)

UNCLASSIFIED//FOR OFFICIAL USE ONLY/LAW ENFORCEMENT SENSITIVE

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE Date: 09/06/2011

To: Finance Attn:

From: Operational Technology Division,
Tracking Technology Unit
Contact:

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430-180

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: (U//FOUO/LES)

Enclosure(s): (U//FOUO/LES) Requistion and Statement of Work.

Details: (U//FOUO/LES)

(U//FOUO/LES)

b3
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UNCLASSIFIED//FOR OFFICIAL USE ONLY/LAW ENFORCEMENT SENSITIVE

To: Finance From: Operational Technology Division, [redacted]
[redacted] Tracking Technology Unit
Re: [redacted]30, 09/06/2011

b6
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b7E

(U//FOUO/LES) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and he can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

(U) Contracting Officers are responsible for ensuring that [redacted]

CELLSITE-20094

To: Finance From: Operational Technology Division, [redacted]
[redacted] Tracking Technology Unit
Re: 268-HQ-1068430, 09/06/2011

LEAD(s):

Set Lead 1: (Info)

FINANCE

AT WASHINGTON, DC

For information only.

CC: [redacted]

♦♦

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CELLSITE-20095

TRANSMISSION VERIFICATION REPORT

TIME : 06/18/2012 15:06
NAME : SIOU
FAX :
TEL :
SER. # :

DATE, TIME	06/18 15:05	
FAX NO./NAME		
DURATION	00:01:01	
PAGE(S)	04	
RESULT	OK	ALL INFORMATION CONTAINED
MODE	STANDARD ECM	HEREIN IS UNCLASSIFIED DATE 12-01-2012 BY 65179 DMH/STW

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b7E

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE OF PAGES
	1 | 1

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
	6/18/2012		

6. ISSUED BY CODE	7. ADMINISTERED BY (If other than Item 6) CODE
Federal Bureau of Investigation Room 6853 935 Pennsylvania Ave. NW Washington, DC 20535	Same as Item 6.

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)	(X)	9A. AMENDMENT OF SOLICITATION NO.
		9B. DATED (SEE ITEM 11)
	X	10A. MODIFICATION OF CONTRACT/ORDER NO.
CODE FACILITY CODE		10B. DATED (SEE ITEM 13) 9/15/2009

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

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12. ACCOUNTING AND APPROPRIATION DATA (If required)

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☐	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 43.103 "Bilateral"

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

CELLSITE-20110

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12-03-2012 BY 65179 DMH/STW

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE OF PAGES
	1 | 1

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
	6/18/2012		

6. ISSUED BY CODE

Federal Bureau of Investigation
Room 6853
935 Pennsylvania Ave. NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) CODE

Same as Item 6.

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

(X)	9A. AMENDMENT OF SOLICIATION NO.
☐	9B. DATED (SEE ITEM 11)
☒	10A. MODIFICATION OF CONTRACT/ORDER NO.
	10B. DATED (SEE ITEM 13) 9/15/2009

CODE FACILITY CODE

b3
b4
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b7C
b7E

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

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Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)
Contracts Manager	Contracting Officer
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED
(Signature of person authorized to sign)	
16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of Contracting Officer)	

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

Total Deleted Page(s) = 49
Page 2 ~ b3; b5; b6; b7C; b7E;
Page 3 ~ b3; b5; b6; b7C; b7E;
Page 4 ~ b1; b3; b5; b6; b7C; b7E;
Page 6 ~ b1; b3; b5; b6; b7C; b7E;
Page 7 ~ b3; b5; b6; b7C; b7E;
Page 10 ~ b3; b5; b6; b7C; b7E;
Page 19 ~ b1; b3; b5; b6; b7C; b7E;
Page 20 ~ b3; b5; b7E;
Page 29 ~ Duplicate;
Page 30 ~ Duplicate;
Page 31 ~ Duplicate;
Page 40 ~ b3; b5; b6; b7C; b7E;
Page 45 ~ b3; b5; b6; b7C; b7E;
Page 46 ~ b3; b5; b6; b7C; b7E;
Page 51 ~ Duplicate;
Page 52 ~ Duplicate;
Page 53 ~ Duplicate;
Page 54 ~ Duplicate;
Page 55 ~ Duplicate;
Page 56 ~ Duplicate;
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Page 88 ~ Duplicate;

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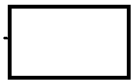
(U) - (S//NF) Please clarify what future customers of the products above will have access to in terms of enhancement made to the above products under current contract.



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b7C

DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20350825
SECRET//NOFORN

DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20350825
SECRET//NOFORN

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Classification: ~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

Total Deleted Page(s) = 4
Page 45 ~ b3; b5; b6; b7C; b7E;
Page 46 ~ b3; b5; b6; b7C; b7E;
Page 47 ~ b3; b5; b6; b7C; b7E;
Page 48 ~ b3; b5; b6; b7C; b7E;

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X No Duplication Fee X
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FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

Total Deleted Page(s) = 24
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Page 70 ~ b3; b7E;
Page 71 ~ b3; b7E;
Page 126 ~ b3; b6; b7C; b7E;
Page 127 ~ b1; b3; b6; b7C; b7E;
Page 128 ~ b3; b7E;
Page 129 ~ b3; b6; b7C; b7E;
Page 182 ~ b3; b5; b7E;
Page 233 ~ Duplicate;
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(Rev. 06-04-2007)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-16-2012 BY 65179/dmh/stp/as

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 02/25/2008

To: Finance **Attn:** [redacted] Rm 6863

From: Operational Technology
[redacted]TTU/QT-ERF
Contact: [redacted]

b6
b7C

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: [redacted]

Details: [redacted]

b3
b5
b7E

[redacted]

[redacted] b3 b5 b7E

The Contracting Officer's Technical Representative for this contract is Electronics Engineer (EE) [redacted] b6 b7C [redacted] can be contacted at [redacted] Engineering Research Facility, Quantico, Virginia.

[redacted]

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 12/07/2007

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

[redacted]

b3
b5
b7E

CC: [redacted]

♦♦

[redacted]

CELL/OTD 025425 CELLSITE-19449

(Rev. 05-01-2008)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-16-2012 BY 65179/dmh/stp/as

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY **Date:** 03/29/2011

To: Facilities Log Services **Attn:**

Finance **Attn:**
Operational Technology **Attn:**
Attn:

From: Operational Technology Division
Tracking Technology Unit

b6
b7C

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis:

Details:

b3
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MT#32983

UNCLASSIFIED

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CELL/OTD 024743

CELLSITE-19450

To: Facilities Log Services From: Operational Technology Division
Re: 268-HQ-1068430, 03/29/2011

[redacted]

[redacted]

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CELL/OTD 024744

To: Facilities Log Services From: Operational Technology Division
Re: 268-HQ-1068430, 03/29/2011

LEAD(s):

Set Lead 1: (Action)

FACILITIES LOG SERVICES

AT WASHINGTON, DC

[redacted] b3 b5 b7E

Set Lead 2: (Action)

FINANCE

AT WASHINGTON, DC

[redacted]

♦♦

CELL/OTD 024745

CELLSITE-19452

DATE: 10-16-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-16-2037

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WHERE SHOWN OTHERWISE

(Rev. 05-01-2008)

~~SECRET~~//NOFORN/~~20351228~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 12/28/2010

To: Finance **Attn:** [redacted] b6 b7C

From: Operational Technology Division
[redacted] Tracking Technology Unit
Contact: [redacted]

Approved By: [redacted]

Drafted By: [redacted]

(U) **Case ID #:** ~~(S//NF)~~ 268-HQ-1068430

Title: (S//NF) [redacted]

Synopsis: (S//NF) [redacted]

(S) [redacted]

~~**Derived From :** FBI NSISCG-20090615~~
~~**Declassify On:** 20351228~~

(U) **Enclosure(s):** ~~(S//NF)~~ FD369 [redacted] b1 b3 b5 b7E
Request Form, [redacted] Checklist.

Details: (S//NF) [redacted]

(S) [redacted]

(S) ~~(U//FOUO)~~ [redacted]

(S) [redacted]

~~SECRET~~//NORFORN/~~20351228~~

CELL/OTD 024736

CELLSITE-19453

To: Finance From: Operational Technology Division
(U) Re: ~~(S//NF)~~ 268-HQ-1068430, 12/28/2010

(S) [redacted]

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(U//FOUO) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

(U//FOUO) Contracting Officers are responsible for ensuring that [redacted]

LEAD(s):

CELL/OTD 024737

CELLSITE-19454

To: Finance From: Operational Technology Division
(U) Re: ~~(S//NF)~~ 268-HQ-1068430, 12/28/2010

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

PSFO: For information only.

♦♦

DATE: 10-16-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-16-2037

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Justification for Other than Full and Open Competition In Accordance With 41 U.S.C. 253 (c)(1)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The Federal Bureau of Investigation's (FBI) Quantico Contracts Unit (QCU) has prepared this Justification for Other Than Full and Open Competition in response to a requirement from the Operational Technology Division (OTD), [redacted] Tracking Technology Unit (TTU), for the establishment of a delivery order fo[redacted]

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2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(S) [redacted]
(S) [redacted]

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(S/NF [redacted]
(S) [redacted]
(S) [redacted]
(S) [redacted]

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) This contract action is authorized by 41 U.S.C. 253(c)(1), as set forth in the Federal Acquisition Regulation (FAR) 6.302-1, "Only one responsible source and no other supplies or services will satisfy agency requirements. Also, based on the foregoing findings, it is hereby determined, within the meaning of FAR 6.302-6, 41 U.S.C. 253(c)(6) disclosure of the agency's needs would compromise national security.

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

(S/NF [redacted]
(S) [redacted]

~~Derived From: FBI NSISCG – 20090615~~ ~~Declassify On: 12/29/2035~~

CELL/OTD 024732

CELLSITE-19456

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6. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE

(U) WITT personnel have done a market survey for this requirement through technology conferences and available technical and agency sources. No resellers were found that could provide the required list of items.

7. DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE

(U) The Contracting Officer will ensure that the anticipated cost to the Government will be fair and reasonable. Techniques may include an analysis of proposed direct costs, audit or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, comparison of proposed rates to published rates, and rigorous negotiation.

8. A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED

(S/NF)

(S)

Derived From: ~~FBI NSISCG – 20090615~~

Declassify On: ~~12/29/2035~~

CELL/OTD 024733

CELLSITE-19457

(S)

(U) have many resellers of which five of the largest were contacted for market research. These companies include all of which were unable to provide the required items.

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

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(S/NF

(S)

(U) Based on the foregoing findings, it is hereby determined, within the meaning of FAR 6.302-6, 41 U.S.C. 253(c)(6) disclosure of the agency's needs would compromise national security.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not publicized pursuant to FAR 6.302-1, "Only one responsible source and no other supplies or services will satisfy agency requirements". As well as FAR 6.302-6, 41 U.S.C. 253(c)(6) "disclosure of the agency's needs would compromise national security", no other commercial sources were given the opportunity to express written interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will continue to scan the market to identify potential sources on subsequent acquisitions.

12. SIGNATURES

TECHNICAL REPRESENTATIVE CERTIFICATION

(U) As Technical Representative of the requiring office, I have reviewed the data provided in support of the Justification and Approval to Procure Using Other Than Full and Open Competition. I certify that the data is accurate and complete to the best of my knowledge and belief.

[redacted] Date

Contracting Officer's
Technical Representative

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APPROVED BY:

As the Contracting Officer of Record, I hereby certify, to the best of my knowledge, that the information contained herein is accurate and complete.

[redacted] Date

Contracting Officer

REVIEWED BY:

[redacted] Date

Unit Chief
Quantico Contracts Unit

APPROVED BY:

[redacted] Date

Competition Advocate

~~Derived From: FBI NSISCG-20090615~~ ~~Declassify On: 12/29/2035~~

CELL/OTD 024735

CELLSITE-19459

DATE: 10-16-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-16-2037

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WHERE SHOWN OTHERWISE

(Rev. 05-01-2008)

~~SECRET~~/NOFORN/~~20360112~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 1/12/2011

To: Finance **Attn:** [redacted]

From: Operational Technology Division
[redacted]/Tracking Technology Unit
Contact: [redacted]

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Approved By: [redacted]

Drafted By: [redacted]

(U) **Case ID #:** ~~(S//NF)~~ 268-HQ-1068430

Title: (S//NF) [redacted]

Synopsis: (S//NF) [redacted]

(S) [redacted]

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~~**Derived From:** FBI NSISCG-20090615~~
~~**Declassify On:** 20360112~~

(U) **Enclosure(s):** ~~(S//NF)~~ FD369 [redacted], Justification for other than full and open competition (JFOC), [redacted] Request Form, [redacted] Checklist.

Details: (S//NF) [redacted]

(S) [redacted]

MT#31607

~~SECRET~~/NORFORN/~~20360112~~

[redacted] wpd

CELL/OTD 024729

CELLSITE-19460

To: Finance From: Operational Technology Division
(U) Re: ~~(S//NF)~~ 268-HQ-1068430, 1/12/2011

(S) ~~(U//FOUO)~~ [redacted]

(S) [redacted]

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(U//FOUO) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

(U//FOUO) Contracting Officers are responsible for ensuring that [redacted]

LEAD(s):

CELL/OTD 024730

CELLSITE-19461

To: Finance From: Operational Technology Division
(U) Re: ~~(S//NF)~~ 268-HQ-1068430, 1/12/2011

Set Lead 1: (Info)

FINANCE

AT WASHINGTON, DC

For information only.

♦♦

CELL/OTD 024731

CELLSITE-19462

DATE: 10-16-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-16-2037

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

Justification for Other Than Full and Open Competition
In Accordance With 41 U.S.C. 253 (c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI), Tracking Technology Unit (TTU), Operational Technology Division (OTD). The contracting activity is the Finance Division, Engineering Contracts Unit (ECU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(S) ~~(X)~~

(S)

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

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(S)

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE

NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

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6. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would

7. DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED

(U) FBI, TTU [redacted] continuously conducts market surveys to determine state-of-the-art technologies. The engineers, technicians, and technical personnel are in constant contact with equipment vendors, other technical members of the intelligence community, as well as visiting trade shows, reviewing trade journals, and browsing the Internet. TTU [redacted] routinely conducts and attends working group (WG) meetings with vendors to assess the capabilities, performance, and quality of equipment that meets the needs of the FBI. TTU [redacted] assessed available capabilities and have determined that other vendor technologies [redacted]

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9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

(U) [redacted] See paragraph (5) above for facts supporting the use of other then full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Contracting Officer's Technical Representative (Date) b6 b7C

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____
, Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____
, Supervisory Contracting Officer (Date)

_____
, FBI Chief Contracting Officer (Date)

_____
Office of General Counsel (Date)

Approved By: _____
, Competition Advocate (Date)

CELL-OTD 024722 CELLSITE-19466

DATE: 10-16-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-16-2037

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(U) Subject: Requisition [redacted] Security Addendum

(S//NF) [redacted]

(S) [redacted]

(S//NF) [redacted]

(S) [redacted]

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(S//NF) [redacted]

(S) [redacted]

(U) ~~(S//NF)~~ Publicizing the fact that the FBI is utilizing technology shall disclose a critical component in ongoing and future investigations, [redacted]

[redacted]

March 28, 2011

[redacted]
Chief Security Officer
Operational Technology Division

~~Derived From: FBI NSISCG 20090601~~
~~Declassify On: March 28, 2036~~

CELL/OTD 024723

CELLSITE-19467

DATE: 10-16-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-16-2037

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(Rev. 05-01-2008)

~~SECRET~~//NOFORN/~~20360328~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY **Date:** 03/28/2011

To: Finance **Attn:** [redacted]
Rm B239, ERF-QT (Enc)

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From: Operational Technology
[redacted]/TTU/QT-ERF
Contact: [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: (U) 268-HQ-1068430

Title: (U) WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: (S//NF) [redacted]

(S) [redacted]

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~~**Derived From :** FBI NSISCG 20090615~~
~~**Declassify On:** 20360328~~

Enclosure(s): (S//NF) [redacted]

(S) [redacted]

Details: ~~(S//NF)~~ (U) The Federal Bureau of Investigation (FBI), Tracking Technology Unit (TTU) provides operational support to investigations by delivering capabilities to [redacted]

[redacted]

~~SECRET~~//~~20360302~~

CELL-OTD 02715

CELLSITE-19468

To: ?? From: Operational Technology
Re: (U) 268-HQ-1068430, 03/28/2011

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(U) ~~(S//NF)~~ Sole Source Justification

(S//NF)

(S)

CELL-OTD 024716
CELLSITE-19469

To: ?? From: Operational Technology
Re: (U) 268-HQ-1068430, 03/28/2011

(S) [redacted]

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(U) The Contracting Officer's Technical Representative for this task is Electronics Engineer (EE) [redacted] who may be contacted at the Engineering Research Facility, Quantico, Virginia. Contracting Officers are responsible for ensuring that [redacted]

CELL/OTD 024717

CELLSITE-19470

To: ?? From: Operational Technology
Re: (U) 268-HQ-1068430, 03/28/2011

LEAD(s):

Set Lead 1: (Action)

FINANCE

(S//NF) [redacted]

(S) [redacted]

CC: [redacted] QT-ERF-E (Enc)

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CELL/OTD 024718

DATE: 10-16-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-16-2037
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(Rev. 05-01-2008)

~~SECRET~~//NOFORN/~~20360112~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 1/12/2011

To: Finance **Attn:** [redacted]

From: Operational Technology Division
[redacted]/Tracking Technology Unit
Contact: [redacted]

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Approved By: [redacted]

Drafted By: [redacted]

(U) **Case ID #:** (~~S//NF~~) 268-HQ-1068430

Title: (S//NF) [redacted]

Synopsis: (S//NF) [redacted]

(S) [redacted]

~~**Derived From :** FBI NSISCG-20090615~~
~~**Declassify On:** 20360112~~

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(U) **Enclosure(s):** (~~S//NF~~) FD369 [redacted] Justification for other than full and open competition (JFOC), [redacted] Request Form, [redacted] Checklist.

Details: (S//NF) [redacted]

(S) [redacted]

~~SECRET~~//NORFORN/~~20360112~~

CELL/OTD 024712

To: Finance From: Operational Technology Division
(U) Re: ~~(S//NF)~~ 268-HQ-1068430, 1/12/2011

(S) ~~(U//FOUO)~~ [redacted]

(S) [redacted]

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(U//FOUO) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

(U//FOUO) Contracting Officers are responsible for ensuring that [redacted]

LEAD(s):

To: Finance From: Operational Technology Division
Re: (U) ~~(S//NF)~~ 268-HQ-1068430, 1/12/2011

Set Lead 1: (Info)

FINANCE

AT WASHINGTON, DC

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♦♦

CELL-OTD 024714

CELLSITE-19474

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DATE 10-16-2012 BY 65179/dmh/stp/as

(Rev. 05-01-2008)

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 08/30/2011

To: Finance **Attn:**

From: Operational Technology Division
Tracking Technology Unit
Contact:

b6
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Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: (U//FOUO/LES) WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: (U//FOUO/LES)
services for the creation of

Enclosure(s):
(U//FOUO/LES)

Details: (U//FOUO/LES)

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(U//FOUO/LES) It is requested that the Engineering Contracts Unit initiate procurement action,

(U//FOUO/LES) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

UNCLASSIFIED//FOR OFFICIAL USE ONLY//LAW ENFORCEMENT SENSITIVE

CELL/OTD 024695

To: Finance From: Operational Technology Division
Re: 268-HQ-1068430, 08/30/2011

(U) Contracting Officers are responsible for ensuring that [redacted] b7E

CELL/OTD 024696

CELLSITE-19476

To: Finance From: Operational Technology Division
Re: 268-HQ-1068430, 08/30/2011

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

FOR INFORMATION ONLY

CC:

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CELL-OTD 024CELLSITE-19477

(Rev. 05-01-2008)

DATE: 10-16-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-16-2037

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

~~SECRET~~//NOFORN/~~20360330~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 03/30/2011

To: Finance **Attn:**

From: Operational Technology Division
Tracking Technology Unit
Contact:

Approved By:

Drafted By:

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(U) **Case ID #:** (~~S//NF~~) 268-HQ-1068430

(U) **Title:** (~~S//NF~~) WIRELESS INTERCEPT AND TRACKING TEAM

(U) **Synopsis:** (~~S//NF~~)

~~**Derived From :** FBI NSISCG-20090615~~
~~**Declassify On:** 20360330~~

(U) **Enclosure(s):** (~~S//NF~~) FD369

Details: (S//NF)

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(U) (~~S//NF~~)

(U)

(U)

~~SECRET~~//NORFORN/~~20351215~~

CELL/OTD 024693

CELLSITE-19478

To: Finance From: Operational Technology Division
(U) Re: ~~(S//NF)~~ 268-HQ-1068430, 03/30/2011

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

FOR INFORMATION ONLY

b6
b7C

CC:

♦♦

CELL/OTD 024694 CELLSITE-19479

DATE: 10-16-2012
CLASSIFIED BY 65179/dmh/stp/aa
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-16-2037
ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

(Rev. 05-01-2008)

~~SECRET~~//NOFORN/~~20360124~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 01/24/2011

To: Finance **Attn:**

From: Operational Technology Division
/Tracking Technology Unit
Contact:

b6
b7C

Approved By:

Drafted By:

(U) **Case ID #:** ~~(S//NF)~~ 268-HQ-1068430

(S) **Title:** (S//NF)

Synopsis: (S//NF)

(S)

~~**Derived From :** FBI NSISCG-20090615~~
~~**Declassify On:** 20360124~~

(U) **Enclosure(s):** ~~(S//NF)~~ FD369 Request Form, Checklist.

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Details: (S//NF)

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(S)

~~SECRET~~//NORFORN/~~20351228~~

CELL-OTD 024690

To: Finance From: Operational Technology Division
(U) Re: ~~(S//NF)~~ 268-HQ-1068430, 1/24/2011

(S) [redacted]

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(U//FOUO) [redacted]

(U//FOUO) [redacted]

CELL-OTD 024691
CELLSITE-19481

To: Finance From: Operational Technology Division
(U) Re: ~~(S//NF)~~ 268-HQ-1068430, 1/24/2011

LEAD(s):

Set Lead 1: (Info)

FINANCE

AT PSFO, DC

For information only.

♦♦

CELL-OTD 024692

CELLSITE-19482

DATE: 10-16-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-16-2037
ALL INFORMATION CONTAINED
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(Rev. 05-01-2008)

~~SECRET~~//NOFORN/~~20351228~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 12/28/2010

To: Finance **Attn:** [redacted]

From: Operational Technology Division
[redacted]/Tracking Technology Unit
Contact: [redacted] b6 b7C

Approved By: [redacted]

Drafted By: [redacted]

(U) **Case ID #:** ~~(S//NF)~~ 268-HQ-1068430

Title: (S//NF) [redacted]

Synopsis: (S//NF) [redacted]

(S) [redacted] b1 b3 b5 b7E

~~**Derived From : FBI NSISCG-20090615**~~
~~**Declassify On:** 20351228~~

(U) **Enclosure(s):** ~~(S//NF)~~ FD369 [redacted]
Request Form, [redacted] Checklist.

Details: (S//NF) [redacted]

(S) [redacted]

(S) ~~(U//FOUO)~~ [redacted]

(S) [redacted]

~~SECRET~~//NORFORN/~~20351228~~

CELL-OTD 024687 CELLSITE-19483

To: Finance From: Operational Technology Division
(U) Re: ~~(S//NF)~~ 268-HQ-1068430, 12/28/2010

(U//FOUO) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions. b6 b7C b7E

(U//FOUO) Contracting Officers are responsible for ensuring that [redacted]

LEAD(s):

Set Lead 1: (Action)

CELL-OTD 024688

CELLSITE-19484

To: Finance From: Operational Technology Division
(U) Re: ~~(S//NF)~~ 268-HQ-1068430, 12/28/2010

FINANCE

AT PSFO, DC

For information only.

♦♦

CELL-OTD 024689 CELLSITE-19485

DATE: 10-16-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-16-2037

To: Finance From: Operational Technology Division
(U) Re: ~~(S//NF)~~ 268-HQ-1068430, 02/28/2011

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WHERE SHOWN OTHERWISE

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(U//FOUO)

(U//FOUO) Contracting Officers are responsible for ensuring that

Page 1 of document is missing

To: ~~Finance~~ From: Operational Technology Division
(U) Re: ~~(S//NF)~~ 268-HQ-1068430, 02/28/2011

LEAD(s):

Set Lead 1: (Info)

FINANCE

AT PSFO, DC

For information only.

♦♦

CELL-OTD 024686

CELLSITE-19487

~~SECRET~~

DATE: 10-16-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-16-2037

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Statement of Need

To accompany Requisition: [redacted]

The Tracking Technology Unit (TTU), Wireless Intercept and Tracking Team (WITT) is tasked with providing FBI Field Offices with current and emerging [redacted] In response to this tasking, WITT provides a 24x7 operational support effort for all FBI field offices with personnel and equipment deployment.

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(S) [redacted]

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~~SECRET~~

CELL/OTD 024683

CELLSITE-19488

DATE: 10-16-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-16-2037

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STATEMENT OF NEED
And
SOLE SOURCE JUSTIFICATION

Requisition [ ]

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CELLSITE-19490

~~SECRET~~

DATE: 10-16-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-16-2037

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

STATEMENT OF NEED

Background

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Market Research

(S)

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-18-2012 BY 65179/dmh/stp/as

Justification and Approval
For
Other than Full and Open Competition
In accordance With 41 U.S.C. 253 (c) (1)

1. **Identification of the agency and the contracting activity, and specific identification of the document as a "Justification for Other Then Full and Open Competition."**

   The Federal Bureau of Investigation's Quantico Contracts Unit (QCU) has prepared this justification for Other than Full and Open Competition in response to a requirement from the Tracking Technology Unit (TTU) to establish a fixed price contract for the acquisition for equipment.

2. **Nature and/or description of the action being approved.**

   This Justification for Other Than Full and Open Competition is being prepared in accordance with the authority of FAR 6.302-1 "Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements."

3. **A description of the supplies or services required to meet the agency's needs (including the estimated value).**

   [redacted]

   b3
   b7E

4. **An identification of the statutory authority permitting other than full and open competition.**

   FAR 6.302-1 Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements.

5. **A demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited.**

   [redacted]

6. **A description of efforts made to ensure that offers are solicited from as many potential sources as is practicable, including whether a notice was or will be publicized as required by Subpart 5.2 and, if not, which exception under 5.202 applies.**

7. **A determination by the contracting officer that the anticipated cost to the Government will be fair and reasonable.**

   The Contracting Officer will ensure that the anticipated cost to the government will be fair and reasonable. Techniques may include an analysis of proposed direct costs, audit or comparison of proposed indirect factors with audited factors in use elsewhere in the Government and comparison of proposed rates to published rates. b3 b7E

8. **A description of the market research conducted and the results or a statement of the reason market research was not conducted.**

   FBI representatives from the TTU will continue to do market research and meet with vendor representatives to further research.

9. **Any other facts supporting the use of other than full and open competition**

10. **A listing of the sources, if any, that expressed, in writing, an interest in the acquisition.**

    None

11. **A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required.**

    The FBI will continue to do market surveys to identify potential sources on subsequent acquisitions.

TECHNICAL REPRESENTATIVE CERTIFICATION:

As Technical Representative of the requiring office, I have reviewed the data provided in support of the Justification and Approval to Procure Using Other Than Full and Open Competition. I certify that the data is accurate and complete to the best of my knowledge and belief.

[redacted] _____

Date

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12. CONTRACT SPECIALIST:

I have reviewed the data provided in support of the Justification and Approval to Procure Using Other Than Full and Open Competition. I certify that the data is accurate and complete to the best of my knowledge and belief.

[redacted] _____

Date

CELL-OTD 02675

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-18-2012 BY 65179/dmh/stp/as

STATEMENT OF WORK

[redacted]

[redacted] **Platform**

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b7E

1 SCOPE

1.1 Task Overview

[redacted]

1.2 Deliverables

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[redacted]

1.3 Key Technology Areas

[redacted]

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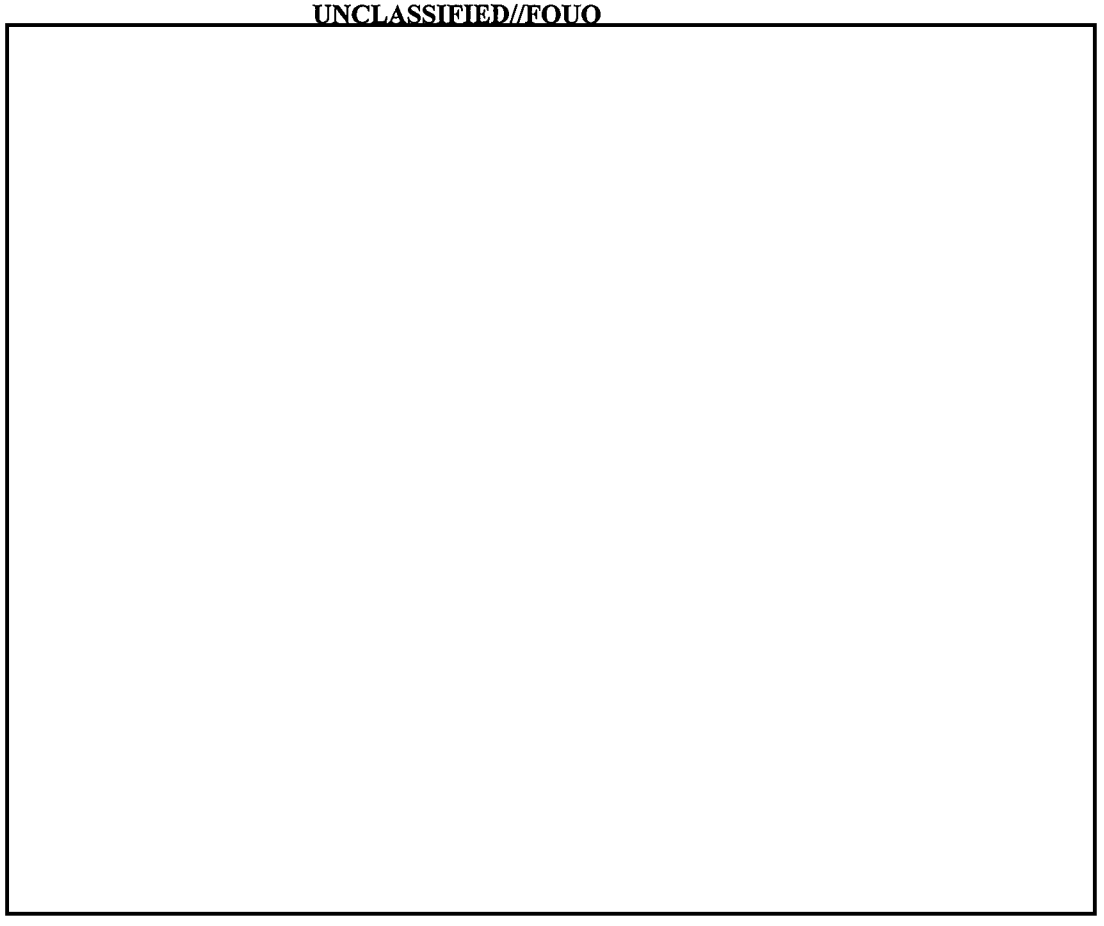
CELL/OTD 024671

CELLSITE-19495



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2 Concept of Operations

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3 Requirements

3.2 Security Standards and Regulations

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CELL/OTD 024672
CELLSITE-19496

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3.3 Contractor Furnished Documentation / Data

3.4 Status Reporting

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3.5 Formal Meetings

3.6 Government Contact Information

FBI Contracting Officer

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FBI Contracting Officer's Technical Representative

DATE: 10-17-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-17-2037
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

Justification for Other than Full and Open Competition
In Accordance With 41 U.S.C. 253 (c)(1)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(S) (U)

(S)

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(S) (U)

(S)

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3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(S//NF)

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4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) This contract action is authorized by 41 U.S.C. 253(c)(1), as set forth in the Federal Acquisition Regulation (FAR) 6.302-1, "Only one responsible source and no other supplies or services will satisfy agency requirements."

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

(U)

(S//NF)

(S)

6. **DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE**

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(U) ~~(S//NF)~~ Based on unique qualifications as outlined in paragraph 5, outside sources were not considered.

7. **DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE**

(U) The Contracting Officer will ensure that the anticipated cost to the Government will be fair and reasonable. Techniques may include an analysis of direct costs, audit or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, comparison of proposed rates to published rates, and rigorous negotiation.

8. **A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED**

(S//NF)

(S)

9. **ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION**

(U) See paragraph 5 above for the facts supporting the use of other than full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) No companies have expressed interest in writing in regards to this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will continue to scan the market to identify potential sources on subsequent acquisitions.

12. SIGNATURES

TECHNICAL REPRESENTATIVE CERTIFICATION

(U) As Technical Representative of the requiring office, I have reviewed the data provided in support of the Justification and Approval to Procure Using Other Than Full and Open Competition. I certify that the data is accurate and complete to the best of my knowledge and belief.

[redacted] Date

Contracting Officer's
Technical Representative

APPROVED BY:

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As the Contracting Officer of Record, I hereby certify, to the best of my knowledge, that the information contained herein is accurate and complete.

[redacted] Date

Contracting Officer

CELL/OTD 024669

CELLSITE-19500

DATE: 10-17-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-17-2037

ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

(U) Security Addendum to EC dated 03/25/2010, captioned, [redacted]

(U) The above-referenced procurement request is being submitted as a sole source action in accordance with the authority of FAR 6.302-1 "Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements". In addition TTU is requesting that the contract action be relieved of "Full and Open Competition" requirements of the FAR for security reasons.

(S//NF [redacted]

(S) [redacted]

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(U) Full and open competition of referenced procurement requirement could [redacted] it is recommended that no advertisement be made.

March 25, 2010

[redacted]

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Chief Security Officer
Operational Technology Division

~~Derived From: NSISCG-20090615~~
~~Declassify On: 20350325~~

CELL/OTD 024670

DATE: 10-17-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-17-2037

ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

(Rev. 05-01-2008)

~~SECRET~~//NOFORN/~~20350325~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 03/25/2010

To: Finance **Attn:**

From: Operational Technology Division
/TTU/QT-ERF
Contact:

b6
b7C

Approved By:

Drafted By:

(U) **Case ID #:** ~~(S//NF)~~ 268-HQ-1068430 (None)

Title: (U) services

Synopsis: ~~(S)~~

(S)

~~**Derived From : Multiple Sources**~~
~~**Declassify On:** 20350325~~

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Enclosure(s):

(U) ~~(S//NF)~~ Statement of Work (SOW)
(U) ~~(S//NF)~~ Justification for other than full and open competition (JFOC)
(U) ~~(S//NF)~~ Security Addendum
(U) ~~(S//NF)~~ FD-369

Details: (S//NF)

(S)

~~SECRET~~//NOFORN/~~20350325~~

CELL-OTD 024663

To: Finance From: Operational Technology Division
(U) Re: ~~(S//NF)~~ 268-HQ-1068430, 03/25/2010

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(S//NF)

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(U) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] who can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

CELL-OTD 024664

CELLSITE-19503

To: Finance From: Operational Technology Division
(U) Re: ~~(S//NF)~~ 268-HQ-1068430, 03/25/2010

LEAD(s):

Set Lead 1: (Info)

FINANCE

AT WASHINGTON, DC

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CELL-OTD 0246

CELL-OTD 0246566

CELLSITE-19504

DATE: 10-17-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-17-2037

ALL INFORMATION CONTAINED
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(U) Security Addendum Requisition E0101844

(U) The above-referenced procurement request was reviewed in order to make a determination as to whether it should be relieved of the "full and open competition" requirements of the FAR, for security reasons.

(S//NF)

(S)

(S//NF)

(S)

(U) (S//NF) It is the mission of the TTU to provide expertise, technical solutions and tools necessary to

(S) (S//NF) law enforcement community will benefit from this procurement.

(U) Full and open competition of referenced procurement requirement could it is recommended that no advertisement be made.

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Security Officer
Operational Technology Division
~~Derived From: Multiple Sources~~

Declassify ~~On: March~~ 17, 2035

DATE: 10-18-2012
CLASSIFIED BY 65179/dmh/stp/aa
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-18-2037

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

Justification and Approval For Other than Full and Open Competition

In accordance With 41 U.S.C. 253 (c) (1)

1. **Identification of the agency and the contracting activity, and specific identification of the document as a "Justification for Other Then Full and Open Competition."**

   The Federal Bureau of Investigation's Quantico Contracts Unit (QCU) has prepared this justification for Other than Full and Open Competition in response to a requirement from the Tracking Technology Unit (TTU) to establish a fixed price contract for the acquisition for equipment.

2. **Nature and/or description of the action being approved.**

   This Justification for Other Than Full and Open Competition is being prepared in accordance with the authority of FAR 6.302-1 "Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements."

3. **A description of the supplies or services required to meet the agency's needs (including the estimated value).**

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4. **An identification of the statutory authority permitting other than full and open competition.**

   FAR 6.302-1 Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements.

5. **A demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited.**

6. **A description of efforts made to ensure that offers are solicited from as many potential sources as is practicable, including whether a notice was or will be publicized as required by Subpart 5.2 and, if not, which exception under 5.202 applies.**

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7. **A determination by the contracting officer that the anticipated cost to the Government will be fair and reasonable.**

   The Contracting Officer will ensure that the anticipated cost to the government will be fair and reasonable. Techniques may include an analysis of proposed direct costs, audit or comparison of proposed indirect factors with audited factors in use elsewhere in the Government and comparison of proposed rates to published rates.

8. **A description of the market research conducted and the results or a statement of the reason market research was not conducted.**

(S)

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FBI representatives from the TTU will continue to do market research and meet with vendor representatives to further research.

9. Any other facts supporting the use of other than full and open competition

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10. A listing of the sources, if any, that expressed, in writing, an interest in the acquisition.

None

11. A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required.

The FBI will continue to do market surveys to identify potential sources on subsequent acquisitions.

TECHNICAL REPRESENTATIVE CERTIFICATION:

As Technical Representative of the requiring office, I have reviewed the data provided in support of the Justification and Approval to Procure Using Other Than Full and Open Competition. I certify that the data is accurate and complete to the best of my knowledge and belief.

_____ _____

date

12. CONTRACT SPECIALIST:

I have reviewed the data provided in support of the Justification and Approval to Procure Using Other Than Full and Open Competition. I certify that the data is accurate and complete to the best of my knowledge and belief.

[redacted] _____

Date

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DATE 10-17-2012 BY 65179/dmh/stp/as

(Rev. 05-01-2008)

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 04/01/2010

To: Finance **Attn:** UC
Quantico Contracts Unit

From: Operational Technology Division
Tracking Technology Unit
Contact:

b6
b7C

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

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Synopsis:

Enclosure(s): Requisition number
Request, and Checklist.

Details:

b3
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UNCLASSIFIED

CELL/OTD 024652

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 04/01/2010

[redacted] b3 b5

It should be noted that contracting officers are responsible b7E for ensuring that [redacted]

CELL-OTD 02465

CELLSITE-19512

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 04/01/2010

LEAD(s):

Set Lead 1: (Info)

FINANCE

AT WASHINGTON, DC

For information only.

CC: [redacted] b6 b7C

♦♦

CELL-OTD 024656 CELLSITE-19513

(Rev. 05-01-2008)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179/dmh/stp/as

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 04/05/2010

To: Finance **Attn:** [redacted]

From: Operational Technology Division
[redacted] Tracking Technology Unit
Contact: [redacted]

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Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: [redacted]

Enclosure(s): [redacted]

Details: [redacted]

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Contracting Officers are responsible for ensuring that [redacted]

UNCLASSIFIED

CELL/OTD 024650

To: Finance From: Operational Technology
Re: 269-HQ-1512830, 04/05/2010

LEAD(s):

Set Lead 1: (Info)

FINANCE

AT WASHINGTON, DC

For information only.

CC: [redacted]

b6
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♦♦

CELL/OTD 024651

CELLSITE-19517

(Rev. 01-31-2003)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179/dmh/stp/as

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 11/01/2007

To: Finance **Attn:** [redacted]
Rm B239 (Enc)

From: Operational Technology
[redacted]/TTU/QT-ERF
Contact: [redacted]

Approved By: [redacted]

Drafted By: [redacted]

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Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: [redacted]

Enclosure(s): FD-369 [redacted] Form

Details: [redacted]

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CELL/OTD 025411

To: Finance From: Operational Technology
Re: 268-HQ-1068430 , 11/01/2007

[redacted]

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[redacted]

CELL/OTD 025412

CELLSITE-19523

To: Finance From: Operational Technology
Re: 268-HQ-1068430 , 11/01/2007

LEAD(s):

Set Lead 1: (Action)

FINANCE

[redacted] b3 b6 b7C b7E

CC: [redacted]

♦♦

[redacted]

CELL/OTD 025413

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179/dmh/stp/as

Statement of Need
To accompany Requisition E006324

[redacted]

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[redacted]

Contracting Officers are responsible for ensuring that

[redacted]

[redacted]

CELL/OTD 025414

(Rev. 01-31-2003)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179/dmh/stp/as

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 10/18/2007

To: Finance **Attn:**

Attn:

From: Operational Technology
/TTU/ERF
Contact:

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis:

Enclosure(s):

Details:

Contracting Officers are responsible for ensuring

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b3
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To: Finance From: Operational Technology
Re: 268-HQ-1068430 , 10/18/2007

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

[redacted]

Set Lead 2: (Action) b5 b6 b7C

[redacted]

AT WASHINGTON, DC

[redacted]

CC:

[redacted]

♦♦

CELL/OTD 025404

CELLSITE-19527

(Rev. 01-31-2003)

DATE: 10-17-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-17-2037

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

~~SECRET//20220820~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 08/20/2007

To: Finance **Attn:**

Attn: (Enc)

Criminal Investigative **Attn:**

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From: Operational Technology Division
/TTU/QT-ERF-E
Contact:

Approved By:

Drafted By:

(U) **Case ID #:** (S) 268-HQ-1068430

Title: (U) WIRELESS INTERCEPT AND TRACKING TEAM

(U) **Synopsis:** (S)

(U) (S) ~~Derived From : G-3~~
~~Declassify On: 08/20/2022~~

(U) **Enclosure(s):** (S)

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(U) **Details:** (S)

~~SECRET//20220820~~

CELL/OTD 025400

CELLSITE-19528

To: Finance From: Operational Technology Division
(U) Re: ~~(S)~~ 268-HQ-1068430, 08/20/2007

(U) ~~(S)~~ The Tracking Technology Unit (TTU)/ Wireless Intercept and Tracking Team (WITT) [redacted] b3 b5 b7E

[redacted]

(S) [redacted]

(S) [redacted] b1 b3 b5 b7E

(S) [redacted]

(S) [redacted] b3 b5 b7E

(U) ~~(S)~~ TTU/WITT requests [redacted]

(U) Contracting Officers are responsible for ensuring that [redacted]

CELL/OTD 025401

CELLSITE-19529

To: Finance From: Operational Technology Division
(U) Re: ~~(S)~~ 268-HQ-1068430, 08/20/2007

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

(U) ~~(S)~~ [redacted]

Set Lead 2: (Action)

[redacted]

AT WASHINGTON, DC

(U) ~~(S)~~ [redacted]

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Set Lead 3: (Action)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

(U) ~~(S)~~ [redacted]

CC: [redacted]

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CELL/OTD 025402

CELLSITE-19530

(Rev. 01-31-2003)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179/dmh/stp/as

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 10/19/2007

To: Finance **Attn:**

Attn:

From: Operational Technology
/TTU/ERF
Contact:

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b7C

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis:

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Enclosure(s):

Details:

Contracting Officers are responsible for ensuring

CELL/OTD 025386

CELLSITE-19531

To: Finance From: Operational Technology
Re: 268-HQ-1068430 , 10/19/2007

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

[redacted]

Set Lead 2: (Action)

[redacted]

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AT WASHINGTON, DC

[redacted]

CC: [redacted]

♦♦

CELL/OTD 025387

CELLSITE-19532

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179/dmh/stp/as

Statement of Need
To accompany Requisition [redacted]

The Tracking Technology Unit (TTU), Wireless Intercept and Tracking Team (WITT) is tasked with providing FBI Field Offices with [redacted] In response to this tasking, WITT provides engineering and operational support efforts for all FBI field offices with [redacted]

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WITT identified the following operational deployment issues and requirements:

[redacted]

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SSA [redacted]

CELL/OTD 025382

TTU [redacted] Unit Chief

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CELL/OTD 025383

CELLSITE-19534

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179/dmh/stp/as

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 10/31/2007

To: Finance **Attn:** [redacted]
Rm B239 (Enc)

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From: Operational Technology
[redacted]/TTU/QT-ERF
Contact: [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: [redacted]

Enclosure(s): FD-369, [redacted] FD-[redacted]

Details: [redacted]

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[redacted]

[redacted]

[redacted]

CELL/OTD 025379

CELLSITE-19535

[redacted]

Contracting Officers are responsible for ensuring that [redacted] b5 b7E

[redacted]

CELL/OTD 025380

CELLSITE-19536

To: Finance From: Operational Technology
Re: 268-HQ-1068430 , 10/31/2007

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

[redacted] b5 b6 b7C b7E

CC: [redacted]

♦♦

[redacted]

CELL/OTD 025381

CELLSITE-19537

DATE: 10-17-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-17-2037

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

Justification for Other Than Full and Open Competition
In Accordance With 41 U.S.C. 253 (c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI), Tracking Technology Unit Unit (TTU), Operational Technology Division (OTD). The contracting activity is the Engineering Contracts Unit (ECU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

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(S)

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

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4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE

NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

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6. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would

7. DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED

(U) X

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9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

(U) [redacted] See paragraph (5) above for facts supporting the use of other then full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

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(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] (Date)

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Supervisory Contracting Officer (Date)

_____

, FBI Chief Contracting Officer (Date)

_____

Office of General Counsel (Date)

Approved By: _____

, Competition Advocate (Date)

DATE: 10-17-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-17-2037

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

Justification for Other Than Full and Open Competition
In Accordance With 41 U.S.C. 253 (c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI), Tracking Technology Unit (TTU), Operational Technology Division (OTD). The contracting activity is the Engineering Contracts Unit (ECU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

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(S)

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

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4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure

of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

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6. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE

(U)

CELL/OTD 024635 CELLSITE-19543

[redacted]

7. DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED

(U) FBI, TTU [redacted] continuously conducts market surveys to determine state-of-the-art technologies. The engineers, technicians, and technical personnel are in constant contact with equipment vendors, other technical members of the intelligence community, as well as visiting trade shows, reviewing trade journals, and browsing the Internet. TTU [redacted] routinely conducts and attends working group (WG) meetings with vendors to assess the capabilities, performance, and quality of equipment that meets the needs of the FBI. TTU [redacted] assessed available capabilities and have determined that other vendor technologies [redacted]

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[redacted]

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

(U) [redacted] See paragraph (5) above for facts supporting the use of other then full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) [redacted]

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the

CELL/OTD 024636
CELLSITE-19544

disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

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[redacted] Contracting Officer's Technical Representative (Date)

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____
, Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____
, Supervisory Contracting Officer (Date)

_____
, FBI Chief Contracting Officer (Date)

_____
Office of General Counsel (Date)

Approved By: _____
, Competition Advocate (Date)

CELL/OTD 024637
CELLSITE-19545

DATE: 10-17-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-17-2037 ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

Justification for Other Than Full and Open Competition
In Accordance With 41 U.S.C. 253 (c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI), Tracking Technology Unit (TTU), Operational Technology Division (OTD). The contracting activity is the Engineering Contracts Unit (ECU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(S) (X)

(S)

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

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(S) [redacted]

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

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(S) [redacted]

(S) [redacted]

(S) [redacted]

(S) [redacted]

(S) [redacted]

(S) [redacted]

(S) [redacted]

(S) [redacted]

6. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to

CELL/OTD 024639 CELLSITE-19547

[redacted]

7. DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

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8. A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED

(U) FBI, TTU [redacted] continuously conducts market surveys to determine state-of-the-art technologies. The engineers, technicians, and technical personnel are in constant contact with equipment vendors, other technical members of the intelligence community, as well as visiting trade shows, reviewing trade journals, and browsing the Internet. TTU [redacted] routinely conducts and attends working group (WG) meetings with vendors to assess the capabilities, performance, and quality of equipment that meets the needs of the FBI. TTU [redacted] assessed available capabilities and have determined that other vendor technologies [redacted]

[redacted]

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

(U) [redacted] See paragraph (5) above for facts supporting the use of other then full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

[redacted]

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the

disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Contracting Officer's Technical Representative (Date)

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b7E

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Supervisory Contracting Officer (Date)

_____

, FBI Chief Contracting Officer (Date)

_____

Office of General Counsel (Date)

Approved By: _____

, Competition Advocate (Date)

CELL/OTD 024641

CELLSITE-19549

DATE: 10-17-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-17-2037
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(Rev. 01-31-2003)

~~SECRET~~//20330321

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 03/21/2008

To: Finance **Attn:** [redacted]
Building L (Enc)

From: Operational Technology Division
[redacted]/QT-ERF
Contact: [redacted]

Approved By: [redacted]

Drafted By: [redacted]

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Case ID #: (U) 268-HQ-1068430 (Pending)

Title: (U) WIRELESS INTERCEPT AND TRACKING TEAM

(U) **Synopsis:** ~~(S)~~ To request contract action to initiate the proposed research.

(U) ~~(S)~~ ~~Derived From : G-3~~
~~Declassify On: 03/21/2033~~

(S) **Enclosure(s):** ~~(S)~~ [redacted]

(S) [redacted]

Details: (U) [redacted]

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(S) [redacted]

(S) [redacted]

~~SECRET~~//20330312 [redacted]

CELL/OTD 025364

To: ?? From: Operational Technology Division
Re: (U) 268-HQ-1068430, 03/21/2008

(S) [redacted]

- (S) [redacted]

(S) [redacted]

- (S) [redacted]

(S) [redacted]

(S) [redacted]

(S) [redacted]

(S) Sole Source Justification

(S) [redacted]

(S) [redacted]

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(S) [redacted]

(S) [redacted]

(S) [redacted]

(S) [redacted]

(U) (S) Further details and the nature of the sole source justification have been described further in the attachment

[redacted]

CELL/OTD 025365

To: ?? From: Operational Technology Division
Re: (U) 268-HQ-1068430, 03/21/2008

entitled "Justification for Other Than Full and Open Competition" for this procurement.

(U) ~~(S)~~ For informational purposes, the vendor [redacted] is [redacted] listed.

(U) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

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LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

(U) ~~(S)~~ The Finance Division, Engineering Contracts Unit, is requested to initiate procurement action.

CC: [redacted]

♦♦

CELL/OTD 025366

CELLSITE-19552

ALL INFORMATION CONTAINED
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DATE 10-18-2012 BY 65179/dmh/stp/as

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY **Date:** 12/16/2010

To: Operational Technology Division **ATTN:**

Finance Division **ATTN:** Rm A218 (Encl)
Rm 6863 (Encl)

From: Operational Technology Division / Tracking Technology Unit
Contact:

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Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: Wireless Intercept and Tracking Team

Synopsis:

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Details:

CELL/OTD 024746

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

[redacted] b3 b5 b7E

CC: [redacted] b6 b7C

CELL/OTD 024748

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-18-2012 BY 65179/dmh/stp/as

Basic [redacted] Training
ERF – March 2007

What information most valuable?

What info least valuable, what's needed?

Additional comments:

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[redacted]

CELL/OTD 02479

DATE: 10-18-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-18-2037
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(Rev. 05-01-2008)

~~SECRET~~//NOFORN/~~20360228~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 02/28/2011

To: Finance **Attn:** [redacted]

From: Operational Technology Division
[redacted] Tracking Technology Unit
Contact: [redacted]

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Approved By: [redacted]

Drafted By: [redacted]

(U) **Case ID #:** (~~S//NF~~) 268-HQ-1068430

Title: (S//NF) [redacted]

Synopsis: (S//NF) [redacted]

(S) [redacted]

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~~**Derived From :** FBI NSISCG-20090615~~
~~**Declassify On:** 20350325~~

Enclosure(s): None

Details: (S//NF) [redacted]

(S) [redacted]

(U//FOUO) It is requested that the Engineering Contracts Unit initiate contractual action to [redacted]

MT#31390 [redacted] wpd

~~SECRET~~//NORFORN/~~20360228~~

CELL/OTD 024583

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-18-2012 BY 65179/dmh/stp/as

(Rev. 05-01-2008)

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 10/19/2009

To: Finance **Attn:** [redacted]
Rm A226 (Enc)

From: Operational Technology Division
[redacted]/TTU/OT-ERF-E
Contact: [redacted]

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Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: [redacted]

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Enclosure(s): [redacted]

Details: [redacted]

TTU/WITT has determined that it is necessary to procure the [redacted] from Harris Corporation, Inc. using FBI contract, to enhance the FBI's capability to execute missions [redacted]

The Contracting Officer Technical Representative (COTR) for this procurement is EE [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

UNCLASSIFIED

CELL/OTD 024616

CELLSITE-19558

To: Finance From: Operational Technology Division
Re: 268-HQ-1068430, 10/16/2009

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Contracting Officers are responsible for ensuring that

[redacted]

CELL/OTD 024617

CELLSITE-19559

To: Finance From: Operational Technology Division
Re: 268-HQ-1068430, 10/16/2009

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

[redacted] b3 b5 b7E b6 b7C

CC: [redacted]

CELL/OTD 024618

CELLSITE-19560

DATE: 10-18-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-18-2037

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HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

(Rev. 05-01-2008)

~~SECRET~~//20351016

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY **Date:** 10/16/2009

To: Finance **Attn:** [redacted]
Rm B239, ERF-QT (Enc)

From: Operational Technology
[redacted]TTU/QT-ERF
Contact: [redacted]

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Approved By: [redacted]

Drafted By: [redacted]

Case ID #: (U) 268-HQ-1068430

Title: (U) WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: (S) [redacted]

(S) [redacted]

Derived From : ~~FBI NSISCG~~ 20090615
Declassify On: 20351016

Enclosure(s): (S) [redacted]

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(S) [redacted]

(U) **Details:** ~~(S)~~ [redacted]

[redacted]

~~SECRET~~//20351016

CELL/OTD 024628

CELLSITE-19561

To: Finance From: Operational Technology
Re: (U) 268-HQ-1068430, 10/16/2009

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(U) ~~(S)~~ Sole Source Justification

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(S)

CELL/OTD 024629

CELLSITE-19562

To: Finance From: Operational Technology
Re: (U) 268-HQ-1068430, 10/16/2009

(S) [redacted]

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(U) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

(U) Contracting Officers are responsible for ensuring that

[redacted]

CELL/OTD 024630 CELLSITE-19563

To: Finance From: Operational Technology
Re: (U) 268-HQ-1068430, 10/16/2009

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

(S) [redacted]

(S) [redacted]

CC: [redacted]

b1
b3
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b6
b7C
b7E

♦♦

CELL/OTD 024631
CELLSITE-19564

DATE: 10-18-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-18-2037

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(Rev. 05-01-2008)

~~SECRET~~//NOFORN/~~20350716~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 07/16/2010

To: Finance **Attn:** [redacted] ERF A226

From: Operational Technology Division
[redacted] Tracking Technology Unit
Contact: [redacted]

b6
b7C
b7E

Approved By: [redacted]

Drafted By: [redacted]

(U) **Case ID #:** ~~(S//NF)~~ 268-HQ-1068430

(U) **Title:** ~~(S//NF)~~ WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: (S//NF) [redacted]

b1
b3
b7E

(S) [redacted]

~~**Derived From : FBI NSISCG-20090615**~~
~~**Declassify On:** 20350716~~

(U) **Enclosure(s):** ~~(S//NF)~~ FD369.

Details: (S//NF) [redacted]

b1
b3
b5
b7E

(S) [redacted]

[redacted] with Harris Wireless Products Group (WPG), Melbourne, FL, for procurement of these devices.

~~SECRET~~//NORFORN/~~20350406~~ [redacted] wpd

CELL-OTD 024625

CELLSITE-19565

To: Finance From: Operational Technology Division
(U) Re: ~~(S//NF)~~ 268-HQ-1068430, 07/16/2010

b6
b7C
b7E

(U) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

(U) [redacted]

LEAD(s):

CELL/OTD 024526

CELLSITE-19566

To: Finance From: Operational Technology Division
(U) Re: ~~(S//NF)~~ 268-HQ-1068430, 07/16/2010

b6
b7C

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

FOR INFORMATION ONLY

CC:

♦♦

CELL/OTD 024627 CELLSITE-19567

(Rev. 05-01-2008)

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 3/17/2010

To: Finance **Attn:** [redacted]
Rm A226 (Enc)

From: Operational Technology Division
[redacted]/TTU/OT-ERF-E
Contact: [redacted]

b6
b7C

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: [redacted]

b3
b5
b6
b7C

Enclosure(s): [redacted]

Details: [redacted]

The Contracting Officer Technical Representative (COTR) for this procurement is EE[redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

UNCLASSIFIED

CELL/OTD 024622

CELLSITE-19568

To: Finance From: Operational Technology Division
Re: 268-HQ-1068430, 3/17/2010

Contracting Officers are responsible for ensuring that

[redacted] b7E

CELL/OTD 024623

CELLSITE-19569

To: Finance From: Operational Technology Division
Re: 268-HQ-1068430, 3/17/2010

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

[redacted]

b3
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b7C
b7E

CC: [redacted]

CELL/OTD 024624
CELLSITE-19570

(Rev. 05-01-2008)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-18-2012 BY 65179/dmh/stp/aa

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 3/3/2010

To: Finance **Attn:** [redacted]
Rm A226 (Enc)

From: Operational Technology Division
[redacted]TTU/QT-ERF-E
Contact: [redacted]

b6
b7C

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: [redacted]

Enclosure(s): [redacted]

Details: [redacted]

b3
b5
b6
b7C
b7E

The Contracting Officer Technical Representative (COTR) for this procurement is EE [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

UNCLASSIFIED

CELL/OTD 024619

CELLSITE-19571

To: Finance From: Operational Technology Division
Re: 268-HQ-1068430, 2/19/2010

Contracting Officers are responsible for ensuring that

[redacted] b7E

CELL/OTD 024620

CELLSITE-19572

To: Finance From: Operational Technology Division
Re: 268-HQ-1068430, 2/19/2010

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

[redacted]

b3
b5
b6
b7C
b7E

CC: [redacted]

CELL/OTD 024621

CELLSITE-19573

(Rev. 01-31-2003)

DATE: 10-18-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-18-2037

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~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 03/16/2009

To: [redacted] **Attn:** [redacted]

Finance **Attn:** [redacted]

b6
b7C

From: Operational Technology Division
[redacted]
Tracking Technology Unit (TTU)
Contact: [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: (S) [redacted]

(S) **Title:** ~~(U)~~ [redacted]

Synopsis: (S) [redacted]

(S) [redacted]

b1
b3
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b7E

(U) ~~(S)~~ **Derived From : G-3**
Declassify On: March 16, 2029

(U) **Enclosure(s):** ~~(S)~~ Requisition number [redacted]

(U) **Details:** ~~(S)~~ The Operational Technology Division, [redacted] Tracking Technology Unit (TTU) supports a broad range of [redacted]

~~SECRET~~

CELL/OTD 024611

CELLSITE-19574

~~SECRET~~

To: [redacted] From: Operational Technology Division
Re: [redacted] 03/16/2009

[redacted]

(S) [redacted]

(S) [redacted]

(S) [redacted]

(S) [redacted]

(S) [redacted]

b1
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b7E

(U) Questions regarding this tasking should be directed to [redacted]

(U) Contracting Officers are responsible for ensuring that [redacted]

~~SECRET~~

CELL/OTD 024612

CELLSITE-19575

To: [redacted] From: Operational Technology Division
Re: (S) [redacted] 03/16/2009

LEAD(s):

Set Lead 1: (Act)

FINANCE

AT WASHINGTON, DC

(S) [redacted]

(S) [redacted]

cc: EE [redacted]

♦♦

b1
b3
b5
b7E

CELL/OTD 024613

CELLSITE-19576

DATE: 10-18-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-18-2037

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(Rev. 05-01-2008)

~~SECRET~~//NOFORN/~~20350301~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 03/01/2010

To: Finance **Attn:** Mr. [redacted]
Rm B239, ERF-QT (Enc)

From: Operational Technology Division
[redacted]/TTU/OT-ERF
Contact: [redacted]

b6
b7C

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: (U) 268-HQ-1068430

(S) **Title:** ~~(X)~~ [redacted]

Synopsis: (S//NF) [redacted]

(S) [redacted]

Derived From : ~~FBI NSISCG-20080301~~
Declassify On: ~~20350301~~

b1
b3
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b7E

Enclosure(s): (S//NF) [redacted]

(S) [redacted]

Details: (S//NF) [redacted]

(S) [redacted]

~~SECRET~~//NOFORN/~~20350301~~ [redacted] WPD

CELL/OTD 024606

To: Finance From: Operational Technology Division
Re: (U) 268-HQ-1068430, 03/01/2010

(S)

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(S)

(S//NF)

CELL/OTD 024607

CELLSITE-19578

To: Finance From: Operational Technology Division
Re: (U) 268-HQ-1068430, 03/01/2010

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- (S//NF)

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(S)

CELL-OTD 024608

CELLSITE-19579

To: Finance From: Operational Technology Division
Re: (U) 268-HQ-1068430, 03/01/2010

(S//NF) [redacted]

(S) [redacted]

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(U) (~~S//NF~~) Sole Source Justification

(S//NF) [redacted]

(S) [redacted]

(U) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

(U) Contracting Officers are responsible for ensuring that [redacted]

CELL/OTD 024609

CELLSITE-19580

To: Finance From: Operational Technology Division
Re: (U) 268-HQ-1068430, 03/01/2010

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

(S//NF)

(S)

CC:

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CELL-OTD 024610

CELLSITE-19581

(Rev. 05-01-2008)

UNCLASSIFIED

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DATE 10-18-2012 BY 65179/dmh/stp/as

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 12/08/2009

To: Finance **Attn:** [redacted]
Rm A226 (Enc)

From: Operational Technology Division
[redacted]/TTU/OT-ERF-E
Contact: [redacted]

b6
b7C

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: [redacted]

b3
b5
b6
b7C
b7E

Enclosure(s): ASU Checklist, FD-369 [redacted] in the amount of [redacted]

Details: [redacted]

TTU/[redacted] has determined that it is necessary to procure the [redacted] listed on the attached FD-369 from [redacted] using FBI contract, to [redacted]

The Contracting Officer Technical Representative (COTR) for this procurement is EE [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

UNCLASSIFIED

[redacted] wpd

CELL/OTD 024603

CELLSITE-19582

To: Finance From: Operational Technology Division
Re: 268-HQ-1068430, 12/08/2009

Contracting Officers are responsible for ensuring that

[redacted] b7E

CELL/OTD 024604

CELLSITE-19583

To: Finance From: Operational Technology Division
Re: 268-HQ-1068430, 12/08/2009

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

[redacted] b3 b5 b6 b7C b7E

CC: [redacted]

CELL/OTD 024605

CELLSITE-19584

DATE: 10-18-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-18-2037

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(Rev. 05-01-2008)

~~SECRET~~/NOFORN/~~20350301~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 03/01/2010

To: Finance **Attn:** [redacted]
Rm B239, ERF-QT (Enc)

From: Operational Technology Division
[redacted]/TTU/OT-ERF
Contact: [redacted]

b6
b7C

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: (U) 268-HQ-1068430

(S) **Title:** ~~(U)~~ [redacted]

Synopsis: (S//NF) [redacted]

(S) [redacted]

b1
b3
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b7E

~~**Derived From :** FBI NSISCG-20080301~~
~~**Declassify On:** 20350301~~

Enclosure(s): (S//NF) [redacted]

(S) [redacted]

Details: (S//NF) [redacted]

(S) [redacted]

~~SECRET~~/NOFORN/~~20350301~~ [redacted]

CELL/OTD 024598

CELL/OTD 024598

To: Finance From: Operational Technology Division
Re: (U) 268-HQ-1068430, 03/01/2010

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CELL/OTD 024599

CELLSITE-19586

To: Finance From: Operational Technology Division
Re: (U) 268-HQ-1068430, 03/01/2010

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(S)

To: Finance From: Operational Technology Division
Re: (U) 268-HQ-1068430, 03/01/2010

(S) [redacted] b1 b3 b5 b6 b7C b7E

(U) ~~(S//NF)~~ Sole Source Justification

(S//NF) [redacted]

(S) [redacted]

(U) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

(U) Contracting Officers are responsible for ensuring that [redacted]

To: Finance From: Operational Technology Division
Re: (U) 268-HQ-1068430, 03/01/2010

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

(S//NF)

(S)

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CC:

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CELL-OTD 024602

CELLSITE-19589

(Rev. 05-01-2008)

DATE: 10-18-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-18-2037

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~~SECRET~~//~~20351016~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY **Date:** 10/16/2009

To: Finance **Attn:** [redacted]
Rm B239, ERF-QT (Enc)

From: Operational Technology
[redacted]/TTU/OT-ERF
Contact: [redacted]

b6
b7C

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: (U) 268-HQ-1068430

Title: (U) WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: (S) [redacted]

(S) [redacted]

~~**Derived From :** FBI NSISCG 20090615~~
~~**Declassify On:** 20351013~~

b1
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b5
b7E

Enclosure(s): (S) [redacted]

(S) [redacted]

Details: ~~(S)~~ [redacted]

(U) [redacted]

(S) [redacted]

(S) [redacted]

~~SECRET~~//~~20351016~~

CELL/OTD 024593

CELLSITE-19590

To: Finance From: Operational Technology
Re: (U) 268-HQ-1068430, 10/16/2009

b1
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b5
b7E

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CELL/OTD 024594

CELLSITE-19591

To: Finance From: Operational Technology
Re: (U) 268-HQ-1068430, 10/16/2009

(S) [redacted]

(U) ~~(S)~~ Sole Source Justification

(S) [redacted]

(S) [redacted] b1 b3 b5 b6 b7C b7E

(U) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

(U) Contracting Officers are responsible for ensuring that

[redacted]

CELL-OTD 024595
CELLSITE-19592

To: Finance From: Operational Technology
Re: (U) 268-HQ-1068430, 10/16/2009

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

(S)

(S)

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b7E

CC:

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CELL/OTD 024596

CELLSITE-19593

DATE: 10-18-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-18-2037

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~~SECRET~~//NOFORN/~~20350228~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY **Date:** 03/3/2010

To: Finance **Attn:** [redacted]
Rm B239, ERF-QT (Enc)

From: Operational Technology
[redacted]/TTU/OT-ERF
Contact: [redacted]

b6
b7C

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: (U) 268-HQ-1068430

Title: (U) WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: (S) [redacted]

(S) [redacted]

b1
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b7E

~~**Derived From :** FBI NSISCG 20090615~~
~~**Declassify On:** 20350228~~

Enclosure(s): (S) [redacted]

(S) [redacted]

Details: (U) [redacted]

(U) [redacted]

~~SECRET~~//NOFORN/~~20350228~~

CELL/OTD 024589

To: Finance From: Operational Technology
Re: (U) 268-HQ-1068430, 03/3/2010

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CELL-OTD 024590

CELLSITE-19595

To: Finance From: Operational Technology
Re: (U) 268-HQ-1068430, 03/3/2010

(S) [redacted]

(U) ~~(S)~~ Sole Source Justification

(S) [redacted]

(S) [redacted]

b1
b3
b5
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b7E

(U) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and can be contacted at the FBI Engineering Research Facility (ERF), located in Quantico, Virginia.

(U) Contracting Officers are responsible for ensuring that [redacted]

CELL-OTD 024591

CELLSITE-19596

To: Finance From: Operational Technology
Re: (U) 268-HQ-1068430, 03/3/2010

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

(S) [redacted]

(S) [redacted] b1 b3 b5 b6 b7C b7E

CC: [redacted]

♦♦

CELL/OTD 024592

CELLSITE-19597

~~SECRET~~

DATE: 10-18-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-18-2037

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Statement of Need

To accompany Requisition: [redacted]

The Tracking Technology Unit (TTU), [redacted] is tasked with providing FBI Field Offices with [redacted] In response to this tasking, [redacted] provides a 24x7 operational support effort for all FBI field offices with [redacted]

b1
b3
b7E

(S) [redacted]

~~SECRET~~

CELL/OTD 024566

CELLSITE-19614

~~SECRET~~

- TTU, [redacted] requests the procurement of the following items from the manufacturer to [redacted]

b3
b6
b7C
b7E

[redacted]

Unit Chief

~~SECRET~~

CELL/OTD 024567

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DATE 10-18-2012 BY 65179/dmh/stp/as

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 07/6/2007

To: Finance **Attn:** [redacted]
Rm B239 (Enc)

From: Operational Technology
[redacted]/TTU/QT-ERF
Contact: [redacted]

b6
b7C

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: [redacted]

Enclosure(s): FD-369, [redacted] Acquisition Form.

Details: [redacted]

b3
b5
b7E

CELLPOTD 020476

[redacted]

Sole Source Justification

[redacted]

b3
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[redacted]

The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Technician (ET) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

Contracting Officers are responsible for ensuring that

[redacted]

CELL/OTD 02047

CELLSITE-19617

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 07/6/2007

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

[redacted]

b3
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b7E

CC: [redacted]

♦♦

CELL/OTD 020478

CELLSITE-19618

Statement of Work for [redacted]

Directorate of Science and Technology
U.S. Department of Homeland Security
Cyber Security Division (CSD)

I. Background

The U.S. Department of Homeland Security (DHS) is committed to using cutting-edge technologies and scientific talent in its quest to make America safer. The DHS Directorate of Science and Technology (S&T) is tasked with researching and organizing the scientific, engineering, and technological resources of the United States and leveraging these existing resources into technological tools to help protect the homeland. The DHS S&T Cyber Security Division intends to enhance the capabilities of DHS Law Enforcement Officers (LEOs) by developing technology that increases operational efficiency and creates new capabilities.

[redacted] Law enforcement investigators must have [redacted]

b3
b7E

[redacted]

[redacted]

II. Scope of Work

Task 1. The performer will perform analysis, modeling, and testing to verify the capability of the [redacted]

- The developed [redacted] should also continue to [redacted]

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CELL/OTD 030395

CELLSITE-19619

- The work in this task should also address need for [redacted] support for
- [redacted]
- [redacted]

Task 2. The performer will produce [redacted]

Deliverables:

b3
b7E

[redacted]

[redacted]

3. Report of analysis, modeling and testing that verifies the capability of [redacted]

Milestones:

- Kick-off meeting will be held no later than 30 days after contract award.
- Preliminary design review shall be held 2 months after contract award. The performer shall provide a PDR report to the DHS S&T Technical Representative no later than 2 weeks after the completion of the meeting.
- A Critical design review shall be conducted 6 months after contract award. The performer shall deliver a CDR report to the DHS S&T Technical Representative 2 weeks after the completion of the meeting.
- The performer shall conduct a demonstration/user acceptance test of the [redacted] with DHS law enforcement and S&T representatives and shall produce a full report of the conduct of the test and User acceptance/rejection with a mitigation plan in case of user

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CELL/OTD 030396

CELLSITE-19620

rejection. Testing shall be conducted no later than 2 weeks prior to the end of the period of performance.

- Transition of deliverables to a designee of DHS S&T at the end of the period of performance.

Personnel provided by [redacted] will have the skills and technical background necessary to successfully complete the tasks described in this SOW, including but not limited to the following: [redacted]

III. Other Contract Details

1. **Period of Performance.** The period of performance for this SOW is through August 2012. All deliverables/milestones are expected at their specified date in the above deliverable /milestone schedule. An additional 90 days has been added to the performance period to allow for the review, preparation and submission of deliverables and closeout activities by DHS personnel. DHS may give subsequent extension notices to [redacted] in writing for further performance in accordance with the terms if this SOW. b3 b7E

2. **Travel.** Travel to Washington, DC is required in performance of these duties. The number of personnel and frequency/number of trips shall be proposed by the performer in support of the project.

3. **DHS-Furnished Information.** No DHS-furnished information is required for the performance of the duties outlined in this SOW.

4. **DHS-Furnished Facilities, Supplies, and Services.** No DHS-furnished facilities, supplies, and services are required for the performance of the duties outlined in the SOW.

5. **Place of Performance.** [redacted] will perform the work under this SOW at [redacted] and contractor facilities.

6. **DHS-Furnished Property.** Before purchasing any individual item equal to or exceeding [redacted] that is required to support technical tasks performed pursuant to this SOW, [redacted] shall obtain the DHS S&T Technical Representative's prior written consent. The DHS S&T Technical Representative may lower or raise the aforementioned [redacted] threshold at his/her discretion and on written notice to [redacted] If the DHS S&T Technical Representative consents to such purchase, such item shall become the property of DHS. [redacted] will maintain any such items according to currently existing property accountability procedures. The DHS S&T Technical Representative will determine the final disposition of any such items.

Distribution is authorized to U.S. government agencies only. Contains information that may be exempt from public release under the Freedom of Information Act. Before this SOW is released to the public, approval is required by the Department of Homeland Security Directorate of Science and Technology.

CELL/OTD 030397 CELLSITE-19621

7. **Deliverables.** [redacted] will provide all deliverables identified in this SOW directly to the DHS S&T Technical Representative.

8. **Funding Requirements.** DHS will provide funding to [redacted] in accordance with DHS appropriations and available funds pursuant to the budget outlined below. Amounts will be deobligated to the extent that the servicing agency has not incurred obligations before the end of the period of availability of that appropriation. In accordance with the Anti-Deficiency Act, 31 U.S.C. §1341, all payments will be made in advance. ***Under no circumstances will the amount paid be more than the actual costs of the goods or services.*** At least quarterly, the parties will reconcile balances related to revenue and expenses for work performed under the agreement.

Category	Amount
Labor	[redacted]
Equipment	
Travel	
Total	

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9. **Security Requirements.** All work performed under this SOW is unclassified and the results will be publicly distributed, unless otherwise specified by DHS.

10. **Dispute Resolution.** Should disagreement arise on the interpretation of the provisions of this agreement, the dispute shall be resolved pursuant to the Business Rules for intragovernmental Transactions delineated in the Treasury Financial Manual, Vol. 1, Bulletin 2007-03, Section VII (Resolving Intragovernmental Disputes and Major Differences.)

11. **Modification, Cancellation, and Termination.** Either party may terminate this agreement with 60 days written notice. If the requesting agency cancels the order, the providing agency is authorized to collect costs incurred prior to cancellation of the order plus any termination costs. This agreement may be amended at any time prior to the termination of this Agreement upon written agreement by both parties.

IV. Points of Contact

Performer Points of Contact (POCs) are as follows:

- Technical POC(s) – TBD
- Financial POC(s) –

[redacted]

Distribution is authorized to U.S. government agencies only. Contains information that may be exempt from public release under the Freedom of Information Act. Before this SOW is released to the public, approval is required by the Department of Homeland Security Directorate of Science and Technology.

T:
F:

POC:
Telephone No:

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The DHS POCs are as follows:

- Technical POC:

Department of Homeland Security/S&T/CSD
Washington, DC 20528

- Financial POC:

Department of Homeland Security
ATTN: Science and Technology Directorate, Office of Strategy, Policy and Budget
Washington, DC 20528

Distribution is authorized to U.S. government agencies only. Contains information that may be exempt from public release under the Freedom of Information Act. Before this SOW is released to the public, approval is required by the Department of Homeland Security Directorate of Science and Technology.

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FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

Total Deleted Page(s) = 143
Page 51 ~ Duplicate - 1195589-OTD-CONTRACT-12 pg 70;
Page 94 ~ Duplicate - OTD-Contract-2, p. 60 & following;
Page 95 ~ Duplicate - OTD-Contract-2, p. 60 & following;
Page 96 ~ Duplicate - OTD-Contract-2, p. 60 & following;
Page 98 ~ Duplicate - OTD-Contract-2, p. 60 & following;
Page 99 ~ b3; b5; b7E;
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Page 110 ~ Duplicate - OTD-Contract-2, p. 22;
Page 113 ~ Duplicate - Finance-2, p. 75 & following;
Page 114 ~ Duplicate - Finance-2, p. 75 & following;
Page 115 ~ Duplicate - Finance-2, p. 75 & following;
Page 128 ~ Duplicate - OTD-Contract-2, p. 72 & following;
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Page 143 ~ Duplicate - 1197470-OTD-Policy-4, p. 75 & following;
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Page 150 ~ b3; b7E;
Page 156 ~ Duplicate - OTD-Contract-10, p. 174;
Page 157 ~ Duplicate - OTD-Contract-2, p. 82;
Page 158 ~ Duplicate - 1197470-OTD-Policy-4, p. 75 & following;
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Page 161 ~ Duplicate - 1197470-OTD-Policy-4, p. 75 & following;
Page 162 ~ Duplicate - 1197470-OTD-Policy-4, p. 75 & following;
Page 163 ~ Duplicate - 1197470-OTD-Policy-4, p. 75 & following;
Page 169 ~ Duplicate - OTD-Contract-2, p. 92;
Page 173 ~ Duplicate - OTD-Contract-2, p. 60 & following;
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Page 187 ~ Duplicate - OTD-Contract-6, p. 86 & following;
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Page 262 ~ b1; b3; b6; b7C; b7E;
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Page 282 ~ b1; b3; b6; b7C; b7E;
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(Rev. 01-31-2003)

DATE: 10-19-2012
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REASON: 1.4 (c,g)
DECLASSIFY ON: 10-19-2037

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~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 03/16/2006

To: Criminal Investigative **Attn:** [redacted]
Rm 3867 (Enc)

Finance **Attn:** [redacted]

From: Operational Technology Division
[redacted]/QT-ERF
Contact: [redacted]

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Approved By: Haynes Kerry E
Thomas Marcus C
Clifford Michael Jr
[redacted]

Drafted By: [redacted]

Case ID #: (U) 268-HQ-1068430 (Pending)

Title: (U) WIRELESS INTERCEPT AND TRACKING TEAM

b1
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b7E

Synopsis: (S) [redacted]

(S) [redacted]

(U) ~~(S)~~ ~~Derived From : G-3~~
~~Declassify On: 03/16/2006~~

Enclosure(s): (U) IT Acquisition form, COTS/ITATS approval attachment, IT Acquisition form attachment, Notification of Approval to Operate (ATO) dated 06/30/2004, Vendor Price Quote, FD369 [redacted] in the amount of [redacted] and acquisition planning form [redacted]

Details: (U) The Wireless Intercept and Tracking Team (WITT) is responsible for the development, deployment, and support of investigative technologies that provide [redacted]

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(U) WITT recently rolled out a [redacted]

[redacted]

~~SECRET~~ [redacted] 03162006.wpd

CELL/OTD 018410

CELLSITE-15575

To: Criminal Investigative From: Operational Technology Division
Re: (U) 268-HQ-1068430, 03/16/2006

[redacted] b3 b7E

[redacted] WITT

[redacted]

[redacted] b1 b3 b7E

(S) [redacted]

(S) [redacted]

(U) (S) Sole Source Justification

[redacted]

(S) [redacted] b1 b3 b7E

To: Criminal Investigative From: Operational Technology Division
Re: (U) 268-HQ-1068430, 03/16/2006

(S) [redacted] b1 b3 b7E

(U) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions. b6 b7C

To: Criminal Investigative From: Operational Technology Division
Re: (U) 268-HQ-1068430, 03/16/2006

LEAD(s):

Set Lead 1: (Info)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

(S)

Set Lead 2: (Action)

FINANCE

AT WASHINGTON, DC

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CC:

QT-ERF
QT-ERF
T-ERF
T-ERF (Enc)
QT-ERF (Enc)
QT-ERF

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♦♦

DATE: 10-19-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
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(Rev. 01-31-2003)

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 03/16/2006

To: Finance **Attn:** [redacted]

From: Operational Technology Division
[redacted]QT-ERF
Contact: [redacted]

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Approved By: Haynes Kerry E
Thomas Marcus C
Clifford Michael Jr
[redacted]

Drafted By: [redacted]

Case ID #: (U) 268-HQ-1068430 (Pending)

Title: (U) WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: (S) [redacted]

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(S) [redacted]

(U) ~~(S)~~ ~~Derived From : G-3~~
~~Declassify On: 03/16/2006~~

Enclosure(s): (U) IT Acquisition form, COTS/ITATS approval attachment, IT Acquisition form attachment, Notification of Approval to Operate (ATO) dated 06/30/2004, Vendor Price Quote, FD369 [redacted] in the amount of [redacted], and acquisition planning form [redacted]

Details: (U) The Wireless Intercept and Tracking Team (WITT) is responsible for the development, deployment, and support of investigative technologies that provide [redacted]

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(U) WITT [redacted]

~~SECRET~~

[redacted]03162006.wpd

CELL/OTD 018512

CELLSITE-15579

To: Criminal Investigative From: Operational Technology Division
Re: (U) 268-HQ-1068430, 03/16/2006

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WITT

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(S)

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(S)

(U) ~~(S)~~ Sole Source Justification

(S)

(S)

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b7E

To: Criminal Investigative From: Operational Technology Division
Re: (U) 268-HQ-1068430, 03/16/2006

(S) [redacted] b1 b3 b7E

(U) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions. b6 b7C

To: Criminal Investigative From: Operational Technology Division
Re: (U) 268-HQ-1068430, 03/16/2006

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

(S) [redacted] b1 b3 b7E

CC: [redacted], QT-ERF
QT-ERF
T-ERF
T-ERF (Enc)
QT-ERF (Enc)
QT-ERF b6 b7C

♦♦

DATE: 10-19-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-19-2037

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~~SECRET~~

Justification for Other Than Full and Open Competition
In Accordance With 41 U.S.C. 253 (c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI), [redacted] Operational Technology Division (OTD). The contracting activity is the Engineering Contracts Unit (ECU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(U) The proposed acquisition strategy is to award a non-competitive contract effort for highly-specialized [redacted] to [redacted]

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

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(U) [redacted] The FBI's Wireless Intercept and Tracking Team (WITT) [redacted]

(S) [redacted]

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(U [redacted] is requesting this sole source procurement with [redacted] The proposed procurement is [redacted] Requisition [redacted] in the amount of [redacted] has been submitted to fund the requirement.

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4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

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5. **DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED**

(S)

(S)

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6. **DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE**

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would

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7. **DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE**

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. **A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A**

STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED

(U) [redacted] continuously conducts market surveys to determine state-of-the-art technologies. The engineers, technicians, and technical personnel are in constant contact with equipment vendors, other technical members of the intelligence community, as well as visiting trade shows, reviewing trade journals, and browsing the Internet. [redacted] routinely conducts and attends working group (WG) meetings with vendors to assess the capabilities, performance, and quality of equipment that meets the needs of the FBI. [redacted]

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[redacted]

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

(U) [redacted] See paragraph (5) above for facts supporting the use of other then full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U). Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Contracting Officer's Technical Representative (Date)

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(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Supervisory Contracting Officer (Date)

_____

, FBI Chief Contracting Officer (Date)

_____

Office of General Counsel (Date)

Approved By: _____

, Competition Advocate (Date)

DATE: 10-19-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-19-2037

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WHERE SHOWN OTHERWISE

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Security Addendum to Requisition

(U) ~~SI~~ ~~Derived From : G-3~~
~~Declassify On: 08/31/2022~~

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(S)

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~~SECRET//20220831~~

CELL/OTD 018503

DATE: 10-19-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-19-2037

ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

(Rev. 01-31-2003)

~~SECRET~~//~~20220831~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 08/31/2007

To: Finance **Attn:** [redacted] (Enc)

Criminal Investigative **Attn:** [redacted]
Room 3842 (Enc)

From: Operational Technology Division
[redacted]/TTU/OT-ERF-E
Contact: [redacted]

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Approved By: Thomas Marcus C
[redacted]

Drafted By: [redacted]

(U) **Case ID #:** ~~(S)~~ 268-HQ-1068430

Title: (U) WIRELESS INTERCEPT AND TRACKING TEAM

b7E

(U) **Synopsis:** ~~(S)~~ The Finance Division (FD) is requested to initiate critical procurement action for the identified [redacted] from Harris Corporation.

(U) ~~(S)~~ ~~Derived From : G-3~~
~~Declassify On: 08/31/2022~~

(U) **Enclosure(s):** ~~(S)~~ FD-369, [redacted] Acquisition Planning Form, Security Addendum, and Justification for Other Than Full and Open Competition.

(U) **Details:** ~~(S)~~ Law enforcement [redacted] have, in recent years, increased their use of [redacted]

[redacted]

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(U) ~~(S)~~ [redacted] Wireless Intercept and Tracking Team (WITT) recently completed roll-out of a program to [redacted]

~~SECRET~~//~~20220831~~

CELL/OTD 018504

To: Finance From: Operational Technology Division
(U) Re: ~~(S)~~ 268-HQ-1068430, 08/31/2007

[redacted] b3 b7E

[redacted] The Criminal Investigative Division has also [redacted]

[redacted] b1 b3 b7E

(S) [redacted]

(S) [redacted]

(U) ~~(S)~~ The FBI continues to experience a high demand for supporting criminal investigations [redacted] At present, the FBI has [redacted] b3 b7E

CELL/OTD 018505

To: Finance From: Operational Technology Division
(U) Re: (S) 268-HQ-1068430, 08/31/2007

[redacted]

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(S) [redacted]

(U) Contracting Officers are responsible for ensuring that [redacted]

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

(U) (S) The Finance Division (FD) is requested to initiate critical procurement action for the identified [redacted] from Harris Corp. Funding is available and may be processed via criminal investigative accounts for expedited delivery.

Set Lead 2: (Action)

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CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

(U) (S) The Criminal Investigative Division is requested to approve the critical procurement action for the identified [redacted] from Harris Corp. Funding is available and may be processed via criminal investigative accounts for expedited delivery.

CELL/OTD 018506

CELLSITE-15590

To: Finance From: Operational Technology Division
(U) Re: ~~(S)~~ 268-HQ-1068430, 08/31/2007

CC: [redacted] T-ERF
ERF-E (Enc)
ERF-E (Enc)
-ERF (Enc)
T-ERF (Enc)
, QT-ERF-E (Enc)

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♦♦

DATE: 10-19-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-19-2037

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

Justification for Other Than Full and Open Competition In Accordance With 41 U.S.C. 253 (c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI), Tracking Technology Unit (TTU), Operational Technology Division (OTD). The contracting activity is the FBI Finance Division (FD) and Engineering Contracts Unit (ECU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(U) The proposed acquisition strategy is to award a non-competitive contract effort for highly-specialized [redacted] from Harris Corp - Wireless Products Group, PO BOX 9800, M/S R5-11A, Melbourne, Florida, 32902.

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

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(U) TTU is responsible for providing the FBI with [redacted] The FBI's Wireless Intercept and Tracking Team (WITT) plays a critical role in [redacted]

(S) [redacted]

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(U) TTU is requesting this sole source procurement with Harris - WPG . A requisition has been submitted as described on the attached FD-369 form.

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

5. **DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED**

(S)

(S)

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6. **DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE**

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would

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7. **DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE**

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. **A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED**

(U) TTU continuously conducts market surveys to determine state-of-the-art technologies. The engineers, technicians, and technical personnel are in constant contact with equipment vendors, other technical members of the intelligence community, as well as visiting trade shows, reviewing trade journals, and browsing the Internet. TTU routinely conducts and attends working group (WG) meetings with vendors to assess the capabilities, performance, and quality of equipment that meets the needs of the FBI.

Harris WPG

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9. **ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN**

COMPETITION

(U) [redacted] See paragraph (5) above for facts supporting the use of other then full and open competition.

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10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Contracting Officer's Technical Representative (Date)

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(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Supervisory Contracting Officer (Date)

_____

, FBI Chief Contracting Officer (Date)

_____

Office of General Counsel (Date)

Approved By: _____

, Competition Advocate (Date)

CELL/OTD 018502

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-19-2012 BY 65179/dmh/stp/as

Firm Fixed Price
Statement of Work (SOW)
Equipment Maintenance and Technical Support
For the

[redacted]

1 Background

The Wireless Intercept and Tracking Team (WITT) purchased [redacted] from the [redacted] These systems have come to the end of their service warranty and a maintenance agreement needs to be established to ensure that these systems remain fully operational and deployable.

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2 Statement of Work

2.1 Remedial Maintenance

The vendor will perform remedial maintenance as required to ensure the functionality of the [redacted] and associated [redacted]

2.2 [redacted] Maintenance

The vendor will inform WITT of any [redacted] that are being made available for the [redacted] Additionally, they will provide [redacted] and associated documentation in order for the WITT to field [redacted] in a timely manner.

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3 Place of Performance

Should remedial maintenance be required on the [redacted], they will be shipped to the vendor's location for remediation, then returned to the customer. We do not anticipate the need for the vendor to perform maintenance actions within FBI locations.

4 Period of Performance

The period of performance for this endeavor will last one year from time of initial contract award.

CELL/OTD 018407

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-19-2012 BY 65179/dmh/stp/as

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY **Date:** 07/13/2006

To: Finance **Attn:**

Criminal Investigative **Attn:** , Rm 3867

From: Operational Technology
TTU/QT-ERF
Contact:

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Approved By: Haynes Kerry E
Thomas Marcus C
Clifford Michael Jr

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request the procurement of StingRay units to support the

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Enclosure(s): IT Acquisition form, COTS/ITATS approval attachment, IT Acquisition form attachment, FD369 in the amount of and acquisition planning form

Details: In the summer of 2005, the U. S. Gulf Coast bore the brunt of Several hurricanes, including Hurricane Katrina

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The Wireless Intercept and Tracking Team (WITT) supports FBI criminal investigations with research and development (R&D) efforts that continuously evaluate the ability of in meeting FBI requirements. WITT has historically satisfied

Harris_060713.wpd

much of the FBI [redacted] investigative requirements by utilizing Harris Corporation's [redacted] b3 b7E

In the aftermath of these gulf storms, WITT has determined that it is essential to procure [redacted] WITT [redacted]

Sole Source Justification

WITT request a sole source procurement with Harris Corporation - Wireless Products Group for the purchase of StingRay [redacted] b3 b7E

Harris Corporation [redacted]

The WITT intends to continue to use the Harris Corporation [redacted] for supporting [redacted] criminal investigations. WITT continuously evaluates other vendor solutions, techniques, and alternatives that may satisfy requirements for [redacted] b3 b7E and has determined that a substantial amount of investment and time shall be incurred if another vendor, technique, or alternative is considered. Alternative technologies and products offered by other vendors, such as [redacted]

The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] b6 b7C and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

CELL/OTD 018482

CELLSITE-15598

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 07/13/2006

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

The Engineering Contracts Unit is requested to initiate the procurement of [redacted] to support the [redacted] Funding is available as outlined on the attached form FD-369.

Set Lead 2: (Action)

CRIMINAL INVESTIGATIVE

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AT WASHINGTON, DC

The Criminal Investigative Division is requested to approve the procurement of [redacted] StingRay [redacted] and [redacted] to support the [redacted] Funding is available as outlined on the attached form FD-369, Requisition [redacted]

CC: [redacted], QT-ERF
QT-ERF
T-ERF
T-ERF (Enc)
T-ERF (Enc)
QT-ERF
QT-ERF

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CELL/OTD 018483

CELLSITE-15599

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DATE 10-19-2012 BY 65179/dmh/stp/as

IT Acquisition Form

Section 7 Attachment

Requirements Analysis

The Wireless Intercept and Tracking Team (WITT)

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WITT

WITT

as specified in requisition

Analysis of Alternatives

WITT

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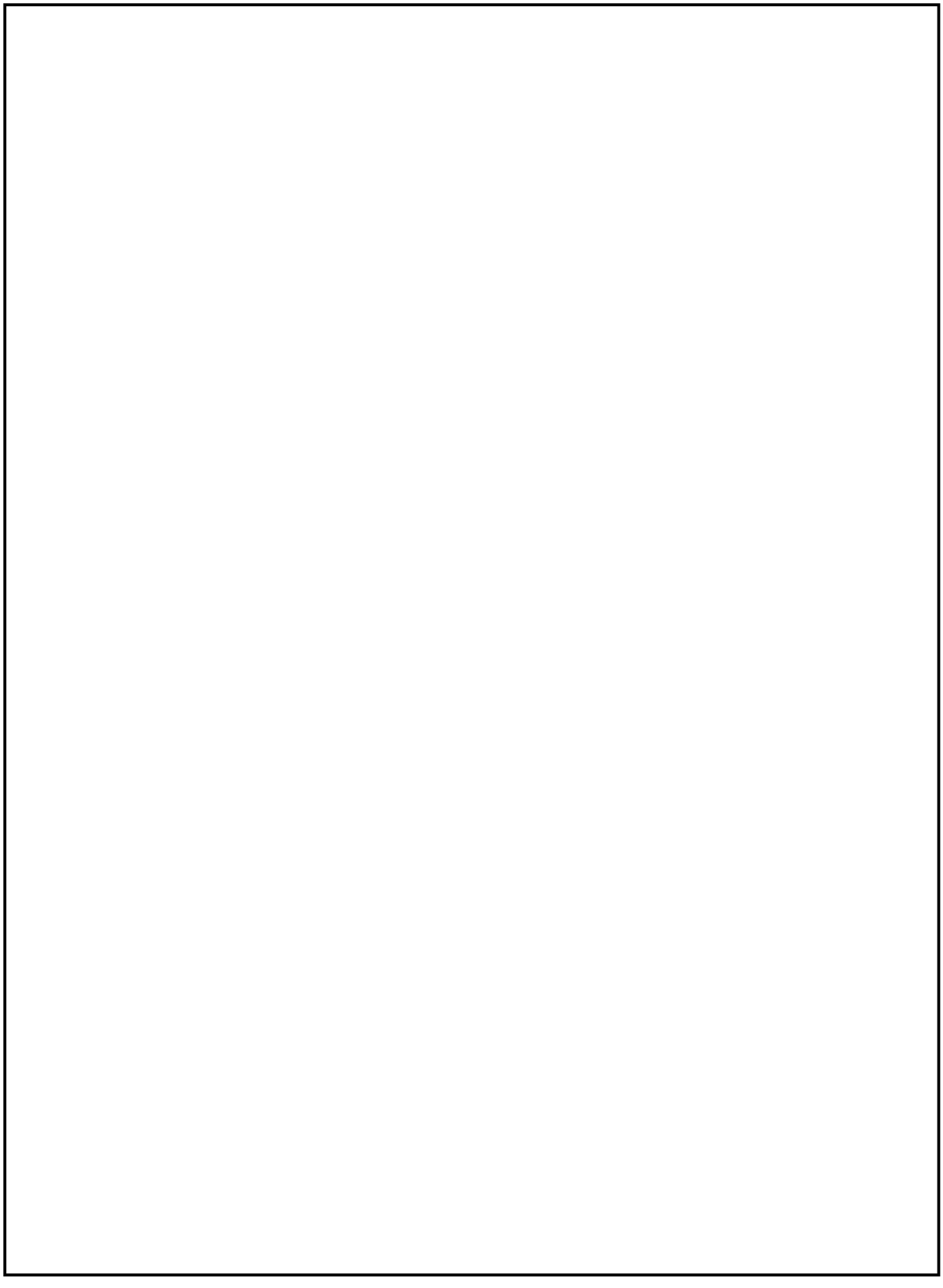
Section 508 Statement

Wireless Intercept and Tracking Team conducted an evaluation of the systems and have submitted the following comments regarding compliance of Section 508 requirements.

1194.3 General Exceptions

Systems are critical to the direct fulfillment of missions and are not used for routine administrative and business applications.

Subpart B -- Technical Standards



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Subpart C – Functional Performance Criteria

1194.31 Functional Performance Criteria

(a)

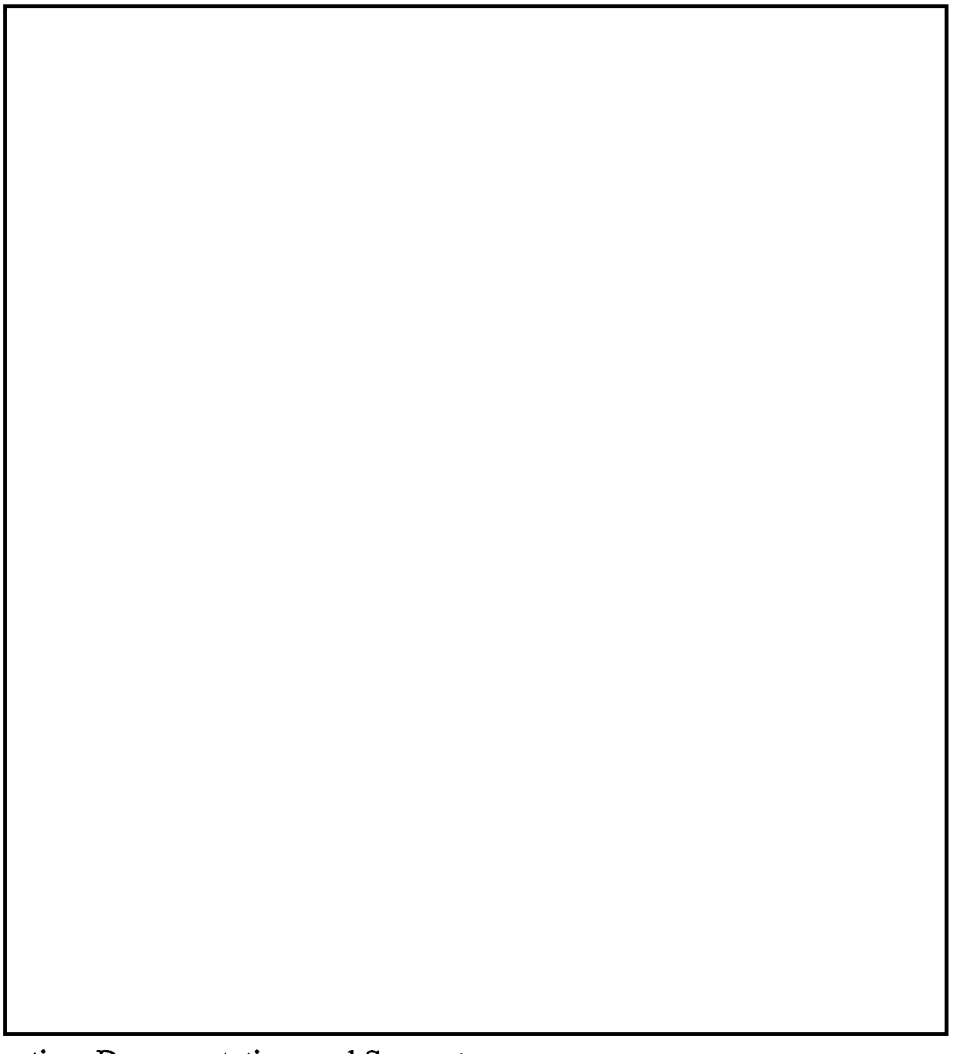
(b)

(c)

(d)

(e)

(f)



Subpart D – Information, Documentation, and Support

(a) Documentation is offered in hardcopy (paper) as well as softcopy (CD) at no additional charge.
(b) End users are instructed in the product features, visually or through instruction verbally at request, at no additional charge.
(c) Support services accommodate the communication needs of end-users with disabilities.

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System Security Plan

A System Security Plan has been completed and in place for use [redacted] EC dated 06/30/2004 from Security Division has been attached to requisition package [redacted]

Sole Source Justification

[redacted]

Independent Government Cost Estimate

WITT has submitted a quotation from the vendor, which details the cost of this procurement. Pricing is according to GSA price listings.

Life Cycle Cost Estimate

[redacted] WITT [redacted]

[redacted] WITT [redacted]

[redacted] stimated at approximately [redacted] per year.

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Earned Value Management Plan

[redacted] WITT continuously ensures planning, scheduling, and budget monitoring through its program management efforts. [redacted] WITT [redacted]

[redacted]

Privacy Impact Assessment

The Office of General Council has been contacted and has reviewed the request for a Privacy Impact Assessment (PIA). [redacted] /WITT has [redacted]

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Risk Assessment

[redacted] WITT [redacted]

[redacted] WITT has a proven and successful history with the vendor of these systems. The vendor has the technical knowledge and maturity in their products, and the ability to deliver on time. Sufficient funding is also in place for this procurement, and as well as plans for the maintenance over the full lifecycle of these products. Refer to acquisition planning form [redacted] for specific estimates and distribution of costs.

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HEREIN IS UNCLASSIFIED
DATE 10-19-2012 BY 65179/dmh/stp/as

IT Acquisition Form

Section 7 Attachment

Requirements Analysis

The Wireless Intercept and Tracking Team (WITT)

WITT

WITT

as specified in requisition

b3
b7E

Analysis of Alternatives

WITT

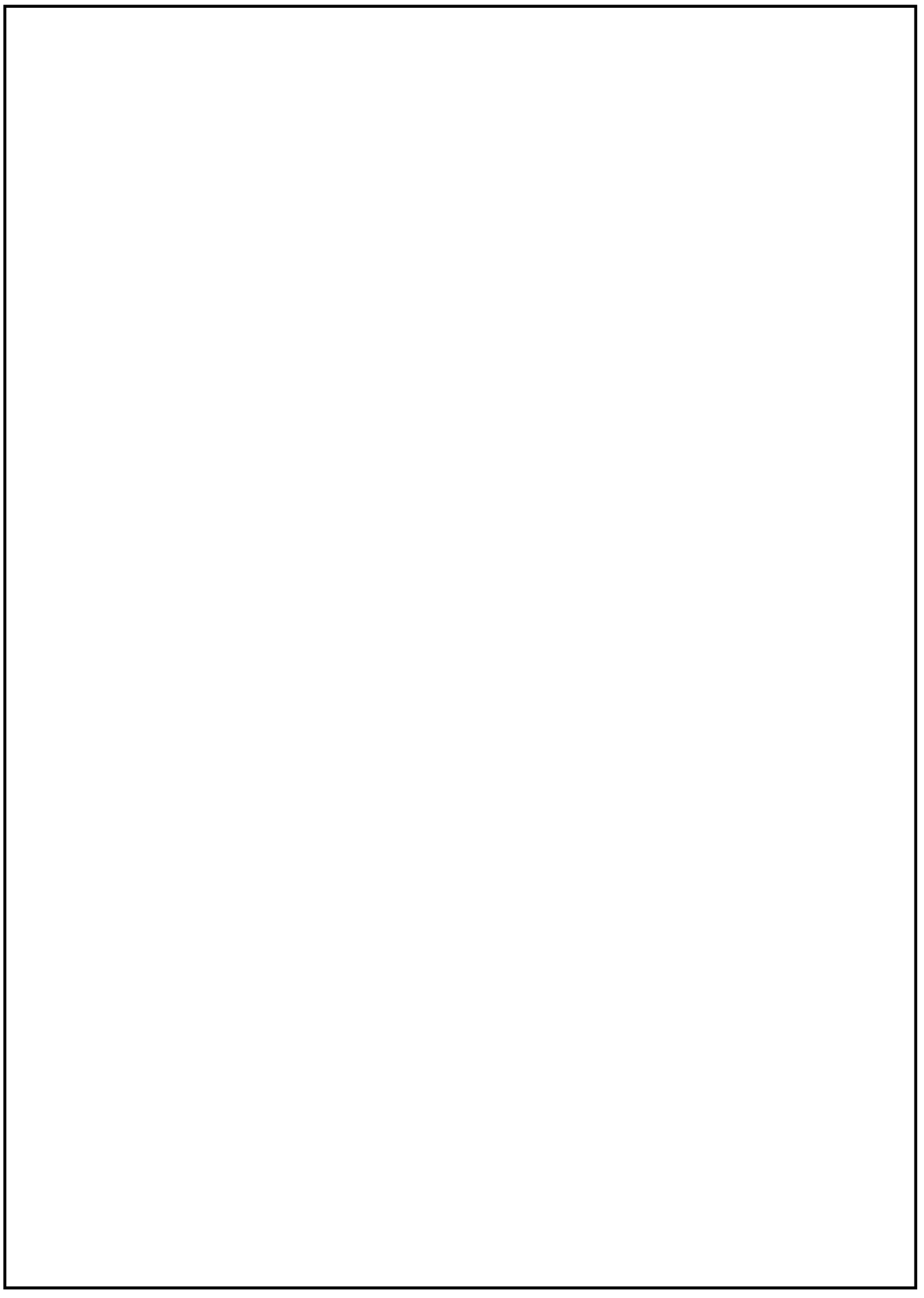
Section 508 Statement

Wireless Intercept and Tracking Team conducted an evaluation of the systems and have submitted the following comments regarding compliance of Section 508 requirements.

1194.3 General Exceptions

Systems are critical to the direct fulfillment of missions and are not used for routine administrative and business applications.

Subpart B -- Technical Standards



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Subpart C – Functional Performance Criteria

1194.31 Functional Performance Criteria

(a)

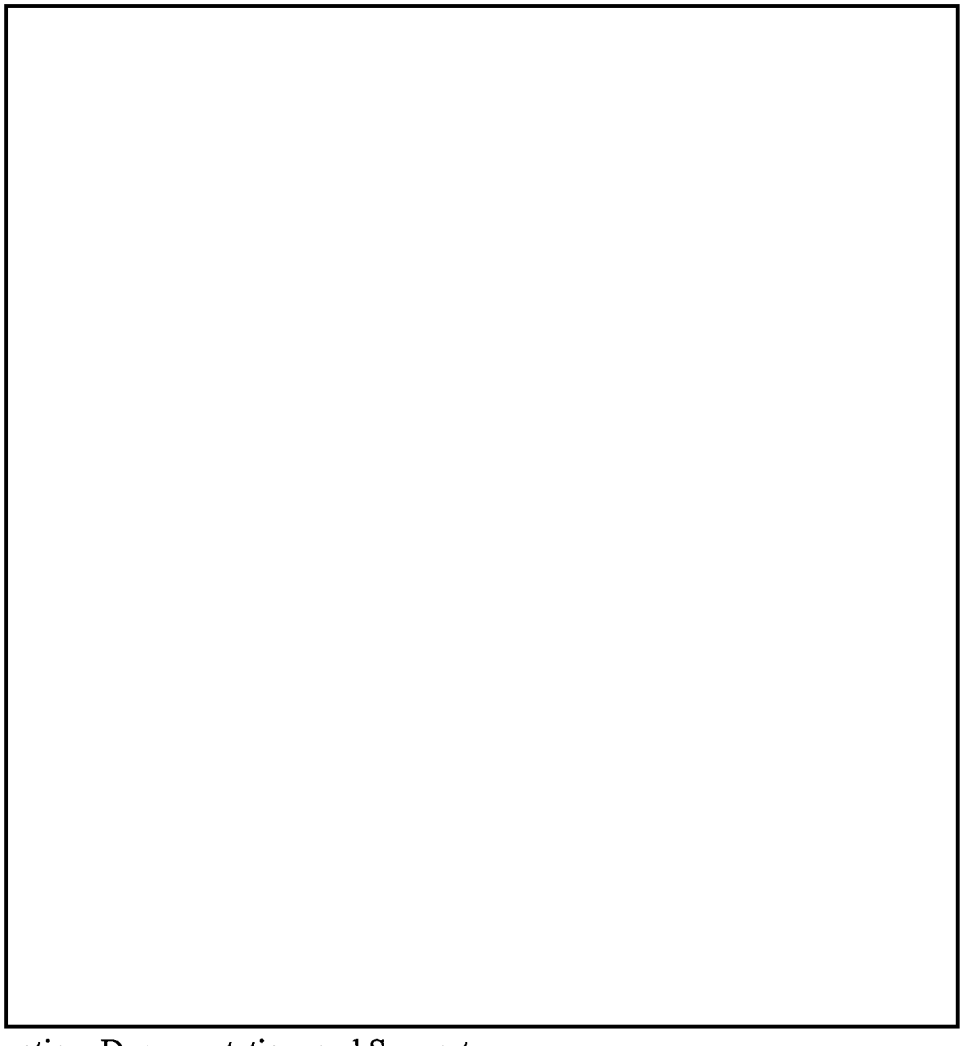
(b)

(c)

(d)

(e)

(f)



Subpart D – Information, Documentation, and Support

(a) Documentation is offered in hardcopy (paper) as well as softcopy (CD) at no additional charge.
(b) End users are instructed in the product features, visually or through instruction verbally at request, at no additional charge.
(c) Support services accommodate the communication needs of end-users with disabilities.

System Security Plan

A System Security Plan has been completed and in place for [redacted] EC dated 06/30/2004 from Security Division has been attached to requisition package [redacted]

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CELL/OTD 018473

Sole Source Justification

Independent Government Cost Estimate

WITT has submitted a quotation from the vendor, which details the cost of this procurement. Pricing has been negotiated and has been deemed fair and reasonable, and comparable with other procurements of this nature.

Life Cycle Cost Estimate

WITT WITT

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Earned Value Management Plan

WITT continuously ensures planning, scheduling, and budget monitoring through its program management efforts. WITT

Privacy Impact Assessment

The Office of General Council has been contacted and has reviewed the request for a Privacy Impact Assessment (PIA). WITT has

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Risk Assessment

WITT WITT has a proven and successful history with the manufacturer of these systems. The manufacturer has demonstrated their maturity in their products, as well as their ability to deliver on time. Sufficient funding is also in place for this procurement, and as well as plans for the maintenance over the full lifecycle of these products. Refer to acquisition planning form for specific estimates and distribution of costs.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-19-2012 BY 65179/dmh/stp/as

[redacted]
REQ. #

Page 1 OF 1

4/10/2006
DATE

[redacted] / Kerry E. Haynes
ORDERING OFFICE/COST CODE APPROVED BY

[redacted]
JULIAN DATE

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Supply Technician:
Program Manger:
Funding Approved:
COTR:
Room# & Ext: ERF-QT Ext. [redacted]

Contract Specialist: [redacted]
Date Received:
PPMS Approval:
Purchase Order#

WLS101 - $ WLS201 - $

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
			[redacted]						
1				EA					
2			Installation, Travel and [redacted]	EA					
3			Annual Maintenance	EA					
			Recommend by: Unit Chief [redacted]						
			Requested by/Deliver to: Federal Bureau of Investigation						
			ERFE Quantico, VA22135						
			Attn: [redacted]					Total	

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SPECIAL INSTRUCTION:
Ship to Code: TSQ-ERF
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate: [redacted]
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:
See Attached EC

CELLSITE 018475

CELLSITE-15609

DATE: 10-19-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-19-2037

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HEREIN IS UNCLASSIFIED EXCEPT
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~~SECRET~~

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION IN ACCORDANCE WITH TITLE 41, UNITED STATES CODE 253(c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U. S. Department of Justice, Federal Bureau of Investigation (FBI), [redacted], Operational Technology Division (OTD). The contracting activity is the Property Procurement and Management Section (PPMS), Telecommunications Contracts and Audit Unit (TCAU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(U) The proposed acquisition strategy is to award a non-competitive contract effort for highly-specialized [redacted] to Harris Corporation - Wireless Products Group (WPG), P.O. Box 37, M/S R5-9117, Melbourne, Florida, 32902.

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

[redacted] The FBI's Wireless Intercept and Tracking Team (WITT) [redacted]

(U) ~~(S)~~ [redacted] WITT has historically maintained an engineering services contract (ESC) with Harris Corporation for the advancement of [redacted] b3 b7E [redacted] These engineering services provided by Harris Corporation have led to the development of the products that meet the FBI's mission for conducting lawful [redacted] WITT has deployed a substantial amount of Harris equipment in support of its [redacted]

(U) [redacted] WITT is requesting this procurement with Harris Corporation. This proposed FY06 procurement is [redacted] Requisition [redacted] in the amount of b3 b4 b7E

~~SECRET~~

CELL/OTD 018476

CELLSITE-15610

[redacted] has been submitted to fund this requirement.

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The Statutory Authority is 41 U.S.C. 253 (c) (6). The Regulatory Authority is FAR 6.302-6 (a) (2), Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

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(U) ~~(S)~~ Harris Corporation - Wireless Products Group (WPG) specializes in [redacted] equipment for US Law Enforcement [redacted] Harris WPG has been producing [redacted] for many years and [redacted]

(S) [redacted]

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(U) ~~(S)~~ Harris Corporation WPG has historically provided legacy [redacted] systems to [redacted] and is the only vendor that possesses the appropriate knowledge and expertise required for [redacted] WITT continuously evaluates other vendor technologies and alternatives for conducting [redacted] as part of its research and development initiatives and has determined that a significant amount of investment in time and money shall be incurred if another vendor, technique, or alternative technology is considered.

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(S) [redacted]

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CELL/OTD 018477

CELLSITE-15611

(S) [redacted] b1 b3 b7E

6. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICAL

(U) Since this procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202 (a) (1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would [redacted]

7. DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation. b3 b7E

8. A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF REASONS A MARKET SURVEY WAS NOT CONDUCTED

(U) [redacted] WITT continuously conducts market surveys to determine state-of-the-art technologies. The engineers, technicians, and technical personnel are in constant contact with equipment vendors, other technical members of the intelligence community, as well as visiting trade shows, reviewing trade journals, and browsing the Internet. [redacted] WITT routinely conducts and attends working group (WG) meetings with vendors to assess the capabilities, performance, and quality of equipment that meets the needs of the FBI. [redacted] WITT [redacted] Harris Corporation can provide.

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN

CELL/OTD 018478
CELLSITE-15612

COMPETITION

(U) [redacted] See paragraph (5) above for facts supporting the use of other than full and open competition. b3 b7E

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED, IN WRITING, AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurements to determine whether full and open competition is appropriate and in the best interests of the government.

12. CERTIFICATIONS

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Acting Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Contracting Officer's Technical Representative (Date)

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge. b6 b7C

[redacted] Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Supervisory Contracting Officer (Date)

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[redacted] FBI Chief Contracting Officer (Date)

Office of General Counsel (Date)

Approved By:

Kevin L. Perkins, Competition Advocate (Date)

CELL/OTD 018480

CELLSITE-15614

DATE: 10-19-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-19-2037

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

(Rev. 01-31-2003)

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 04/10/2006

To: Criminal Investigative **Attn:** [redacted]
Rm 3867 (Enc)

Finance **Attn:** [redacted]

From: Operational Technology Division
[redacted]/QT-ERF
Contact: [redacted]

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b7E

Approved By: Haynes Kerry E
Thomas Marcus C
Clifford Michael Jr
[redacted]

Drafted By: [redacted]:kmw

Case ID #: (U) 268-HQ-1068430 (Pending)

Title: (U) WIRELESS INTERCEPT AND TRACKING TEAM

(U) Synopsis: ~~(S)~~ To request development and procurement of [redacted]

(U) ~~(S)~~ ~~Derived From : G-3~~
~~Declassify On: 03/16/2006~~

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Enclosure(s): (U) IT Acquisition form, COTS/ITATS approval attachment, IT Acquisition form attachment, Vendor Price Quote, FD369 [redacted]) in the amount of [redacted], and acquisition planning form [redacted]

Details: (U) The Wireless Intercept and Tracking Team (WITT) is responsible for the development, deployment, and support of investigative technologies that provide [redacted].

(S) [redacted]

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~~SECRET~~

[redacted]060410.wpd

CELL/OTD 018465

CELLSITE-15615

(S)

(S)

(U) (S) Sole Source Justification

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(S)

(U) The proposed Contracting Officer Technical Representative (COTR) for this procurement is Electronics Technician (ET) [redacted] who can be contacted at the Engineering Research Facility, located in Quantico, Virginia, regarding any questions.

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To: Criminal Investigative From: Operational Technology Division
Re: (U) 268-HQ-1068430, 04/10/2006

LEAD(s):

Set Lead 1: (Info)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

(S) [redacted]

Set Lead 2: (Action)

FINANCE

AT WASHINGTON, DC

(S) [redacted]

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CC: [redacted]
QT-ERF
QT-ERF
T-ERF
T-ERF (Enc)
T-ERF (Enc)
QT-ERF (Enc)
QT-ERF

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~~SECRET~~

DATE: 10-19-2012
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REASON: 1.4 (c,g)
DECLASSIFY ON: 10-19-2037

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Critical Needs Statement

The Operational Technology Division (OTD), [redacted] is responsible for the development, deployment, and support of investigative technologies and tools that provide [redacted] including those which employ [redacted] supports these efforts through its Wireless Intercept and Tracking Team (WITT), which provides focus on research and development (R&D), 24x7 operational support, interagency liaison, and program management efforts.

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[redacted]

(S) [redacted]

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At present, the request for [redacted] WITT requests requisition [redacted] be processed on a critical needs bases so that the FBI can efficiently support their missions.

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OTD, Assistant Director
Kerry E. Haynes

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CELL/OTD 018468

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DATE: 10-19-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-19-2037

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JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION IN ACCORDANCE WITH TITLE 41, UNITED STATES CODE 253(c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U. S. Department of Justice, Federal Bureau of Investigation (FBI), [redacted], Operational Technology Division (OTD). The contracting activity is the Property Procurement and Management Section (PPMS), Telecommunications Contracts and Audit Unit (TCAU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(U) The proposed acquisition strategy is to award a non-competitive contract effort for highly-specialized [redacted] to [redacted]

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

[redacted] The FBI's Wireless Intercept and Tracking Team (WITT) [redacted]

(U) (S) [redacted] WITT has historically maintains engineering services contracts (ESC) with various commercial entities for the advancement of [redacted] b3 b7E These engineering services efforts have led to the development of the products that meet the FBI's mission for conducting lawful [redacted] WITT has identified the need to [redacted] in support of its [redacted]

(U) [redacted] WITT is requesting this procurement with [redacted] This proposed FY06 procurement is [redacted] Requisition [redacted], in the amount of [redacted] b3 b4 b7E

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CELL/OTD 018459

CELLSITE-15619

has been submitted to fund this requirement.

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The Statutory Authority is 41 U.S.C. 253 (c) (6). The Regulatory Authority is FAR 6.302-6 (a) (2), Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

(U) ~~(S)~~ [redacted] specializes in the fields of [redacted] Their efforts in [redacted] places them as an emerging industry leader in the sphere of [redacted] b3 b7E

(S) [redacted] b1 b3 b7E

(U) ~~(S)~~ [redacted] WITT continuously evaluates vendor technologies and alternatives for conducting [redacted] as part of its research and development initiatives and has determined that a significant amount of investment in time and money shall be incurred if another vendor, technique, or alternative technology is considered.

(S) [redacted]

6. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICAL

CELL/OTD 018460
CELLSITE-15620

(U) Since this procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202 (a) (1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would [redacted]

[redacted]

7. DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF REASONS A MARKET SURVEY WAS NOT CONDUCTED

(U) [redacted] WITT continuously conducts market surveys to determine state-of-the-art technologies. The engineers, technicians, and technical personnel are in constant contact with equipment vendors, other technical members of the intelligence community, as well as visiting trade shows, reviewing trade journals, and browsing the Internet. [redacted] WITT routinely conducts and attends working group (WG) meetings with vendors to assess the capabilities, performance, and quality of equipment that meets the needs of the FBI. [redacted] WITT [redacted]

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[redacted]

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

(U) [redacted] See paragraph (5) above for facts supporting the use of other than full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED, IN WRITING, AN INTEREST IN THE ACQUISITION

CELL/OTD 018461

CELLSITE-15621

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurements to determine whether full and open competition is appropriate and in the best interests of the government.

12. CERTIFICATIONS

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Acting Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] (Proposed) Contracting Officer's Technical Representative (Date)

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(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

Supervisory Contracting Officer (Date)

CELL/OTD 018462

CELLSITE-15622

	FBI Chief Contracting Officer	(Date)

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Office of General Counsel	(Date)

Approved By:

Kevin L. Perkins, Competition Advocate	(Date)

CELL/OTD 018463

CELLSITE-15623

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DATE 10-22-2012 BY 65179/dmh/stp/as

IT Acquisition Form

Section 7 Attachment

Requirements Analysis

[redacted]

The Wireless Intercept and Tracking Team (WITT), [redacted]

[redacted] WITT [redacted] b3 b7E

[redacted] WITT has identified an [redacted] as specified on requisition [redacted]

Analysis of Alternatives

[redacted] WITT [redacted]

[redacted]

Section 508 Statement

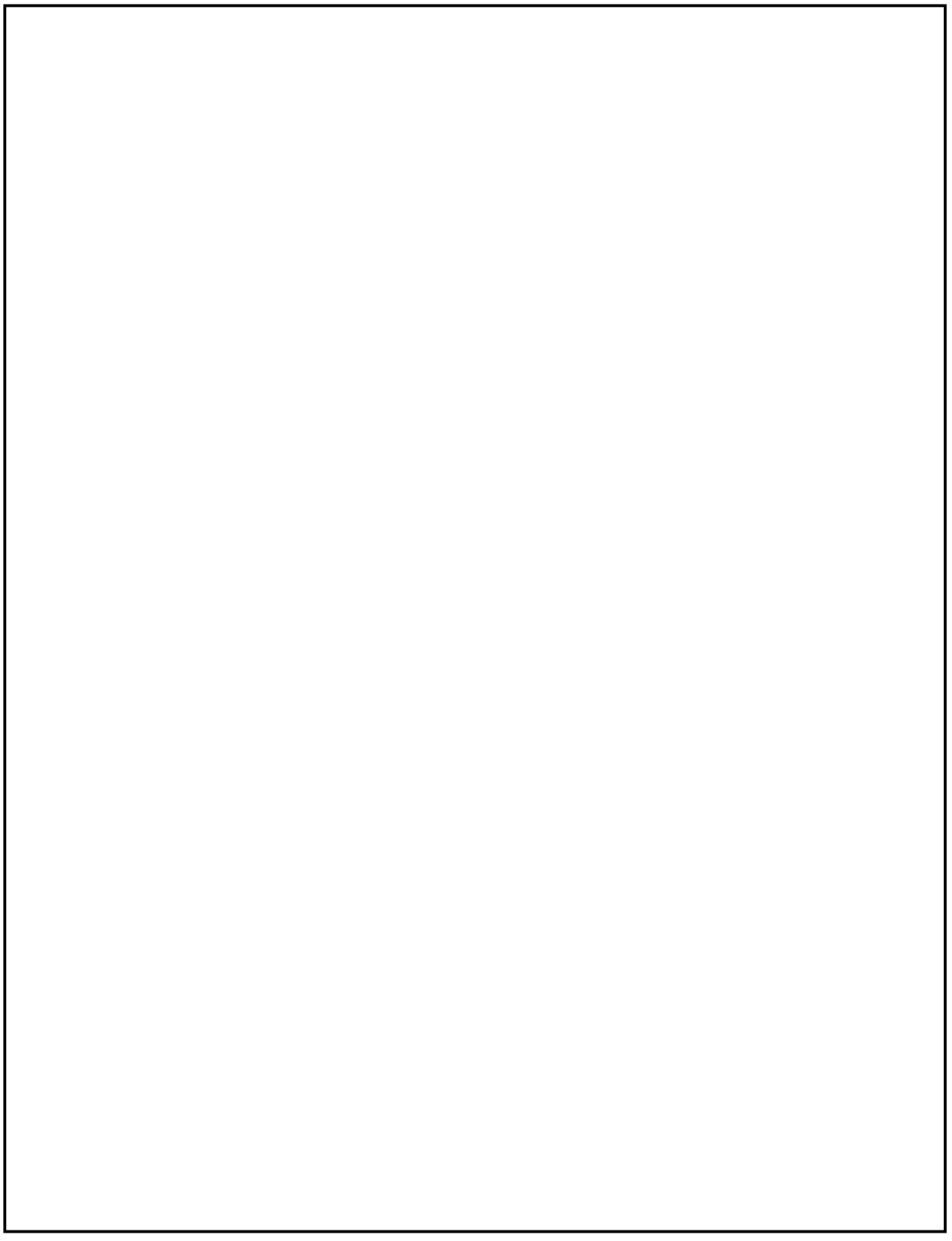
[redacted] Wireless Intercept and Tracking Team conducted an evaluation of the systems and have submitted the following comments regarding compliance of Section 508 requirements.

1194.3 General Exceptions

Systems are critical to the direct fulfillment of missions and are not used for routine administrative and business applications. [redacted]

Subpart B -- Technical Standards b3 b7E

[redacted]



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Subpart C – Functional Performance Criteria

1194.31 Functional Performance Criteria

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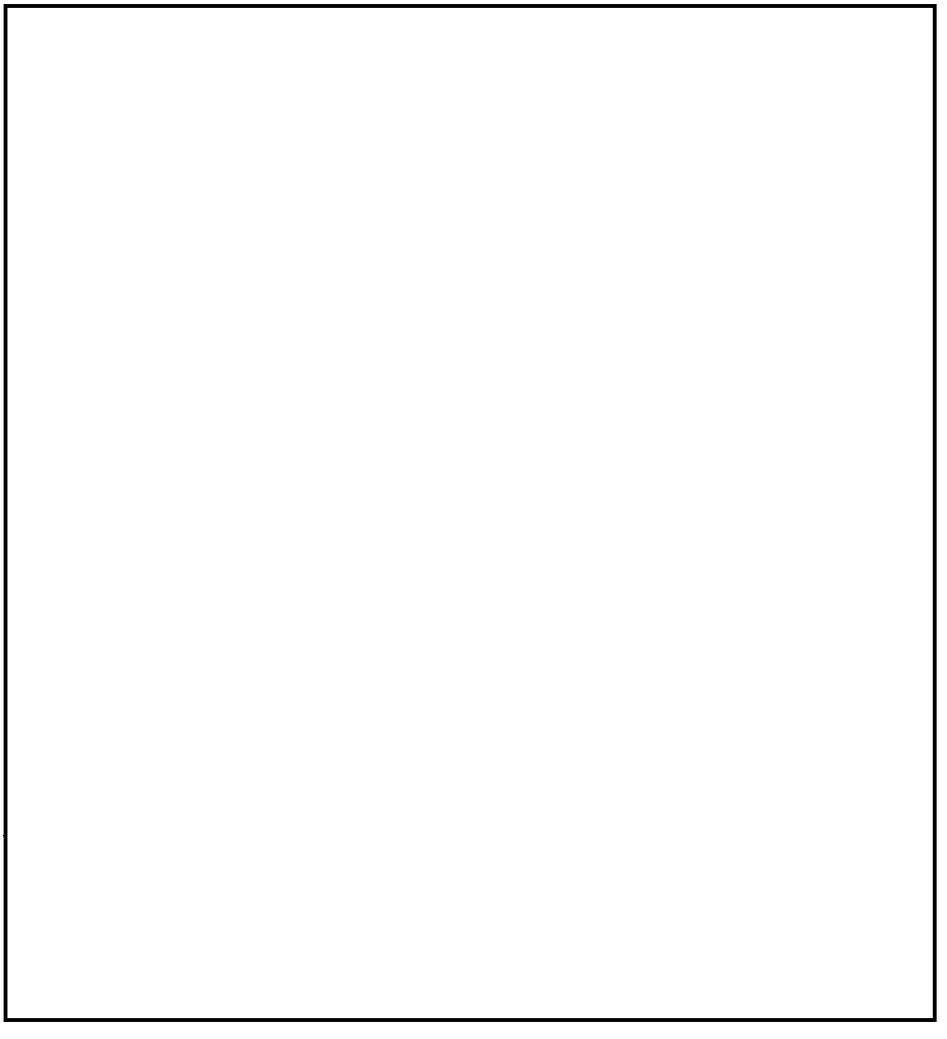

Subpart D – Information, Documentation, and Support

(a) Documentation is offered in hardcopy (paper) as well as softcopy (CD) at no additional charge.
(b) End users are instructed in the product features, visually or through instruction verbally at request, at no additional charge.
(c) Support services accommodate the communication needs of end-users with disabilities.

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System Security Plan

A System Security Plan has been completed and in place for [redacted] EC dated 06/30/2004 from Security Division has been attached to requisition package [redacted]

Sole Source Justification

Independent Government Cost Estimate

WITT has submitted a quotation from the vendor, , which details the cost of this procurement. Pricing is according to GSA price listings.

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Life Cycle Cost Estimate

WITT

WITT

WITT

Earned Value Management Plan

WITT continuously ensures planning, scheduling, and budget monitoring through its program management efforts. WITT

Privacy Impact Assessment

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The Office of General Council has been contacted and has reviewed the request for a Privacy Impact Assessment (PIA).

WITT

Risk Assessment

WITT

WITT has a proven and successful history with the vendor of these systems. The vendor has the technical knowledge and maturity in their products, and the ability to deliver on time. Sufficient funding is also in place for this procurement, and as well as plans for the maintenance over the full lifecycle of these products. Refer to acquisition planning form for specific estimates and distribution of costs.

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IT Acquisition Form

Section 8 Attachment

Synopsis of Requirement

The Wireless Intercept and Tracking Team (WITT)

WITT

WITT

as specified in requisition

WITT

WITT

WITT

WITT

In order to meet the FBI requirements for WITT has identified the need to WITT

At present, the request for

WITT requests requisition be processed on a critical needs bases so that the FBI can efficiently support their missions.

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CELL/OTD 018451

The Federal Bureau of Investigation (FBI) plans to acquire, on a sole source basis, [redacted] each of the [redacted] for StingRay [redacted] each of the [redacted] and [redacted] each [redacted] from Harris Corporation – Wireless Products Group, to [redacted] StingRay and associated [redacted] The contract type shall be a Firm-Fixed-Price contract. NAICS Code 513322. Unrestricted. Other than full and open competition 41 U.S.C. 253(c) (1) (Sole Source) FAR 6.302-1. Only one source. Intended source(s): Harris Corporation. The final contract award decision shall be based upon a combination of price, past performance, and other evaluation factors.

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(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY **Date:** 07/13/2006

To: Finance **Attn:**

Criminal Investigative **Attn:** Rm 3867

From: Operational Technology
TTU/QT-ERF
Contact:

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Approved By: Haynes Kerry E
Thomas Marcus C
Clifford Michael Jr

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request the procurement of StingRay

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Enclosure(s): IT Acquisition form, COTS/ITATS approval attachment, IT Acquisition form attachment, FD369 in the amount of and acquisition planning form

Details: In the summer of 2005, the U. S. Gulf Coast bore the brunt of Several hurricanes, including Hurricane Katrina

The Tracking Technology Unit (TTU), Wireless Intercept and Tracking Team (WITT) supports criminal investigations with research and development (R&D) efforts that continuously evaluate the ability of

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Harris_060417.wpd

CELL/OTD 018439

CELLSITE-15630

in meeting FBI requirements. WITT has historically satisfied much of the FBI [redacted] investigative requirements by utilizing Harris Corporation's [redacted]

In the aftermath of these gulf storms, [redacted] has [redacted] WITT [redacted]

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Sole Source Justification

WITT request a sole source procurement with Harris Corporation - Wireless Products Group for the purchase of StingRay [redacted]

Harris Corporation is the only [redacted]

The WITT intends to continue to use the Harris Corporation product line of [redacted] WITT continuously evaluates other vendor solutions, techniques, and alternatives that may satisfy requirements for [redacted] and has determined that a substantial amount of investment and time shall be incurred if another vendor, technique, or alternative is considered. Alternative technologies and products offered by other vendors, such as [redacted]

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The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

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CELL/OTD 018440

CELLSITE-15631

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 07/13/2006

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

The Engineering Contracts Unit is requested to initiate the procurement of [redacted] StingRay [redacted] [redacted] [redacted]. Funding is available as outlined on the attached form FD-369.

Set Lead 2: (Action)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

The Criminal Investigative Division is requested to approve the procurement of [redacted] StingRay [redacted] [redacted]. Funding is available as outlined on the attached form FD-369, Requisition [redacted]

CC: [redacted] QT-ERF
QT-ERF
T-ERF
T-ERF (Enc)
T-ERF (Enc)
QT-ERF
QT-ERF

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CELL/OTD 018441
CELLSITE-15632

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Critical Needs Statement

The Operational Technology Division (OTD), [redacted] is responsible for the development, deployment, and support of investigative technologies and tools that provide [redacted] supports these efforts through its Wireless Intercept and Tracking Team (WITT), which provides focus on research and development (R&D), 24x7 operational support, interagency liaison, and program management efforts.

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[redacted] WITT [redacted]

[redacted] WITT [redacted]

[redacted] WITT [redacted]

[redacted] WITT [redacted]

[redacted]

In order to meet the FBI requirements for [redacted] WITT has identified the need to [redacted] WITT requires these systems in order to satisfy requirements for [redacted]

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At present, the request for [redacted] WITT requests requisition [redacted] be processed on a critical needs bases so that the FBI can efficiently support their missions.

OTD, Assistant Director
Kerry E. Haynes

CELL/OTD 018442

CELLSITE-15633

COMPETITION

(U) [redacted] See paragraph (5) above for facts supporting the use of other than full and open competition. b3 b7E

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED, IN WRITING, AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurements to determine whether full and open competition is appropriate and in the best interests of the government.

12. CERTIFICATIONS

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Acting Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] (Acting) Contracting Officer's Technical Representative (Date)

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge. b6 b7C

[redacted] Contracting Officer (Date)

DATE: 10-22-2012
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REASON: 1.4 (c,g)
DECLASSIFY ON: 10-22-2037

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Justification for Other Than Full and Open Competition In Accordance With 41 U.S.C. 253 (c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI), [redacted] Operational Technology Division (OTD). The contracting activity is the Engineering Contracts Unit (ECU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(U) The proposed acquisition strategy is to award a non-competitive contract effort for highly-specialized [redacted]

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

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[redacted] The FBI's Wireless Intercept and Tracking Team (WITT) [redacted]

(S) [redacted]

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(U) [redacted] is requesting this sole source procurement with [redacted] The proposed procurement is [redacted] Requisition [redacted] in the amount of [redacted] has been submitted to fund the requirement.

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4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

5. **DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED**

(S)

(S)

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6. **DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE**

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would

7. **DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE**

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. **A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED**

(U continuously conducts market surveys to determine state-of-the-art technologies. The engineers, technicians, and technical personnel are in constant contact with equipment vendors, other technical members of the intelligence community, as well as visiting trade shows, reviewing trade journals, and browsing the Internet. routinely conducts and attends working group (WG) meetings with vendors to assess the capabilities, performance, and quality of equipment that meets the needs of the FBI.

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9. **ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN**

COMPETITION

(U) [redacted] See paragraph (5) above for facts supporting the use of other then full and open competition.

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10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

DATE: 10-22-2012
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REASON: 1.4 (c,g)
DECLASSIFY ON: 10-22-2037

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(U) Security Addendum to EC dated 03/16/2006

(U) ~~(S)~~ This addendum further expands on the referenced EC with regard to sole source justification.

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(U) Full and open competition of referenced procurement

requirement [redacted]

[redacted]

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March 16, 2006

[redacted]

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Investigative Technology Division

Derived From: G-3
Declassify On: March 16, 2031

CELL/OTD 018426

CELLSITE-15652

STATEMENT OF NEED

APPROVAL

Prepared by: *(Project Leader)*	[redacted]		
	Printed Name	Signature	Date
Concurred by:			
	Printed Name	Signature	Date
Approved by: *(Unit Chief)*	[redacted]		
	Printed Name	Signature	Date

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IT Acquisition Form

Section 7 Attachment

Requirements Analysis

The Wireless Intercept and Tracking Team (WITT)

WITT

WITT

as specified in requisition

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Analysis of Alternatives

WITT

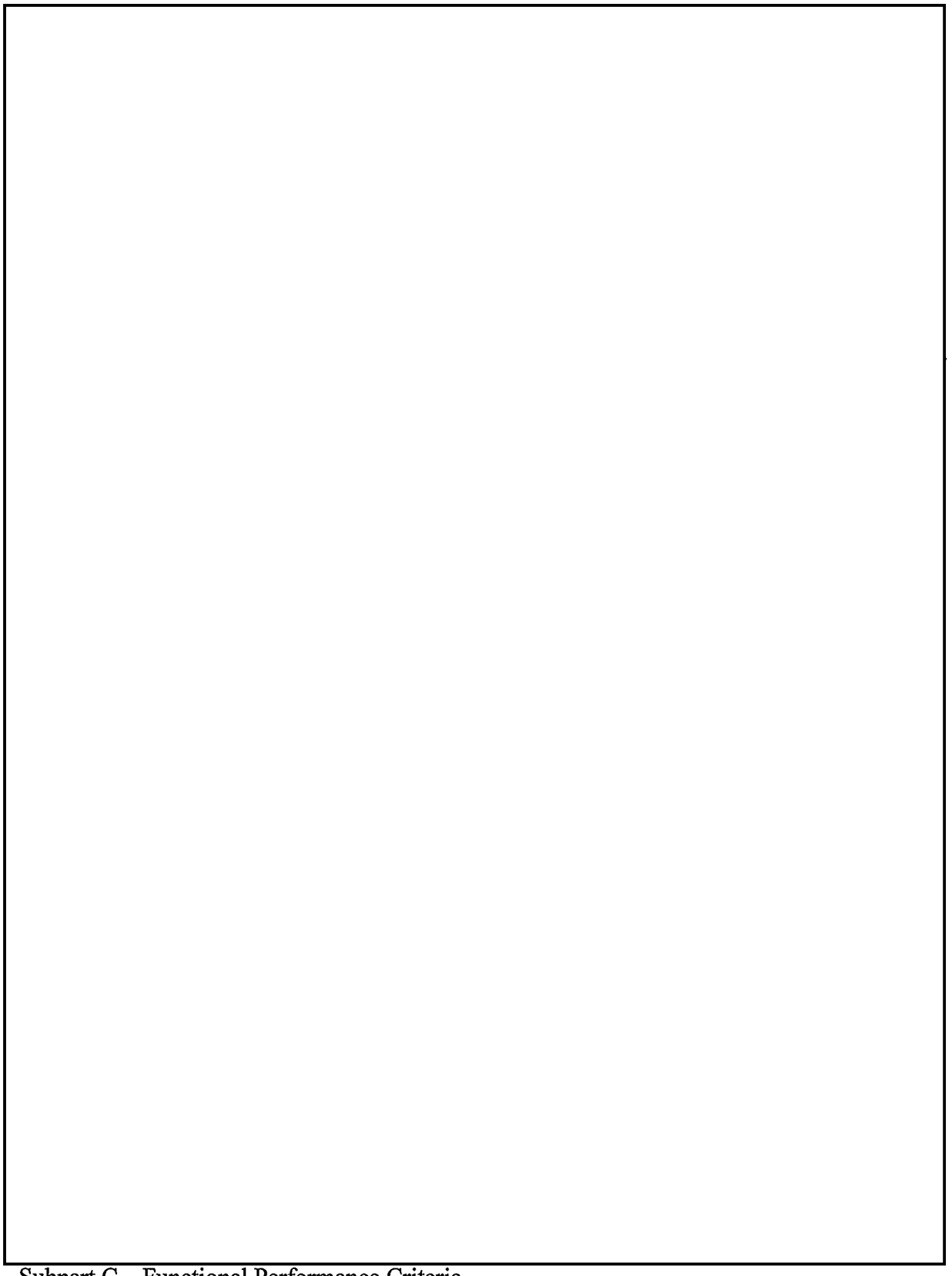
Section 508 Statement

Wireless Intercept and Tracking Team conducted an evaluation of the systems and have submitted the following comments regarding compliance of Section 508 requirements.

1194.3 General Exceptions

Systems are critical to the direct fulfillment of missions and are not used for routine administrative and business applications.

Subpart B -- Technical Standards



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Subpart C – Functional Performance Criteria

1194.31 Functional Performance Criteria

(a)

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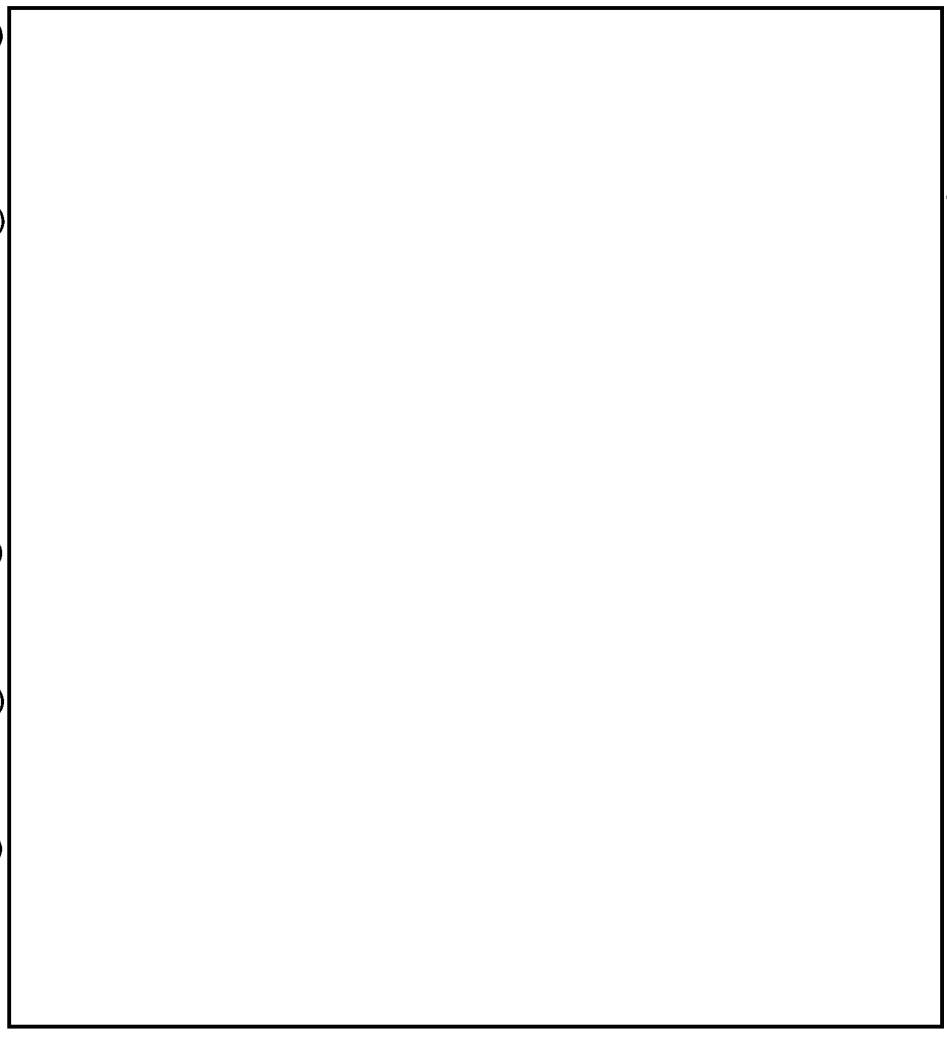

Subpart D – Information, Documentation, and Support

(a) Documentation is offered in hardcopy (paper) as well as softcopy (CD) at no additional charge.
(b) End users are instructed in the product features, visually or through instruction verbally at request, at no additional charge.
(c) Support services accommodate the communication needs of end-users with disabilities.

System Security Plan

A System Security Plan has been completed and in place for [redacted] EC dated 06/30/2004 from Security Division has been attached to requisition package [redacted]

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Sole Source Justification

Independent Government Cost Estimate

WITT has submitted a quotation from the vendor, which details the cost of this procurement. Pricing has been negotiated and has been deemed fair and reasonable, and comparable with other procurements of this nature.

Life Cycle Cost Estimate

WITT WITT

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Earned Value Management Plan

WITT continuously ensures planning, scheduling, and budget monitoring through its program management efforts. WITT

Privacy Impact Assessment

The Office of General Council has been contacted and has reviewed the request for a Privacy Impact Assessment (PIA). WITT has

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Risk Assessment

WITT WITT has a proven and successful history with the manufacturer of these systems. The manufacturer has demonstrated their maturity in their products, as well as their ability to deliver on time. Sufficient funding is also in place for this procurement, and as well as plans for the maintenance over the full lifecycle of these products. Refer to acquisition planning form for specific estimates and distribution of costs.

DATE: 10-22-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-22-2037

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 03/01/2006

To: Finance **Attn:** [redacted] QT-ERF (Enc)
Criminal Investigative

From: Operational Technology
[redacted]/QT-ERF
Contact: [redacted]

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Approved By: Haynes, Kerry E
Thomas, Marcus C
Clifford, Michael Jr
[redacted]

Drafted By: [redacted]

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request that the Engineering Contracts Unit (ECU) initiate contract action for the enclosed statement of work.

Enclosure(s): Statement of Work, price estimates, Justification for other than full and open competition statement, Acquisition Plan, FD-369 [redacted] in the amount of [redacted]

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(S) **Details:** [redacted]

(S) [redacted]

[redacted] wpd

~~SECRET~~

CELL-OTD 018403

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 03/01/2006

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

The ECU is requested to initiate contract action identified on FD-369, number [redacted] Funding in the amount of [redacted] is available from Budget Item [redacted] Subobject Classification [redacted] b3 b7E

Set Lead 2: (Info)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

CC: [redacted]
QT-ERF
, QT-ERF
QT-ERF (Enc)
T-ERF (Enc)
QT-ERF (Enc)
QT-ERF (Enc)
T-ERF (Enc)

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♦♦

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b7E

DATE: 10-22-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-22-2037

ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 03/01/2006

To: Finance **Attn:** [redacted] QT-ERF (Enc)
Criminal Investigative

From: Operational Technology
[redacted]/QT-ERF
Contact: [redacted]

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b7E

Approved By: Haynes, Kerry E
Thomas, Marcus C
Clifford, Michael Jr
[redacted]

Drafted By: [redacted]

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request that the Engineering Contracts Unit (ECU) initiate contract action for the enclosed statement of work. b3 b4 b7E

Enclosure(s): Statement of Work, price estimates, Sole-source Justification certification, Acquisition Plan, FD-369 [redacted] in the amount of [redacted]

(S) **Details:** [redacted]

(S) [redacted]

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b7E

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 03/01/2006

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

The ECU is requested to initiate contract action identified on FD-369, number [redacted] Funding in the amount of [redacted] is available from Budget Item [redacted] Subobject Classification [redacted] b3 b7E

Set Lead 2: (Info)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

CC: [redacted]
QT-ERF
QT-ERF
QT-ERF (Enc)
T-ERF (Enc)
QT-ERF (Enc)
QT-ERF (Enc)
T-ERF (Enc)

b6 b7C

♦♦

CELL/OTD 018406

DATE: 10-22-2012
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REASON: 1.4 (c,g)
DECLASSIFY ON: 10-22-2037

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Security Addendum to Requisition [redacted]

(U) ~~(S)~~ ~~Derived From : G-3~~
~~Declassify On: 09/15/2016~~

(S) [redacted]

(S) [redacted]

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[redacted]

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CELL/OTD 018396

CELLSITE-15670

DATE: 10-22-2012
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REASON: 1.4 (c,g)
DECLASSIFY ON: 10-22-2037

ALL INFORMATION CONTAINED
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~~SECRET~~

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION IN ACCORDANCE WITH TITLE 41, UNITED STATES CODE 253(c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U. S. Department of Justice, Federal Bureau of Investigation (FBI), [redacted] Operational Technology Division (OTD). The contracting activity is the Property Procurement and Management Section (PPMS), Telecommunications Contracts and Audit Unit (TCAU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(U) The proposed acquisition strategy is to award a non-competitive contract effort for highly-specialized [redacted]

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

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[redacted] The FBI's Wireless Intercept and Tracking Team (WITT) [redacted]

(U) (S) [redacted] WITT has historically maintains engineering services contracts (ESC) with various commercial entities for the advancement of [redacted] These engineering services efforts have led to the development of the products that meet the FBI's mission for conducting lawful [redacted] WITT has identified the need to [redacted] and in order to provide and maintain capabilities for [redacted]

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(U) [redacted] WITT is requesting this procurement with [redacted] This proposed FY06 procurement is [redacted] Requisition [redacted] in the amount of

~~SECRET~~

CELL/OTD 018397

CELLSITE-15671

[redacted] has been submitted to fund this requirement. b3 b4 b7E

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The Statutory Authority is 41 U.S.C. 253 (c) (6). The Regulatory Authority is FAR 6.302-6 (a) (2), Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

(S) [redacted] b1 b3 b7E

(S) [redacted]

6. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICAL

(U) Since this procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202 (a) (1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would [redacted] b3 b7E

CELL/OTD 018398

CELLSITE-15672

7. DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF REASONS A MARKET SURVEY WAS NOT CONDUCTED

(U) [redacted]WITT continuously conducts market surveys to determine state-of-the-art technologies. The engineers, technicians, and technical personnel are in constant contact with equipment vendors, other technical members of the intelligence community, as well as visiting trade shows, reviewing trade journals, and browsing the Internet. [redacted]WITT routinely conducts and attends working group (WG) meetings with vendors to assess the capabilities, performance, and quality of equipment that meets the needs of the FBI. b3 b7E

[redacted]WITT [redacted]

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

(U) [redacted]See paragraph (5) above for facts supporting the use of other than full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED, IN WRITING, AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurements to determine whether full and open competition is appropriate and in the best interests of the government.

12. CERTIFICATIONS

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Acting Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] (Proposed) Contracting Officer's Technical Representative (Date) b6 b7C

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

Supervisory Contracting Officer (Date)

FBI Chief Contracting Officer (Date)

Office of General Counsel (Date)

CELL/OTD 018400

CELLSITE-15674

Approved By:

Kevin L. Perkins, Competition Advocate (Date)

CELL/OTD 018401

CELLSITE-15675

Sole Source Justification

Independent Government Cost Estimate

WITT has submitted a quotation from the vendor, which details the cost of this procurement. Pricing is according to GSA price listings.

Life Cycle Cost Estimate

WITT

WITT

Earned Value Management Plan

WITT continuously ensures planning, scheduling, and budget monitoring through its program management efforts. WITT

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Privacy Impact Assessment

The Office of General Council has been contacted and has reviewed the request for a Privacy Impact Assessment (PIA).

WITT has

Risk Assessment

WITT

WITT has a proven and successful history with the vendor of these systems. The vendor has the technical knowledge and maturity in their products, and the ability to deliver on time. Sufficient funding is also in place for this procurement, and as well as plans for the maintenance over the full lifecycle of these products. Refer to acquisition planning form for specific estimates and distribution of costs.

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DATE 10-22-2012 BY 65179/dmh/stp/as

IT Acquisition Form

Section 7 Attachment

Requirements Analysis

The Wireless Intercept and Tracking Team (WITT),

WITT

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WITT has identified an as specified on requisition

Analysis of Alternatives

WITT

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Section 508 Statement

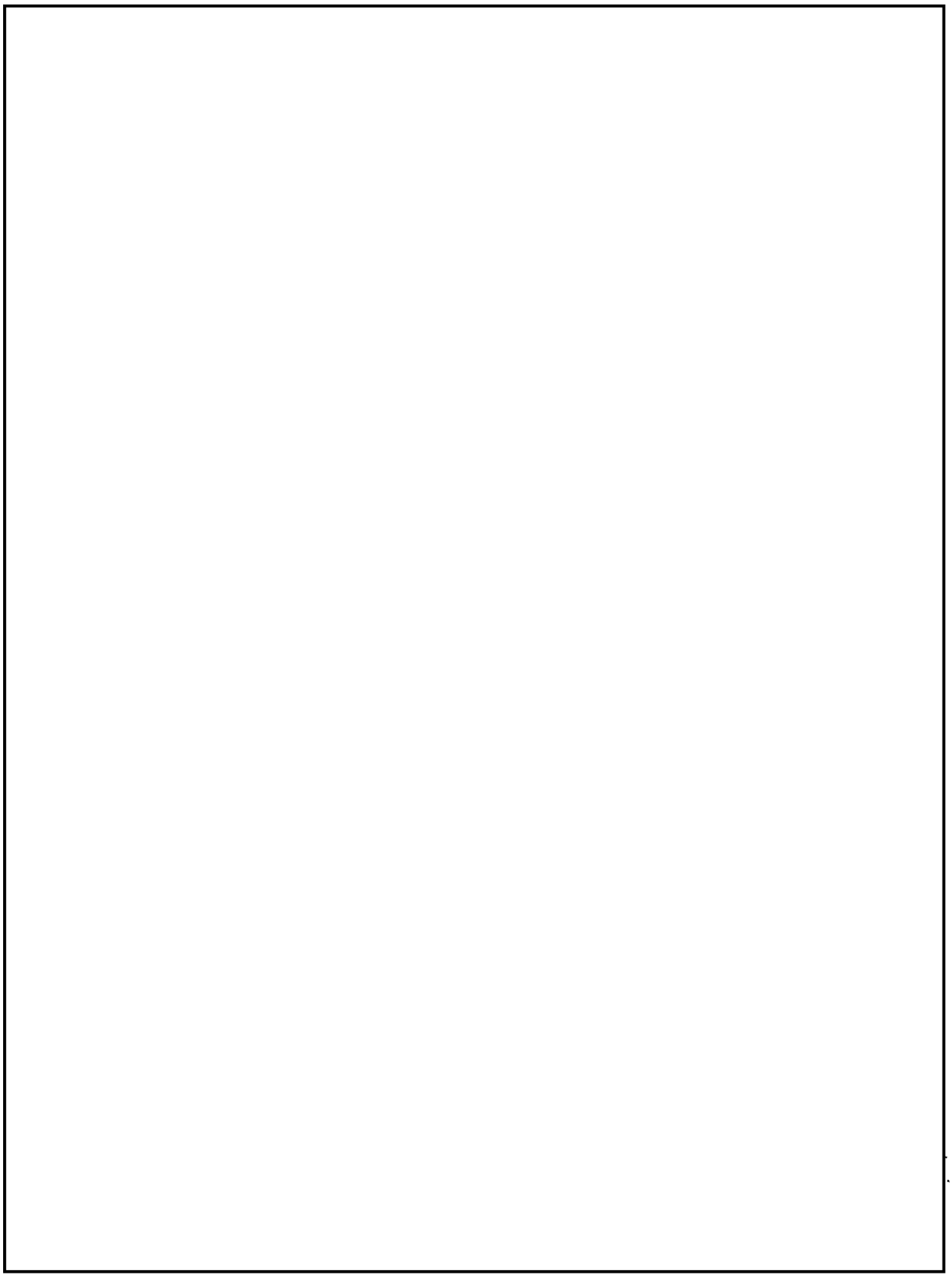
Wireless Intercept and Tracking Team conducted an evaluation of the systems and have submitted the following comments regarding compliance of Section 508 requirements.

1194.3 General Exceptions

Systems are critical to the direct fulfillment of missions and are not used for routine administrative and business applications.

Subpart B -- Technical Standards

CELL/OTD 018360



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Subpart C – Functional Performance Criteria

1194.31 Functional Performance Criteria

(a)

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(c)

(d)

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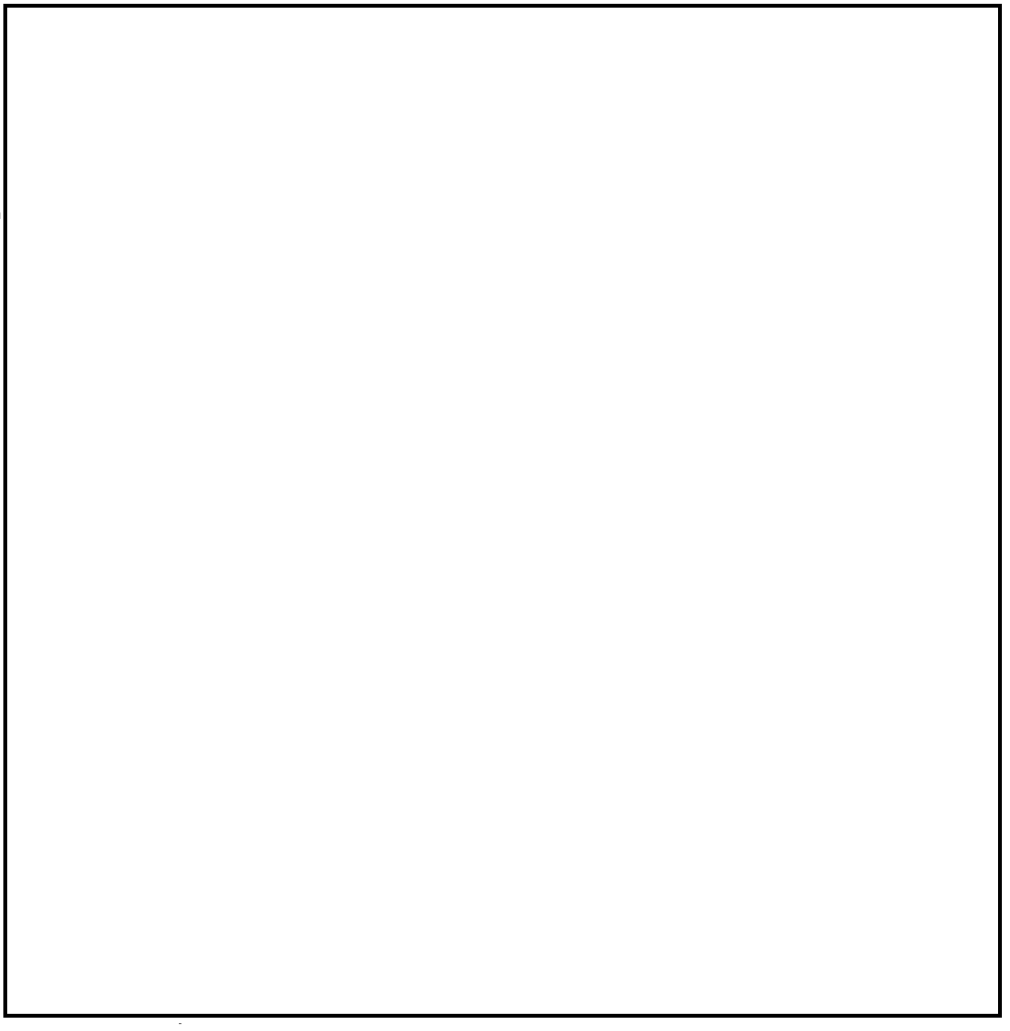

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Subpart D – Information, Documentation, and Support

(a) Documentation is offered in hardcopy (paper) as well as softcopy (CD) at no additional charge.
(b) End users are instructed in the product features, visually or through instruction verbally at request, at no additional charge.
(c) Support services accommodate the communication needs of end-users with disabilities.

System Security Plan

A System Security Plan has been completed and in place for [redacted] EC dated 06/30/2004 from Security Division has been attached to requisition package [redacted]

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CELL/OTD 018362

Sole Source Justification

Independent Government Cost Estimate

WITT has submitted a quotation from the vendor , which details the cost of this procurement. Pricing is according to GSA price listings.

Life Cycle Cost Estimate

WITT

WITT

WITT currently has a current maintenance contract in place for the remainder of year 2005.

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Earned Value Management Plan

WITT continuously ensures planning, scheduling, and budget monitoring through its program management efforts. WITT

Privacy Impact Assessment

The Office of General Council has been contacted and has reviewed the request for a Privacy Impact Assessment (PIA).

WITT has

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Risk Assessment

WITT

WITT has a proven and successful history with the vendor of these systems. The vendor has the technical knowledge and maturity in their products, and the ability to deliver on time. Sufficient funding is also in place for this procurement, and as well as plans for the maintenance over the full lifecycle of these products. Refer to acquisition planning form for specific estimates and distribution of costs.

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DATE 10-22-2012 BY 65179/dmh/stp/as

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY **Date:** 12/21/2005

To: Finance **Attn:**

Criminal Investigative **Attn:** Rm 5155
Attn:

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From: Operational Technology
/QT-ERF
Contact:

Approved By: Haynes Kerry E
Thomas Marcus C
Clifford Michael Jr

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

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b7E

Synopsis: To request procurement of Harris Corporation's Stingray and product line of with associated accessories to support the .

Enclosure(s): IT Acquisition form, COTS/ITATS approval attachment, IT Acquisition form attachment, Notification of the Approval to Operate (ATO) dated 06/30/2004, Vendor Price Quote FD369 in the amount of and acquisition planning form

Details: Law enforcement have, in recent years, in support of criminal

Harris_12212005_E002358.wpd

CELL/OTD 018354

investigations, [redacted] The use of these [redacted] in support of [redacted] criminal investigations is [redacted]

The [redacted] Wireless Intercept and Tracking Team (WITT) supports [redacted] criminal investigations with research and development (R&D) efforts that continuously evaluate the ability of [redacted] in meeting FBI requirements. WITT has historically satisfied much of the FBI [redacted] investigative requirements by utilizing Harris Corporation's [redacted] products. [redacted] b3 b7E

[redacted]

WITT [redacted]

[redacted] WITT [redacted]

[redacted]

Sole Source Justification

WITT request a sole source procurement with Harris Corporation - Wireless Products Group for the purchase Stingray [redacted] systems with associated accessories to support the [redacted] b3 b7E

Harris Corporation [redacted]

The WITT intends to continue to use the Harris Corporation product line of [redacted] WITT continuously evaluates other vendor solutions, techniques, and alternatives that may satisfy requirements for [redacted] and has determined that a substantial amount of investment and time shall be incurred if another vendor, technique, or alternative is considered. Alternative technologies and products offered by other vendors, such as [redacted]

CELL-OTD 01835

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[redacted] b3 b7E

The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] b6 b7C and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

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CELL/OTD 018356

CELLSITE-15701

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

The Engineering Contracts Unit is requested to procure Harris Corporation's Stingray and [redacted] with associated accessories. Funding is available as specified on the attached form FD-369, Requisition [redacted].

Set Lead 2: (Action)

CRIMINAL INVESTIGATIVE

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AT WASHINGTON, DC

The Criminal Investigative Division is requested to approve funding for the procurement of Harris Corporation's Stingray and [redacted] with associated accessories. Funding is available as specified on the attached form FD-369, Requisition [redacted].

Set Lead 3: (Action)

[redacted]

AT WASHINGTON, DC

[redacted] Harris Corporation's Stingray and [redacted]. Funding is available as specified on the attached form FD-369, Requisition [redacted].

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CC: [redacted], QT-ERF
[redacted] QT-ERF
[redacted] T-ERF
[redacted] T-ERF (Enc)
[redacted] QT-ERF
[redacted] QT-ERF

♦♦

CELL/OTD 018357

CELLSITE-15702

DATE: 10-23-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-23-2037

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JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION IN ACCORDANCE WITH TITLE 41, UNITED STATES CODE 253(c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U. S. Department of Justice, Federal Bureau of Investigation (FBI), [redacted], Operational Technology Division (OTD). The contracting activity is the Property Procurement and Management Section (PPMS), Telecommunications Contracts and Audit Unit (TCAU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(U) The proposed acquisition strategy is to award a non-competitive contract effort for highly-specialized [redacted] to Harris Corporation - Wireless Products Group (WPG), P.O. Box 37, M/S R5-9117, Melbourne, Florida, 32902.

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

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(U) [redacted] The FBI's Wireless Intercept and Tracking Team (WITT) [redacted]

(U) (S) [redacted] WITT has historically maintained an engineering services contract (ESC) with Harris Corporation for the advancement of [redacted] These engineering services provided by Harris Corporation have led to the development of the products that meet the FBI's mission for conducting lawful [redacted] WITT has deployed a substantial amount of Harris equipment in support of its [redacted]

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(U) [redacted] WITT is requesting this procurement with Harris Corporation. The proposed FY05 procurement is [redacted] Requisition [redacted] in the amount of

CELL/OTD 018544

CELLSITE-15704

has been submitted to fund this requirement.

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The Statutory Authority is 41 U.S.C. 253 (c) (6). The Regulatory Authority is FAR 6.302-6 (a) (2), Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

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5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

(U) ~~(S)~~ Harris Corporation - Wireless Products Group (WPG) specializes in equipment for US Law Enforcement Harris WPG has been producing for many years and

(S)

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(U) ~~(S)~~ Harris Corporation WPG has historically provided legacy , while meeting the needs of the FBI. WITT continuously evaluates other vendor technologies and alternatives for conducting as part of its research and development initiatives and has determined that a significant amount of investment in time and money shall be incurred if another vendor, technique, or alternative technology is considered.

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CELL/OTD 018345

CELLSITE-15705

(S) [redacted] b1 b3 b7E

6. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICAL

(U) Since this procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202 (a) (1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would [redacted]

7. DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE b3 b7E

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF REASONS A MARKET SURVEY WAS NOT CONDUCTED

(U) [redacted] WITT continuously conducts market surveys to determine state-of-the-art technologies. The engineers, technicians, and technical personnel are in constant contact with equipment vendors, other technical members of the intelligence community, as well as visiting trade shows, reviewing trade journals, and browsing the Internet. [redacted] WITT routinely conducts and attends working group (WG) meetings with vendors to assess the capabilities, performance, and quality of equipment that meets the needs of the FBI. [redacted] WITT [redacted] Harris Corporation can provide.

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN

CELL/OTD 018346
CELLSITE-15706

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DATE: 10-23-2012
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REASON: 1.4 (c,d)
DECLASSIFY ON: 10-23-2037

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WHERE SHOWN OTHERWISE

From: [redacted] (OTD) (FBI)
Sent: Tuesday, July 26, 2011 6:28 PM
To: [redacted] b3 b6
Cc: [redacted] b7C
Subject: (U) RE: (S//NF) FINAL Call for FY12 [redacted] b7E
[redacted] Submissions --- ~~SECRET~~//NOFORN

Classification: ~~SECRET~~//NOFORN

~~Classified By: C37W75B74~~
~~Declassify On: 20210719~~
~~Derived From: FBI NSISC~~
==========

With this email I am submitting for consideration an enhancement for [redacted] Please use the information below in this email as supporting documentation for the request.

Background: Currently, TTU has an approved project termed [redacted] which is geared towards [redacted] that was funded with FY2011 funds. Right out the door, TTU has successfully supported a recent [redacted] b3 b7E
[redacted] Also, TTU has supported a recent exercise where [redacted]
once the WITT [redacted]

(S) [redacted] b1 b3 b7E

Additional information: I have attached a summary from the [redacted] where we were able to successfully [redacted] I have also attached the original briefing that was briefed to the [redacted] as it contains the same requirements and technical details sought with the [redacted] on the [redacted] systems. b3 b7E

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(SECRET//NOFORN)

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Other comments: This request reflects a request to utilize FY2012 funding to meet the objectives (addition of a new to original approved project) at the amount requested, or supply additional funding to the project to run developments concurrently. funding levels have only been supplied on the attached request.

Attachments: Email from supporting request, and original briefing

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(U) (S//NF)
05_11

From: (OTD) (FBI)
Sent: Tuesday, July 19, 2011 2:08 PM
To:

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~~SECRET~~

[redacted]

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Cc: BRYARS, D (OTD)(FBI); DICLEMENTE, ANTHONY P. (OTD) (FBI); [redacted] (OTD) (FBI); MOTTA, THOMAS GREGORY (OTD) (FBI); [redacted] (OTD) (FBI); STRUYK, JAMES L. (OTD) (FBI)

Subject: (U) ~~(S//NF)~~ FINAL Call for FY12 [redacted] Submissions --- ~~SECRET~~//NOFORN

Classification: ~~SECRET~~//NOFORN

~~Classified By: C37W75B74~~
~~Declassify On: 20210719~~
~~Derived From: FBI NSISC~~
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LAST AND FINAL CALL FOR FY12 PROJECT SUBMISSIONS

(S) [redacted]

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CRITERIA

Very briefly, the initiative provides "up front" monies for research, development and procurement of new capabilities. Such efforts must be focused on [redacted]

[redacted] Sponsoring units are expected to provide some (base fund) contribution and should be prepared to assume responsibility for sustainment in future years through traditional funding sources. Financial accountability on all [redacted] efforts is maintained through the [redacted] Further information can be found in the attached (updated) overview.

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<< File [redacted] Overview.pdf >>

SUBMISSION PROCESS

We strive to make the application process as painless as possible. Project submissions can be initiated by completing the [redacted] Submission Template (attached). Do not hesitate to call if you require help with your submission.

<< File [redacted] Submission Template.dotx >>

ASSISTANCE AVAILABLE

~~SECRET~~

CELLSITE-15712

CELL/OTD 08851

Any OTD unit may request a briefing from the [redacted] to gain a thorough understanding of the initiative; goals, core principles, capability bundles, submission process, reporting requirements and the assistance available through the OTD [redacted] Further details may also be found on the [redacted] web page: http://otd.fbinet.fbi/[redacted]

This is your final opportunity to seek FY12 funds. The deadline for new project submissions is July 29, 2011.

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SSA [redacted]
[redacted]
Operational Technology Division
[redacted]

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Classification: ~~SECRET~~//NOFORN

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
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FOI/PA# 1212582-1

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Page 9 ~ Duplicate;
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Page 131 ~ b3; b7E;
Page 132 ~ b3; b6; b7C; b7E;
Page 138 ~ b3; b4; b6; b7C; b7E;
Page 140 ~ b1; b3; b7E;
Page 141 ~ b3; b7E;
Page 149 ~ b3; b6; b7C; b7E;
Page 155 ~ b3; b7E;
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REQ. #

2/10/2005
DATE

ORDERING OFFICE/COST CODE

APPROVED BY

Page 1 OF 1

JULIAN DATE

Supply Technician:
Program Manger:
Funding Approved:
COTR:
Room# & Ext:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order#

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
			Recommend by: Unit Chief						
			Requested by/Deliver to: Federal Bureau of Investigation						
			ERF Building 27958A, Quantico, VA22135					Total	
			Attn:						

b3
b4
b6
b7C
b7E

SPECIAL INSTRUCTION:
Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:

See Attached EC

CELL/OTD 015811

CELLSITE-17357

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DATE: 04-08-2013
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REASON: 1.4 (c,g)
DECLASSIFY ON: 04-08-2038

~~SECRET~~

Justification for Other Than Full and Open Competition In Accordance With 41 U.S.C. 253 (c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI) Operational Technology Division (OTD). The contracting activity is the FBI Finance Division (FD) and Engineering Contracts Unit (ECU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(U) The proposed acquisition strategy is to award a non-competitive contract effort for

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(U) is responsible for providing the FBI with

(S)

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4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the

~~SECRET~~

number of sources from which it solicits bids or proposals.

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

(S)

6. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would

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7. DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED

(U)

[redacted]

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

(U) [redacted] See paragraph (5) above for facts supporting the use of other then full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

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11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Contracting Officer's Technical Representative (Date)

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(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Supervisory Contracting Officer (Date)

_____

, FBI Chief Contracting Officer (Date)

_____

Office of General Counsel (Date)

Approved By: _____

, Competition Advocate (Date)

CELLSITE-17365
CELL/OTD 014052

ALL INFORMATION CONTAINED
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DATE 04-08-2013 BY NSICG J76J18T80

ACQUISITION PLAN

FEDERAL BUREAU OF INVESTIGATION

1. Unit/Section/Division: [redacted] OTD b3

2. Description of Requirement: Procurement of [redacted] b7E

3. Estimated Cost: ([redacted]

4. Term of Contract: 1 Year

5. Distribution of Dollars: FY- 07 (100%)
FY- _____ FY- _____
FY- _____ FY- _____

6. Subobject Class/Budget Item: _____
Product or Service Code: n/a

7. Market Research (state how performed & attach): _____
Sole Source Justification

Commercial Item: ☒ Yes ☐ No Competitive: ☒ Yes ☐ No
If no to one or more above, explain: Sole Source Justification (See attached Justification for other then open competition)

8. Sources Considered:
☐ FBI Personnel ☐ Other Government Personnel ☐ Required Sources (FAR Part 8)
☐ 100% Small Bus. ☐ 8a Set aside ☐ Disadvantaged (FAR Part 8)
☐ Hubzone ☐ Women-owned ☒ Other Federal Contracts
☐ A-76

9. If Information Technology: ☐ IRM Review ☐ AIS Approval

10. Type of Procurement:
☒ Brand Name Only ☐ Commercial Item ☐ Functional Specifications
☐ Brand Name or Equal ☐ Compatibility ☐ Performance-Based Service Contract

11. Contract Type:
☐ BOA ☐ IDIQ Contract ☐ Reimbursable Agreement
☐ Cost-Reimbursement ☐ (IFB) ☐ RFP
☒ Firm-Fixed Price ☐ Incentive ☐ RFQ
☐ Firm-Fixed Price w/Economic Adj. ☐ Letter Contract (DOJ Approval) ☐ Time and Material

12. Lease vs Purchase (if lease, analysis attached): No

13. Environmentally Preferable Item: ☐ Yes ☐ No

14. Inherently Government Function (justified): ☐ Yes ☒ No

15. Lead Time Required: _____ To be filled in by Contracting Officer.

Approval: 08/31/2007
Technical Staff Member/(date)

Budget Staff Member/(date)

Legal Review (If applicable)/(date)

Contracting Officer or CCO/(date)

CELL/OTD 014053

CELLSITE-17366

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG J76J18T80

REQ. #

8/31/2007
DATE

ORDERING OFFICE/COST CODE APPROVED BY

JULIAN DATE

Supply Technician:
Program Manger:
Funding Approved:
COTR:
Room# & Ext:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order#

CELL/OTD 014054

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
			Recommend by: Unit Chief						
			Requested by/Deliver to: Federal Bureau of Investigation						
			ERF Building 27958A, Quantico, VA22135					Total	
			Attn:						

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b4
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b7E

SPECIAL INSTRUCTION:
Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:
See Attached EC

CELLSITE-17367

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DATE: 04-08-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-08-2038

(Rev. 01-31-2003)

~~SECRET//20220831~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 08/31/2007

To: Finance **Attn:**

Criminal Investigative **Attn:**

From: Operational Technology Division

Contact:

Approved By:

Drafted By:

(U) **Case ID #:** (X) 268-HQ-1068430

Title: (U) WIRELESS INTERCEPT AND TRACKING TEAM

(U) **Synopsis:** (X) The Finance Division (FD) is requested to initiate critical procurement action for

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b7C
b7E

(U) (X) ~~Derived From : G-3~~
~~Declassify On: 08/31/2022~~

(U) **Enclosure(s):** (X) FD-369, Acquisition Planning Form, Security Addendum, and Justification for Other Than Full and Open Competition.

(U) **Details:** (X)

(U) (X) Wireless Intercept and Tracking Team (WITT) recently completed

~~SECRET//20220831~~

To: Finance From: Operational Technology Division
(U) Re: (S) 268-HQ-1068430, 08/31/2007

(U) (S) WITT requests [redacted]

(U) Contracting Officers are responsible for ensuring that [redacted]

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

(U) (S) The Finance Division (FD) is requested to initiate critical procurement action for the [redacted] Funding is available and may be processed via criminal investigative accounts for expedited delivery.

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Set Lead 2: (Action)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

(U) (S) The Criminal Investigative Division is requested to approve [redacted] Funding is available and may be processed via criminal investigative accounts for expedited delivery.

CC: [redacted]

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HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG J76J18T80

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 4/04/2007

To: Finance **Attn:**

From: Operational Technology

Contact:

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request that the Engineering Contracts Unit (ECU) approve funding of

Enclosure(s): FD-369

Details:

Wireless Intercept and Tracking Team (WITT) supports the Bureau's

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CELL/OTD 014062

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REQ. #

4/4/2007
DATE

)ERING OFFICE/COST CODE

APPROVEI

Page 1 OF 1

JULIAN DATE

Supply Technician:
Program Manger:
Funding Approved:
Requester:
Room# & Ext:

Fiscal Year 2007

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order#

CELL/OTD 014065

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
								Total	

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SPECIAL INSTRUCTION:
Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:

See attached EC

CELLSITE-17378

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG J76J18T80

ACQUISITION PLAN

FEDERAL BUREAU OF INVESTIGATION

1. Unit/Section/Division: [redacted]/OTD

2. Description of Requirement: Procurement of [redacted] b3 b7E

[redacted]

3. Estimated Cost: ( ) [redacted]

4. Term of Contract: 1 Year

5. Distribution of Dollars:
FY- 07 (70%)
FY- 08 (30%)
FY- _____
FY- _____
FY- _____

6. Subobject Class/Budget Item: [redacted]
Product or Service Code: n/a

7. Market Research (state how performed & attach): _____

Commercial Item: ☒ Yes ☐ No Competitive: ☒ Yes ☐ No
If no to one or more above, explain: [redacted]

8. Sources Considered:
☒ FBI Personnel
☐ Other Government Personnel
☐ Required Sources (FAR Part 8)
☐ 100% Small Bus.
☐ 8a Set aside
☐ Disadvantaged (FAR Part 8)
☐ Hubzone
☐ Women-owned
☒ Other Federal Contracts
☐ A-76

9. If Information Technology: ☐ IRM Review ☐ AIS Approval

10. Type of Procurement:
☐ Brand Name Only
☐ Commercial Item
☐ Functional Specifications
☐ Brand Name or Equal
☐ Compatibility
☒ Performance-Based Service Contract

11. Contract Type:
☐ BOA
☐ IDIQ Contract
☐ Reimbursable Agreement
☐ Cost-Reimbursement
☐ (IFB)
☐ RFP
☒ Firm-Fixed Price
☐ Incentive
☐ RFQ
☐ Firm-Fixed Price w/Economic Adj.
☐ Letter Contract (DOJ Approval)
☐ Time and Material

12. Lease vs Purchase (if lease, analysis attached): No

13. Environmentally Preferable Item: ☐ Yes ☒ No

14. Inherently Government Function (justified): ☐ Yes ☒ No

15. Lead Time Required: _____ To be filled in by Contracting Officer.

Approval: _____
Technical Staff Member/(date)

_____
Budget Staff Member/(date)

_____
Legal Review (If applicable)/(date)

_____
Contracting Officer or CCO/(date)

CELLSITE-17379

CELL/OTD 014066

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG J76J18I80

REQ. #

10/18/2006
DATE

)ERING OFFICE/COST CODE

APPROVE

Page 1 OF 1

JULIAN DATE

Supply Technician:
Program Manger:
Funding Approved:
Requester:
Room# & Ext:

Fiscal Year 2007

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order#

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
								Total	

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b7E
CELLS

SPECIAL INSTRUCTION:
Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:

See attached EC

CELLSITE-17384

ALL INFORMATION CONTAINED
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DATE 04-08-2013 BY NSICG J76J18I80

ACQUISITION PLAN

FEDERAL BUREAU OF INVESTIGATION

1. Unit/Section/Division: [redacted] /OTD

2. Description of Requirement: Procurement of [redacted]

[redacted]

b3
b7E

3. Estimated Cost: ( ) [redacted]

4. Term of Contract: 1 Year

5. Distribution of Dollars:
FY- 07 (70%)
FY- 08 (30%)
FY- ____
FY- ____
FY- ____

6. Subobject Class/Budget Item: [redacted]
Product or Service Code: n/a

7. Market Research (state how performed & attach): ____

Commercial Item: ☒ Yes ☐ No Competitive: ☒ Yes ☐ No
If no to one or more above, explain: [redacted]

8. Sources Considered:
☒ FBI Personnel
☐ Other Government Personnel
☐ Required Sources (FAR Part 8)
☐ 100% Small Bus.
☐ 8a Set aside
☐ Disadvantaged (FAR Part 8)
☐ Hubzone
☐ Women-owned
☒ Other Federal Contracts
☐ A-76.

9. If Information Technology: ☐ IRM Review ☐ AIS Approval

10. Type of Procurement:
☐ Brand Name Only
☐ Commercial Item
☐ Functional Specifications
☐ Brand Name or Equal
☐ Compatibility
☒ Performance-Based Service Contract

11. Contract Type:
☐ BOA
☐ IDIQ Contract
☐ Reimbursable Agreement
☐ Cost-Reimbursement
☐ (IFB)
☐ RFP
☒ Firm-Fixed Price
☐ Incentive
☐ RFQ
☐ Firm-Fixed Price w/Economic Adj.
☐ Letter Contract (DOJ Approval)
☐ Time and Material

12. Lease vs Purchase (if lease, analysis attached): No

13. Environmentally Preferable Item: ☐ Yes ☒ No

14. Inherently Government Function (justified): ☐ Yes ☒ No

15. Lease Time Required: ____ To be filled in by Contracting Officer.

Approval: ____
Technical Staff Member/(date)

____
Budget Staff Member/(date)

____
Legal Review (If applicable)/(date)

____
Contracting Officer or CCO/(date)

CELL/OTD 04/08/05 CELLSITE-17392

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DATE 04-08-2013 BY NSICG J76J18T80

CELL/OTD 014080

REQ. #

Page 1 OF 1

4/25/2007
DATE

ERING OFFICE/COST CODE

APPROVEI

JULIAN DATE

Supply Technician:
Program Manger:
Funding Approved:
Requester:
Room# & Ext:

Fiscal Year 2007

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order#

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
								Total	

b3
b4
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SPECIAL INSTRUCTION:
Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:
See attached EC

CELLSITE-17397

[redacted]

ALL INFORMATION CONTAINED
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DATE 04-09-2013 BY NSICG J76J18I80

ACQUISITION PLAN

[redacted]

FEDERAL BUREAU OF INVESTIGATION

1. Unit/Section/Division: [redacted] /OTD

2. Description of Requirement: Procurement [redacted] StingRay [redacted] b3 b7E
[redacted]
[redacted] WITT
[redacted]

3. Estimated Cost: ( ) [redacted]

4. Term of Contract: 1 Year

5. Distribution of Dollars: FY- 07 (100%)
FY- _____ FY- _____
FY- _____ FY- _____

6. Subobject Class/Budget Item: [redacted]
Product or Service Code: n/a

7. Market Research (state how performed & attach): _____

Commercial Item: ☒ Yes ☐ No Competitive: ☒ Yes ☐ No
If no to one or more above, explain: _____

8. Sources Considered:
☒ FBI Personnel ☐ Other Government Personnel ☐ Required Sources (FAR Part 8)
☐ 100% Small Bus. ☐ 8a Set aside ☐ Disadvantaged (FAR Part 8)
☐ Hubzone ☐ Women-owned ☒ Other Federal Contracts
☐ A-76

9. If Information Technology: ☐ IRM Review ☐ AIS Approval

10. Type of Procurement:
☒ Brand Name Only ☐ Commercial Item ☐ Functional Specifications
☐ Brand Name or Equal ☐ Compatibility ☐ Performance-Based Service Contract

11. Contract Type:
☐ BOA ☐ IDIQ Contract ☐ Reimbursable Agreement
☐ Cost-Reimbursement ☐ (IFB) ☐ RFP
☒ Firm-Fixed Price ☐ Incentive ☐ RFQ
☐ Firm-Fixed Price w/Economic Adj. ☐ Letter Contract (DOJ Approval) ☐ Time and Material

12. Lease vs Purchase (if lease, analysis attached): No

13. Environmentally Preferable Item: ☐ Yes ☐ No

14. Inherently Government Function (justified): ☐ Yes ☒ No

15. Lead Time Required: _____ To be filled in by Contracting Officer.

Approval: 08/31/2007
Technical Staff Member/(date)

_____
Budget Staff Member/(date)

_____
Legal Review (If applicable)/(date)

_____
Contracting Officer or CCO/(date)

CELLSITE-17407
CELL/OTD 014009

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DATE 04-09-2013 BY NSICG J76J18T80

IT Acquisition Form

Section 7 Attachment

Requirements Analysis

WITT initiative.

WITT

WITT

WITT has

as specified on requisition

Analysis of Alternatives

WITT continuously searches

WITT

Section 508 Statement

Wireless Intercept and Tracking Team conducted an evaluation of the systems and have submitted the following comments regarding compliance of Section 508 requirements.

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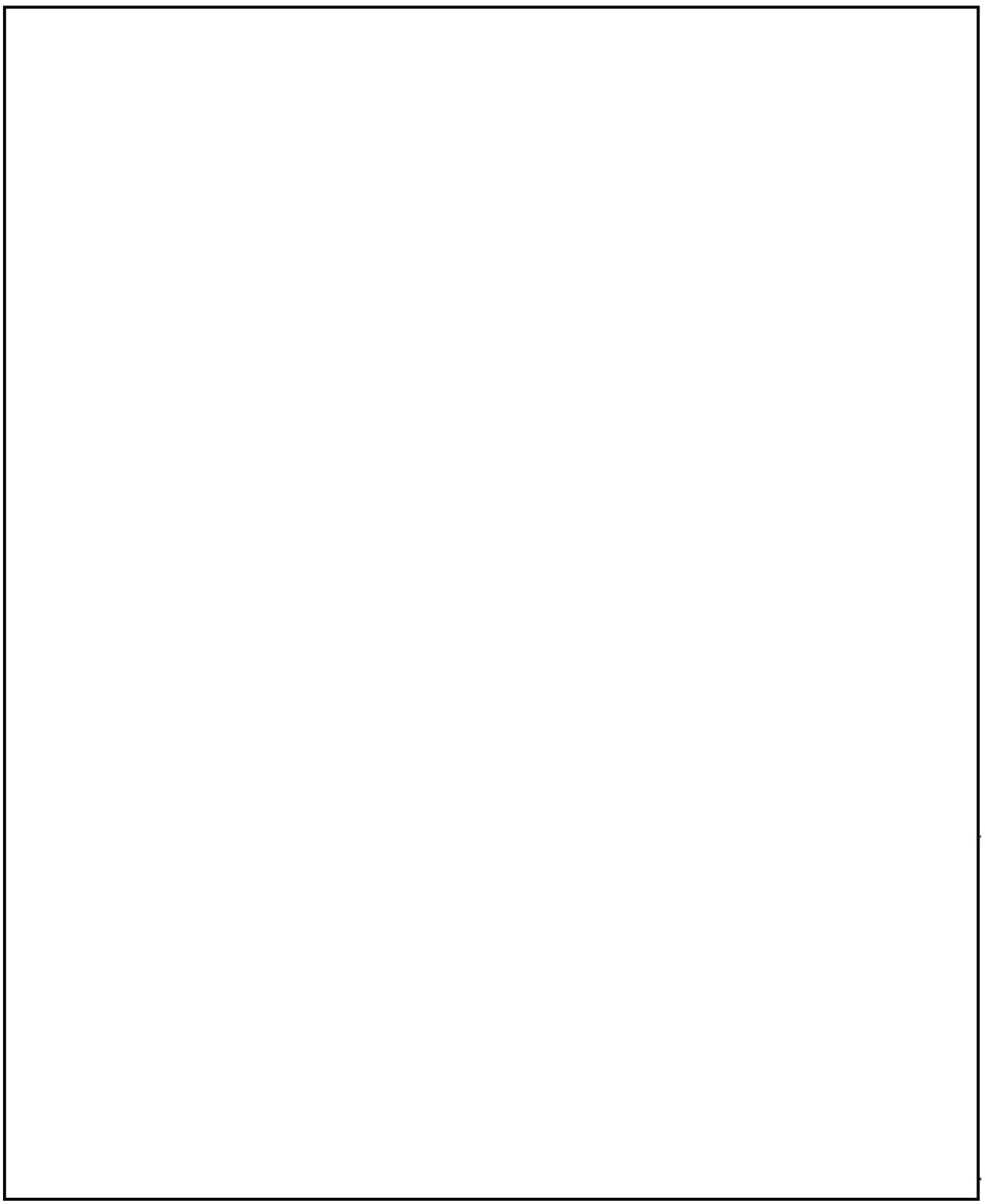
1194.3 General Exceptions

Systems are critical to the direct fulfillment of missions and are not used for routine administrative and business applications.

Subpart B -- Technical Standards



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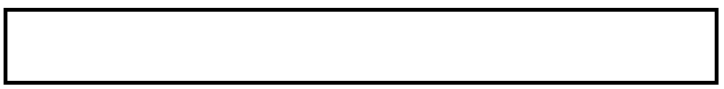
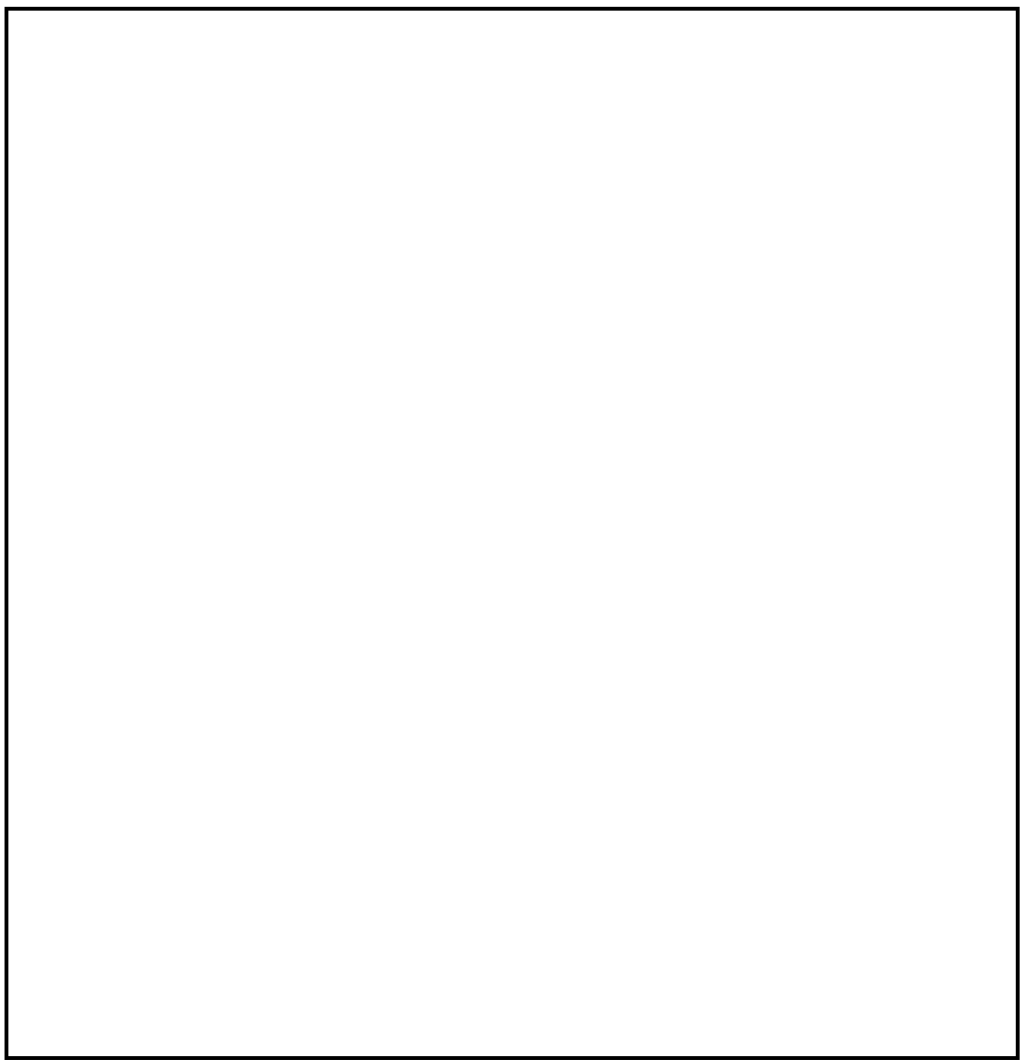
Subpart C – Functional Performance Criteria





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Subpart D – Information, Documentation, and Support

(a) Documentation is offered in hardcopy (paper) as well as softcopy (CD) at no additional charge.
(b) End users are instructed in the product features, visually or through instruction verbally at request, at no additional charge.
(c) Support services accommodate the communication needs of end-users with disabilities.

System Security Plan

A System Security Plan has been completed and in place for use of the [redacted] EC dated 06/30/2004 from Security Division has been attached to requisition package [redacted]

Sole Source Justification

[redacted]

Independent Government Cost Estimate

WITT has submitted a quotation from the vendor, [redacted] which details the cost of this procurement. Pricing is according to GSA price listings.

Life Cycle Cost Estimate

[redacted] WITT estimates [redacted]
[redacted] WITT [redacted]
[redacted]
[redacted] WITT [redacted]
[redacted]

Earned Value Management Plan

[redacted] WITT continuously ensures planning, scheduling, and budget monitoring through its program management efforts. [redacted] WITT has an extensive inventory monitoring systems which is capable of identifying [redacted] which is updated daily for planning purposes. Detailed reports can be generated providing management the proper information to plan [redacted]
[redacted]

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Privacy Impact Assessment

The Office of General Council has been contacted and has reviewed the request for a Privacy Impact Assessment (PIA). [redacted]
[redacted] WITT has
[redacted]

Risk Assessment

[redacted] WITT has identified through research and development efforts that the risk [redacted]
[redacted] WITT has a proven and successful history with the vendor of these systems. The vendor has the technical knowledge and maturity in their products, and the ability to deliver on time. Sufficient funding is also in place for this procurement, and as well as plans for the maintenance over the full lifecycle of these products. Refer to acquisition planning form [redacted] for specific estimates and distribution of costs.

IT ACQUISITION FORM

See next page for instructions, or http://ocio.fbinet.fbi/resources/acquisition.htm	Please attach to front of FD-369. Mail to IMU Acquisition Staff, Room 9991, JEH

1. **Date: Requestor: Phone:**
   Office ID: Cost Code: SP#: FD-369#:

2. IT Product Type(s) Requested and Associated:
   Total Costs: (as funded on the FD-369)

3. Proposed Acquisition Characteristics: ☐ COTS (CR#:) ☐ Existing (Contract #:) ☑ New

4. CIO Category Supported (Select ONE):

5. Director Priorities Supported (Select ONE):

6. Estimated life cycle: years

   a. Will this be attached to a network? No If Yes, which network? Select...

   b. If a request for contractor services, will the contractor also provide h/w or s/w products? Select...
   If Yes, have you notified your ITS? Select... (Ticket #:)

   c. Have you included this system or project as part of your base funding for the next 2 fiscal years? Yes

   d. What IT **system** or **project** does this acquisition support? (Click on system or project to view master lists)

*******Please confirm that the following documents are part of your acquisition package, where applicable.**

7.	Requirements Analysis? Yes	e. Independent Gov't Cost Estimate? Yes	
a.	Analysis of Alternative(s)? Yes	f. Life Cycle Cost Estimate? Yes	
b.	Section 508 statement? Yes	g. Earned Value Management Plan? Yes	
c.	System Security Plan? Yes	h. Privacy Impact Assessment? Yes	
d.	Justification for Limited Competition? Yes	i. Risk Assessment? Yes	

8. If your total acquisition request **exceeds $1million, or is for services only**, please include a one page synopsis of your requirement.

9.

Customer Signature (Mandatory)	Date	Division Signature (Mandatory)	Date
CIO OPP Signature	Date	CTO Signature	Date
CIO Signature	Date	CFO Signature	Date

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ALL INFORMATION CONTAINED
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DATE 04-09-2013 BY NSICG J76J18T80
CELLSITE-17420

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DATE 04-09-2013 BY NSICG J76J18I80

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 05/10/2007

To: Finance **Attn:**

From: Operational Technology

Contact:

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request the procurement of

Enclosure(s): FD-369 in the amount of COTS/ITATS approval, IT Acquisition Form and Addenda.

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Details:

WITT has determined

CELL/OTD 014024

CELLSITE-17421

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DATE 04-09-2013 BY NSICG J76J18T80

[redacted]
REQ. #

Page 1 1

8/31/2007
DATE

[redacted]
ORDERING OFFICE/COST CODE APPROVED BY

JULIAN DATE

Supply Technician: [redacted]
Program Manger:
Funding Approved:
COTR:
Room# & Ext:

Contract Specialist: [redacted]
Date Received:
PPMS Approval:
Purchase Order#

[redacted]

CELL/OTD 014037

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
			Recommend by: Unit Chief [redacted]						
			Requested by/Deliver to: Federal Bureau of Investigation						
			ERF Building 27958A, Quantico, VA22135						
			Attn: [redacted]					Total	[redacted]

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SPECIAL INSTRUCTION:
Ship to Code: [redacted]
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate: [redacted]
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:
See Attached EC

CELLSITE-17424

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DATE 04-09-2013 BY NSICG J76J18T80

ACQUISITION PLAN

FEDERAL BUREAU OF INVESTIGATION

1. Unit/Section/Division: [redacted]/OTD b3 b7E

2. Description of Requirement: Procurement of [redacted] WITT [redacted]

3. Estimated Cost: ( ) [redacted]

4. Term of Contract: 1 Year

5. Distribution of Dollars: FY- 07 (100%)
FY- _____ FY- _____
FY- _____ FY- _____

6. Subobject Class/Budget Item: _____
Product or Service Code: n/a

7. Market Research (state how performed & attach): _____
Sole Source Justification

Commercial Item: ☒ Yes ☐ No Competitive: ☒ Yes ☐ No
If no to one or more above, explain: Sole Source Justification (See attached Justification for other then open competition)

8. Sources Considered:
☐ FBI Personnel ☐ Other Government Personnel ☐ Required Sources (FAR Part 8)
☐ 100% Small Bus. ☐ 8a Set aside ☐ Disadvantaged (FAR Part 8)
☐ Hubzone ☐ Women-owned ☒ Other Federal Contracts
☐ A-76

9. If Information Technology: ☐ IRM Review ☐ AIS Approval

10. Type of Procurement:
☒ Brand Name Only ☐ Commercial Item ☐ Functional Specifications
☐ Brand Name or Equal ☐ Compatibility ☐ Performance-Based Service Contract

11. Contract Type:
☐ BOA ☐ IDIQ Contract ☐ Reimbursable Agreement
☐ Cost-Reimbursement ☐ (IFB) ☐ RFP
☒ Firm-Fixed Price ☐ Incentive ☐ RFQ
☐ Firm-Fixed Price w/Economic Adj. ☐ Letter Contract (DOJ Approval) ☐ Time and Material

12. Lease vs Purchase (if lease, analysis attached): No

13. Environmentally Preferable Item: ☐ Yes ☐ No

14. Inherently Government Function (justified): ☐ Yes ☒ No

15. Lead Time Required: _____ To be filled in by Contracting Officer.

Approval: 08/31/2007
Technical Staff Member/(date)

Budget Staff Member/(date)

Legal Review (If applicable)/(date)

Contracting Officer or CCO/(date)

CELL/OTD 014036 CELLSITE-17426

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 04-09-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-09-2038

~~SECRET~~

Justification for Other Than Full and Open Competition
In Accordance With 41 U.S.C. 253 (c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI), [redacted] Operational Technology Division (OTD). The contracting activity is the Engineering Contracts Unit (ECU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(U) The proposed acquisition strategy is to award a non-competitive contract effort for [redacted]

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(U) [redacted] is responsible for providing the FBI with [redacted] The FBI's Wireless Intercept and Tracking Team (WITT) [redacted]

(S) [redacted]

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(U) [redacted] is requesting this sole source procurement with [redacted] The proposed procurement is [redacted] in the amount of [redacted] has been submitted to fund the requirement.

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

5. **DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED**

(S)

6. **DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE**

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would

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7. **DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE**

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. **A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED**

(U)

9. **ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION**

(U [redacted] See paragraph (5) above for facts supporting the use of other then full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

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(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-09-2013 BY NSICG J76J18I80

REQ. #

5/14/2007
DATE

ORDERING OFFICE/COST CODE APPROVED BY

Page 1 OF 1

JULIAN DATE

Supply Technician:
Program Manger:
Funding Approved:
Requester:
Room# & Ext:

Fiscal Year 2007

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order#

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
			Recommend by: Unit Chief						
			Requested by/Deliver to: Federal Bureau of Investigation						
			ERF Building 27958A, Quantico, VA22135						
			Attn:					Total	

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SPECIAL INSTRUCTION:
Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:

See attached Statement of Need

CELL/OTD 015210

CELLSITE-17443

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-09-2013 BY NSICG J76J18I80

REQ. #

4/6/2007
DATE

ORDERING OFFICE/COST CODE APPROVED BY

JULIAN DATE

Supply Technician:
Program Manger:
Funding Approved:
COTR:
Room# & Ext:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order#

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
			Recommend by: Unit Chief Requested by/Deliver to: Federal Bureau of Investigation						
			ERF Building 27958A, Quantico, VA22135 Attn:					Total	

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SPECIAL INSTRUCTION:
Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:
See Attached EC

CELL/OTD 015202

CELLSITE-17446

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-09-2013 BY NSICG J76J18I80

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 01/08/2007

To: Finance **Attn:**

Criminal Investigative **Attn:**

Attn:

From: Operational Technology

Contact:

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

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Synopsis: To request the procurement of Wireless Intercept and Tracking Team (WITT).

Enclosure(s): FD-369 in the amount of COTS/ITATS approval, Sole Source Justification, Vendor price quote.

Details:

CELL/OTD 015190
CELLSITE-17451

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 01/08/2007

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

The Engineering Contracts Unit is requested to initiate the procurement of [redacted] WITT mission. Funding for amount of [redacted] is available using Budget Items [redacted] and [redacted] and Subobject Classes [redacted]

Set Lead 2: (Action)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

The Criminal Investigative Division is requested to approve the procurement of [redacted] WITT mission. Funding for amount of [redacted] is available using Budget Items [redacted] and [redacted] and Subobject Classes [redacted]

Set Lead 3: (Action)

[redacted]

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AT WASHINGTON, DC

[redacted] is requested to approve the procurement of [redacted] WITT mission. Funding for amount of [redacted] is available using Budget Items [redacted] and [redacted] and Subobject Classes [redacted]

CC: [redacted]

♦♦ [redacted]

CELL/OTD 015193

CELLSITE-17454

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-09-2013 BY NSICG J76J18I80

REQ. #

10/20/2006
DATE

ORDERING OFFICE/COST CODE

APPROVED BY

JULIAN DATE

Supply Technician:
Program Manger:
Funding Approved:
COTR:
Room# & Ext:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order#

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
			Recommend by: Unit Chief						
			Requested by/Deliver to: Federal Bureau of Investigation						
			ERF Building 27958A, Quantico, VA22135						
			Attn:					Total	

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SPECIAL INSTRUCTION:
Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:

See Attached EC

CELL/OTD 015194

CELLSITE-17455

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-09-2013 BY NSICG J76J18T80

REQ. #

Page 1 1

4/6/2007
DATE

ORDERING OFFICE/COST CODE APPROVED BY

JULIAN DATE

Supply Technician:
Program Manger:
Funding Approved:
COTR:
Room# & Ext:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order#

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
			Recommend by: Unit Chief						
			Requested by/Deliver to: Federal Bureau of Investigation						
			ERF Building 27958A, Quantico, VA22135					Total	
			Attn:						

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SPECIAL INSTRUCTION:
Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:
See Attached EC

CELL/OTD 015197

CELLSITE-17458

DATE: 04-09-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-09-2038

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~Derived From: FBI SCG #3 January 1997~~
~~Declassify on: January 08, 2022~~

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION IN ACCORDANCE WITH TITLE 41, UNITED STATES CODE 253(c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U. S. Department of Justice, Federal Bureau of Investigation (FBI), [redacted], Operational Technology Division (OTD). The contracting activity is the Property Procurement and Management Section (PPMS), Telecommunications Contracts and Audit Unit (TCAU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(U) The proposed acquisition strategy is to award a non-competitive contract effort for [redacted]

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(U) [redacted] is responsible for providing the FBI with [redacted] The FBI's Wireless Intercept and Tracking Team (WITT) [redacted]

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(S) [redacted]

(U) [redacted] WITT is requesting this procurement with [redacted] The proposed FY07 procurement is [redacted] Requisition [redacted] in the amount of [redacted] has been submitted to fund this requirement.

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The Statutory Authority is 41 U.S.C. 253 (c) (6). The Regulatory Authority is FAR 6.302-6 (a) (2), Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

(S) [redacted]

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CELL/OTD 015178

CELLSITE-17465

(S)

6. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICAL

(U) Since this procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202 (a) (1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would

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7. DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF REASONS A MARKET SURVEY WAS NOT CONDUCTED

(U) WITT continuously

WITT

WITT

provide.

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

(U) [redacted] See paragraph (5) above for facts supporting the use of other than full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED, IN WRITING, AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurements to determine whether full and open competition is appropriate and in the best interests of the government.

12. CERTIFICATIONS

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted], Contracting Officer's Technical Representative (Date)

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

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CELL/OTD 015180

CELLSITE-17467

TBD, Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Supervisory Contracting Officer (Date)

[redacted] FBI Chief Contracting Officer (Date)

Office of General Counsel (Date)

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Approved By:

[redacted] Competition Advocate (Date)

CELL/OTD 015181

CELLSITE-17468

ALL INFORMATION CONTAINED
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DATE 04-09-2013 BY NSICG J76J18T80

[redacted]

ACQUISITION PLANNING FORM

[redacted]

FEDERAL BUREAU OF INVESTIGATION

1. Unit/Section/Division: [redacted]/OTD

2. Description of Requiremen[redacted] WITT-held StingRays; Harris training for WITT Personnel.

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3. Estimated Cost: [redacted]

4. Term of Contract: One year

5. Distribution of Dollars: FY- 07 (100%)
FY-_____ FY-_____
FY-_____ FY-_____

6. Subobject Class/Budget Item: [redacted]
Product or Service Code: _____

7. Market Research (state how performed & attach): See EC

Commercial Item: ☑ Yes ☐ No Competitive: ☑ Yes ☐ No
If no to one or more above, explain: _____

8. Sources Considered:
☐ FBI Personnel ☐ Other Government Personnel ☐ Required Sources
☐ 100% Small Bus. ☐ 8a Setaside ☐ Disadvantaged (FAR Part 8)
☐ Hubzone ☐ Women-owned ☐ Other Federal Contracts
☐ A-76

9. If Information Technology: ☐ IRM Review ☐ AIS Approval

10. Type of Procurement:
☐ Brand Name or Equal ☐ Performance-Based Service Contract
☑ Brand Name Only ☐ Functional Specifications ☐ Commercial Item ☐ Compatibility

11. Contract Type:
☑ Firm-Fixed Price ☐ (IFB) ☐ RFP ☐ RFQ ☐ IDIQ Contract
☐ Firm-Fixed Price w/Economic Adj. ☐ Reimbursable Agreement ☐ Time & Material
☐ Cost-Reimbursement ☐ Incentive ☐ BOA ☐ Letter Contract (DOJ Approval)

12. Lease vs Purchase (if lease, analysis attached):

13. Environmentally Preferable Item: ☐ Yes ☐ No

14. Inherently Government Function (justified): ☐ Yes ☑ No

15. Lead Time Required: _____ To be filled in by Contracting Officer

Approval:

_____ Technical Staff Member/(date)

_____ Budget Staff Member/(date)

_____ Legal Review (If applicable)/(date)

_____ Contracting Officer or CCO/(date)

CELL/OTD 015183

FBI/DOJ

CELLSITE-17470

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DATE 04-09-2013 BY NSICG J76J18T80

ADDENDUM TO FBI REQUISITION

Requisition originated by the Operational Technology Division, was initially conceived as a "single purchase" contracting action. After additional consideration, it has been deemed to be far more cost effective (In dollars, and man hours) to compete this as an contract action.

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Competing as an action will allow for faster delivery of Additionally, it will reduce the burden that placed on the finance division from processing contracting actions.

The POC for this addendum is ET WITT.

CELL/OTD 015176

CELLSITE-17473

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DATE 04-10-2013 BY NSICG J76J18T80

Statement of Work

Technical Equipment Procurement, and Engineering Services, and Training Support for the [redacted] Wireless Intercept and Tracking Team Program

1.0 Introduction

1.1 Organization

This Statement of Work is for the provision of services to the U.S. Department of Justice, Federal Bureau of Investigation (FBI), Operational Technology Division (OTD)

1.1.1 Identification and Address

United State Department of Justice
Federal Bureau of Investigation
Engineering Research Facility, Building 27958A
Quantico, VA 22135

1.2 Scope

The scope of this requirement includes support for the [redacted] WITT Program. Functional support areas will include [redacted] This support will enable [redacted]

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1.3 Background

[redacted]

2.0 Task

2.1 This is a Firm Fixed Price (FFP) contract anticipated to be awarded under a GSA [redacted] contract.

2.2 System Software Support

Contractor will provide engineering and technical support, as required, to the various [redacted] Contractor will provide technical expertise to support system architecture and design studies and analyses, including engineering tradeoffs across Unit Programs, and related projects. Contractor will undertake special studies and other inquiries as may be assigned and deliver special reports.

2.3 Program Management

Contractor will provide management of FFP efforts to include assignment and management of required staff, timekeeping and invoicing for labor hours, travel costs,

and their direct costs and progress reports. Required documentation will include oral weekly and written monthly progress reports.

3.0 Labor Mix

The FFP effort for this task is one (1) Senior System Engineer/Managing Associate full time equivalent (FTE), one (1) part time Program Manger, and up to 8 staff weeks of similar labor for surge capacity, as required. This effort includes authorized subcontract labor, if any.

4.0 Deliverables

4.1 Contractor will deliver oral weekly and written monthly status reports to the client. The monthly status reports will be delivered no later than the fifteenth (15^{th}) calendar day of the month and will include the status of the work accomplished to date, future plans, financial status to date, and issues/ concerns affecting this Task.

4.2 Contractor will deliver reports and analyses as directed by the COTR in the format specified by the COTR. These will include software code, diagrams, and other documents as required.

5.0 Qualifications

5.2 Senior Systems Engineer

The Senior Systems Engineer will have five (5) or more years of technical experience performing requirements analysis for, and software system design of enterprise-wide or large scale computer systems. The Senior Systems Engineer will have in-depth understanding of structured software analysis and complex architecture design concepts/methods. The Senior Systems Engineer will possess knowledge of commercial operating system software, database management software, diverse application software, and software engineering best practices.

5.3 Program Manager

The Program Manager will have 12 or more years of experience in relevant fields and three years of experience managing technical projects and programs as the single authorized interface with Government management personnel. Requires competence in complete program development from inception to deployment and has a demonstrated ability to provide guidance and direction at the program level. Possess knowledge of best practices in the management and control of personnel, funds, and resources for directing information system programs.

6.0 Administrative Considerations

6.1 Contact Persons

The FBI's Contracting Officer (CO), Contract Specialist (CS), and the Contracting Officer's Technical Representative (COTR) will perform the administration and monitoring of this Work. The COTR will provide all the technical assistance and clarification required, through completion of this Work. FBI contact persons for this Work are as follows:

6.1.1 FBI Contracting Officer (CO)

To be determined

6.1.2 FBI Contract Specialist (CS)

To be determined

6.1.3 Contracting Officer's Technical Representative (COTR)

(*To be determined*)
Contracting Officer's Technical Representative
Federal Bureau of Investigation (FBI)
Engineering Research Facility
Building # 27958A
Quantico, VA 22135

6.2 Place of Performance

Contractor will perform work at FBI-provided facilities. The work identified as Time and Materials will be performed in FBI space. Contractor will attend meetings and make routine visits to the FBI Headquarters and [redacted] at the Engineering Research Facility, Quantico, Virginia, at metro Washington, D.C. locations, as designated by the COTR. The core working hours for FBI provided facilities are 7:30 a.m. to 6:00 p.m., Monday through Friday.

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6.3 Period of Performance

The period of performance will commence from the date of task award to 12 months with one (1) 12-month option.

6.4 Security

6.4.1 Contractor will be required to handle classified and unclassified information during the work. Additional details will be covered in the contract's DD-254.

6.4.2 Contractor personnel involved in this Work may be required to possess security clearances up to the Top Secret level. Contractor personnel involved in this work are required to possess U.S. citizenship.

7.0 Government-Furnished Resources

7.1 Information Sources

The FBI will supply all required information resources needed to undertake and complete this Work. Such resources include agency information resources and documentation. The COTR will provide information relating to the performance of the Work. The COTR will coordinate preparations with Contractor in arranging interface meetings with functional and technical personnel as needed.

7.2 Documentation

The COTR will provide access to available documentation that will be required by Contractor in the performance of this Task Order.

8.0 Contractor-Furnished Resources

Contractor will provide all general and administrative supplies when performing tasks outside Government-provided facilities.

9.0 Other Direct Costs

The only Other Direct Costs (ODC) anticipated are minor costs, such as reproduction costs, local travel, and office automation and data processing equipment for Contractor personnel.

10.0 Evaluation Factors for Award

Award will be made to the offeror whose proposal, conforming to this solicitation, is determined to be the best overall value to the Government. Technical factors are more important than price. Past performance shall be used as a major part of evaluating an offeror's past performance.

10.1 Technical Factors

10.2 Approach

10.1.1 Overall Understanding/Approach

The Offeror shall provide a concise summary of its understanding of the requirement, and describe its general approach to complete tasks specified in paragraphs 3.1 through 3.4 of Section C. This summary shall be evaluated to determine the offeror's grasp of requirements and the comprehensiveness and viability of its approach.

10.2.1 Key Personnel

The Government shall evaluate the quality of the offeror's Key Personnel in terms of their qualifications, experience, and training, especially with regard to the nature of work described in this solicitation.

10.3.1 Past Performance

The Offeror shall describe its past performance on no more than three (3) similar contracts and subcontracts (no more than 2 pages each) held within the last three (3) years. Past performance evaluation questionnaires will be submitted to previous/current clients (Contracting Officer Technical Representative and/or Contracting Officer) and forwarded the Government Contracting Officer for this solicitation.

The Government shall evaluate the quality of the offeror's past performance. Examples of technically relevant performance in support of Law Enforcement activities will receive relatively more credit than non-Law Enforcement performance. The assessment of past performance will be used in two ways.

First, the assessment of the offeror's past performance will be used as one means of evaluating the credibility of the offeror's technical and management proposal volumes. A record of marginal or unacceptable past performance may be considered an indication that the promises made by the offeror are less than reliable. Such an indication may be reflected in the Government's overall assessment of the offeror's proposal. However, a

record of acceptable--or even excellent--past performance will not result in a favorable assessment of an otherwise unacceptable technical or management proposal.

Second, the assessment of the offeror's past performance will be used as one means of evaluating the relative capability of the offeror and the other competitors. Thus, an offeror with an exceptional record of past performance may receive a more favorable evaluation than another whose record is acceptable, even though both may have acceptable technical and business proposals.

In investigating an offeror's past performance, the Government will consider information in the offeror's proposal and information obtained from other sources, including past and present customers and their employees; other Government agencies, including state and local agencies; consumer protection organizations and better business bureaus; former subcontractors; and others.

Evaluation of past performance will be a subjective assessment based on a consideration of all relevant facts and circumstances. It will not be based on absolute standards of acceptable performance. The Government is seeking to determine whether the offeror has consistently demonstrated a commitment to customer satisfaction and timely delivery of quality goods and services at fair and reasonable prices. This is a matter of judgment. Offerors in the competitive range will be given an opportunity to address especially unfavorable reports of past performance, and the offeror's response--or lack thereof-will be taken into consideration.

The Government's conclusions about the overall quality of the offeror's past performance will be highly influential in determining the relative merits of the offeror's proposal and in selecting the offeror whose proposal is considered most advantageous to the Government.

By past performance, the Government means the offeror's adherence to contract schedules, including the administrative aspects of performance; the offeror's control of costs, including costs incurred for changed work, the offeror's reputation for reasonable and cooperative behavior and commitment to customer satisfaction; and, generally, the offeror's business- like concern for the interests of the customer.

10.4.1 Management Approach

The Government shall evaluate the quality of the offeror's Management Approach. The Management Approach will be evaluated in terms of the offeror's ability to direct and control all aspects of performance described in the Statement of Work.

10.5.1 Price

The evaluation of price will be based on fair and adequate price competition. The Government reserves the right to award to other than the lowest proposed price after consideration of all evaluation factors.

The Government will not include proposed prompt payment discounts in its consideration.

11.0 Evaluation of Options

Except when it is determined in accordance with FAR 17.206(b) not to be in the Government's best interests, the Government will evaluate offers for award purposes by adding the total price for all options to the total price for the basic requirements. Evaluation of options will not obligate the Government to exercise the options(s).

12.0 Evaluation Criteria

Proposals will be evaluated to determine the offer(s) most advantageous to the Government. The responses from project/contract references, as well as any other information contained in their proposal and/or available from outside sources, will be utilized in the source selection decision to determine the most advantageous offer (best value) to the Government.

13. 0 Evaluation Factors For Award

Selection of an offeror for award will be based on an evaluation of proposals in the following areas: Technical Factors and Price. The Technical Factors, taken together, are more important than Price.

Among the Technical Factors, Key Personnel and Past Performance are the most important factors and have equal weight.

The remaining Technical Factors, Technical Approach and Management Approach are of equal importance.

For each Technical Factor, except Past Performance, the evaluation will consist of an assessment of the degree to which the services offered in the proposal provide added value, added capability, and/or reduced risk. In addition, the evaluation will identify the strengths, weaknesses, and risks in each offeror's proposal based on the evaluation factors identified herein.

Offerors that, because of a lack of relevant past performance, are unable to provide the project/contract references requested will receive a Neutral rating for that item.

Although price is considered secondary to technical capabilities, it will be a significant criterion for award as part of an integrated assessment with the Technical Factors, which are intended to identify those Offerors with the knowledge, expertise, experience, and the resources to fulfill the requirements of the contract.

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[redacted]

ACQUISITION PLANNING FORM

[redacted]

FEDERAL BUREAU OF INVESTIGATION

1. Unit/Section/Division: [redacted] OTD

2. Description of Requirement: Procurement of [redacted]

[redacted]

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3. Estimated Cost: [redacted]

4. Term of Contract: One year

5. Distribution of Dollars: FY-07 [redacted]
FY-_____ FY-_____
FY-_____ FY-_____

6. Subobject Class/Budget Item: [redacted]
Product or Service Code: _____

7. Market Research (state how performed & attach): WITT [redacted]

Commercial Item: ☑ Yes ☐ No Competitive: ☐ Yes ☑ No
If no to one or more above, explain: [redacted]

8. Sources Considered:
- ☑ FBI Personnel
- ☐ Other Government Personnel
- ☐ Required Sources
- ☐ 100% Small Bus.
- ☐ 8a Setaside
- ☐ Disadvantaged (FAR Part 8)
- ☐ Hubzone
- ☐ Women-owned
- ☑ Other Federal Contracts
- ☐ A-76

9. If Information Technology: ☐ IRM Review ☐ AIS Approval

10. Type of Procurement:
- ☐ Brand Name or Equal
- ☐ Performance-Based Service Contract
- ☑ Brand Name Only
- ☐ Functional Specifications
- ☐ Commercial Item
- ☐ Compatibility

11. Contract Type:
- ☑ Firm-Fixed Price
- ☐ (IFB)
- ☐ RFP
- ☐ RFQ
- ☐ IDIQ Contract
- ☐ Firm-Fixed Price w/Economic Adj.
- ☐ Reimbursable Agreement
- ☐ Time & Material
- ☐ Cost-Reimbursement
- ☐ Incentive
- ☐ BOA
- ☐ Letter Contract (DOJ Approval)

12. Lease vs Purchase (if lease, analysis attached):

13. Environmentally Preferable Item: ☐ Yes ☑ No

14. Inherently Government Function (justified): ☐ Yes ☑ No

15. Lead Time Required: _____ To be filled in by Contracting Officer

Approval:

_____ Technical Staff Member/(date)

_____ Budget Staff Member/(date)

_____ Legal Review (If applicable)/(date)

_____ Contracting Officer or CCO/(date)

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IT Acquisition Form

Section 7 Attachment

Requirements Analysis

The Wireless Intercept and Tracking Team (WITT)

WITT have determined

WITT has identified

as specified on requisition

Analysis of Alternatives

WITT continuously

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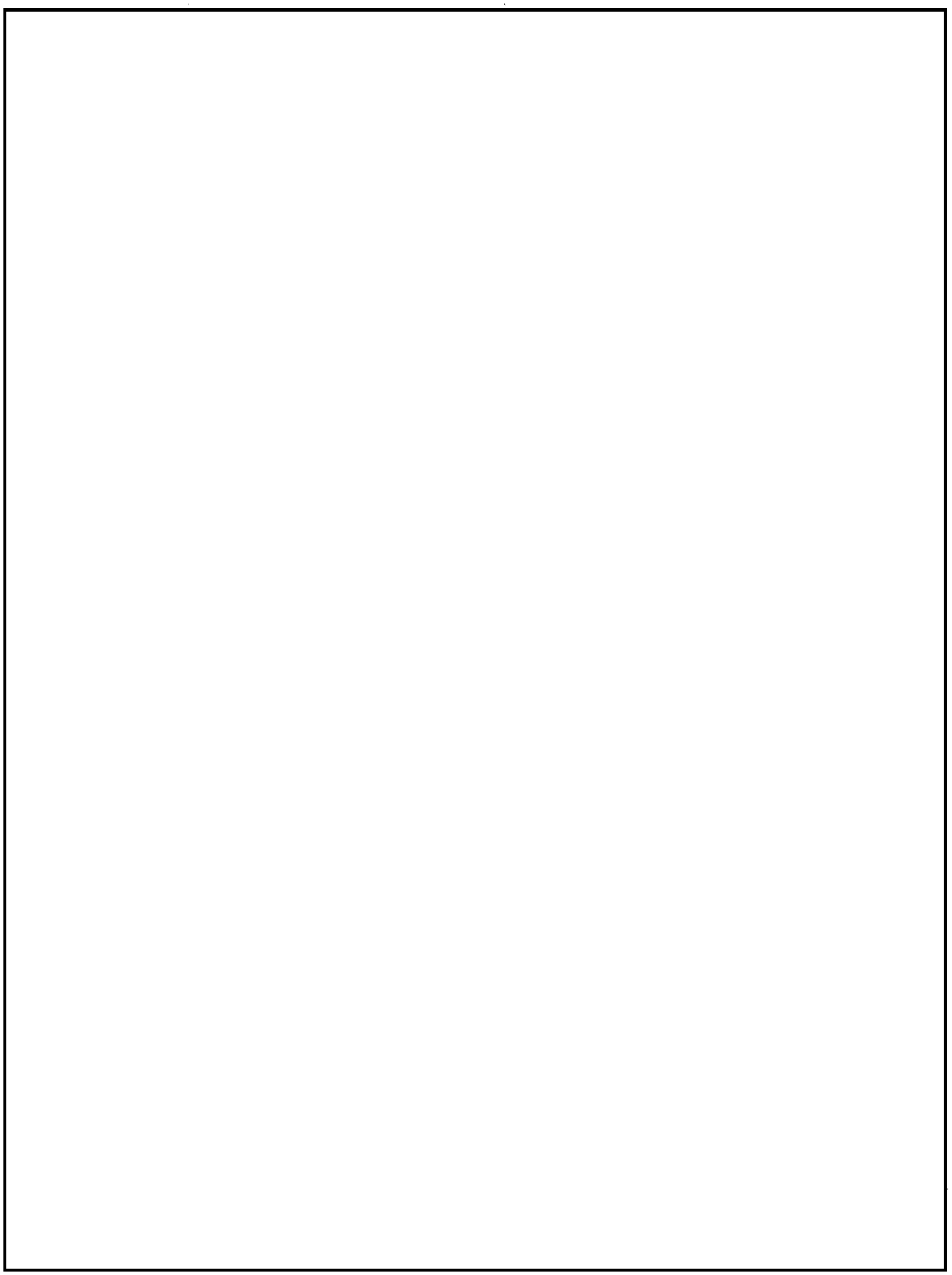
Section 508 Statement

Wireless Intercept and Tracking Team conducted an evaluation of the systems and have submitted the following comments regarding compliance of Section 508 requirements.

1194.3 General Exceptions

Systems are critical to the direct fulfillment of missions and are not used for routine administrative and business applications.

Subpart B -- Technical Standards



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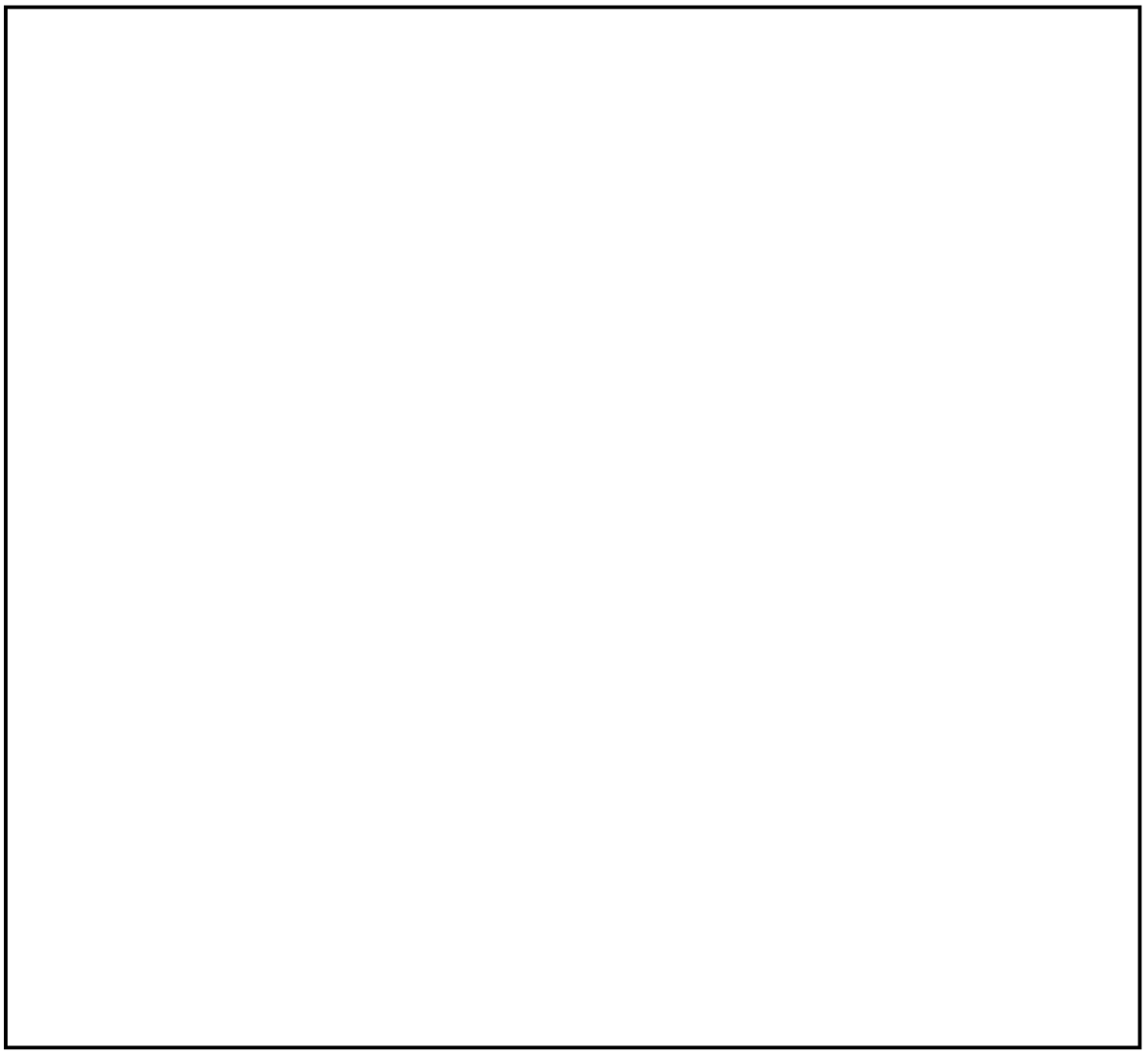
Subpart C – Functional Performance Criteria



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Subpart D – Information, Documentation, and Support

(a) Documentation is offered in hardcopy (paper) as well as softcopy (CD) at no additional charge.
(b) End users are instructed in the product features, visually or through instruction verbally at request, at no additional charge.
(c) Support services accommodate the communication needs of end-users with disabilities.

System Security Plan

A System Security Plan has been completed and in place for use of the laptop controllers used to control the systems. EC dated 06/30/2004 from Security Division has been attached to requisition package

Sole Source Justification

Independent Government Cost Estimate

WITT has submitted a quotation from the vendor, which details the cost of this procurement. Pricing is according to GSA price listings.

Life Cycle Cost Estimate

WITT

WITT currently

Earned Value Management Plan

WITT continuously ensures planning, scheduling, and budget monitoring through its program management efforts. WITT has an extensive inventory monitoring systems which is capable of identifying regions that require more/less equipment, which is updated daily for planning purposes. Detailed reports can be generated providing management the proper information to plan future procurements and deployments as the need arises.

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Privacy Impact Assessment

The Office of General Council has been contacted and has reviewed the request for a Privacy Impact Assessment (PIA).

WITT has

Risk Assessment

WITT has identified through research and development efforts that the risk of these systems not satisfying missions undertaken to be low. WITT has a proven and successful history with the vendor of these systems. The vendor has the technical knowledge and maturity in their products, and the ability to deliver on time. Sufficient funding is also in place for this procurement, and as well as plans for the maintenance over the full lifecycle of these products. Refer to acquisition planning form for specific estimates and distribution of costs.

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IT ACQUISITION FORM

See next page for instructions, or
http://ocio.fbinet.fbi/resources/acquisition.htm

Please attach to front of FD-369.
Mail to IMU Acquisition Staff, Room 9991, JEH

1.	**Date:** 02/22/2007 **Requestor** **Phone:**	
	Office ID **Cost Code:** **SP#:** **FD-369#:**	
2.	IT Product Type(s) Requested and Associated: Total Costs: (as funded on the FD-369)	
3.	Proposed Acquisition Characteristics: ☐ COTS (CR#:) ☐ Existing (Contract #:) ☐ New	
4.	CIO Category Supported (Select ONE):	
5.	Director Priorities Supported (Select ONE)	
6.	Estimated life cycle: 5 years	
a.	Will this be attached to a network? No If Yes, which network? Select...	
b.	If a request for contractor services, will the contractor also provide h/w or s/w products? Select... If Yes, have you notified your ITS? Select... (Ticket #:)	
c.		
d.	What IT **system** or **project** does this acquisition support? (Click on system or project to view master lists)	

*******Please confirm that the following documents are part of your acquisition package, where applicable.**

7.	Requirements Analysis? Yes	e.	Independent Gov't Cost Estimate? Yes
a.	Analysis of Alternative(s)? Yes	f.	Life Cycle Cost Estimate? Yes
b.	Section 508 statement? Yes	g.	Earned Value Management Plan? Yes
c.	System Security Plan? Yes	h.	Privacy Impact Assessment? Yes
d.	Justification for Limited Competition? Yes	i.	Risk Assessment? Yes
8.	If your total acquisition request **exceeds $1million, or is for services only,** please include a one page synopsis of your requirement.		

9.	Customer Signature (Mandatory)	Date	Division Signature (Mandatory)	Date
	CIO OPP Signature	Date	CTO Signature	Date
	CIO Signature	Date	CFO Signature	Date

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IT ACQUISITION FORM
INSTRUCTIONS FOR USE

Step 1	Please fill out your name, telephone number, office ID (i.e., NY, IP, ITOD, etc.), Spending Plan number (SP#) if known, and the FD-369 number (in case this form is separated from the FD-369).
Step 2	
Step 3	The intent of this section is to assist Finance Division (FD) in planning for resource allocation based on the proposed acquisition method for purchasing the IT Product(s). Reminder, as of May 1, 2004, **all** acquisition requests for non-standard, non-baseline IT Product(s) must be entered into the ITATS/**COTS** application via the Service Center (Field, check with your senior ITS, or HQ, your administrative office, to confirm who has access to the Service Center) and receive a Change Request number (**CR#**) before FD will process the acquisition. If this is an amendment or increase to an existing contract, please provide the current contract number (**Contract#**). **New** is self-explanatory.
Step 4	This section is intended to highlight which of the Chief Information Officer's (CIO) IT system or project categories are supported by this acquisition: Investigative, Intelligence & Analytical (**IIA**), Electronic Surveillance Collection (**ESC**), Law Enforcement Support (**LES**), Administrative/Managerial Support (**AMS**), Core Infrastructure (**CORE**), or Information Assurance & Security Related (**IAS**). Select only ONE. See EC, Case ID# 66F-HQ-A1188261-B Serial 172.
Step 5	This section is intended to highlight which of the Director Priorities are supported by this acquisition: **1.** Protect the United States from terrorist attack; **2.** Protect the United States against foreign intelligence operations and espionage; **3.** Protect the United States against cyber-based attacks and high-technology crimes; **4.** Combat public corruption at all levels; **5.** Protect civil rights; **6.** Combat transnational and national criminal organizations and enterprises; **7.** Combat major white-collar crime; **8.** Support significant violent crime; **9.** Support federal, state, local and international partners; **10.** Upgrade technology to successfully perform the FBI's mission. Select only ONE.
Step 6	This section is intended to ensure that you have properly planned for all the enterprise architecture (EA), budget and life cycle management costs regarding your acquisition. In other words, have you planned: **a.** How the product will work within, or the impact on, the FBI's EA; **b.** When acquiring services, will the Contractor provide the hardware or software product(s) and how those products will impact the FBI's EA; **c.** How will the acquired product(s) be maintained over the next two years; **d.** If the product(s) will be integrated into an IT system or project as listed under the six (6) IT categories from Step 4, and the name of the system or project.
Step 7	This section is intended to ensure that you have completed all the necessary contractual documents for the method of acquisition you are pursuing. If you are unsure or unaware of whether any of these documents are required, please contact either for assistance.
Step 8	Self-explanatory.
Step 9	This section is mandatory and is intended to ensure that the proper level of authority has been obtained in order to process this acquisition. You are only responsible to obtain the **Customer Signature** and **Division Signature.** The Customer Signature should reflect the actual recipient of the IT product(s), in case the Requestor filling out this form is different. The Division Signature should reflect that the fiscally responsible person within the Customer's division has acknowledged the stated costs and funds are available for commitment and obligation. The fiscally responsible person is the person recognized by FD as having the authority to approve acquisitions at certain funding levels, and FD keeps this list. Contact you are unsure who has proper funding authority.

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CFO/CIO Rev 2.0 04/14/05

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5/21/2012

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REQ. #

11/8/2006
DATE

ORDERING OFFICE/COST CODE APPROVED BY

JULIAN DATE

Supply Technician:
Program Manger:
Funding Approved:
COTR:
Room# & Ext:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order#

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
			Recommend by: Unit Chief						
			Requested by/Deliver to: Federal Bureau of Investigation						
			ERF Building 27958A, Quantico, VA22135						
			Attn:					Total	

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SPECIAL INSTRUCTION:
Ship to Code:
Delivery Restrictions: M-F 8am-4:30pm except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:
See Attached EC

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WHERE SHOWN OTHERWISE

DATE: 04-09-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-09-2038

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JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION IN ACCORDANCE WITH TITLE 41, UNITED STATES CODE 253(c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U. S. Department of Justice, Federal Bureau of Investigation (FBI), [redacted] Operational Technology Division (OTD). The contracting activity is the Property Procurement and Management Section (PPMS), Telecommunications Contracts and Audit Unit (TCAU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(U) The proposed acquisition strategy is to award a non-competitive contract effort for [redacted] Harris Corporation [redacted]

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(U) [redacted] is responsible for providing the FBI with [redacted] The FBI's Wireless Intercept and Tracking Team (WITT) [redacted] b3 b7E

(U) [redacted] WITT [redacted] Harris Corporation [redacted] Harris Corporation [redacted] WITT has [redacted] of Harris [redacted]

(U) [redacted] WITT [redacted] Harris Corporation. This proposed FY06 procurement is [redacted] Requisition [redacted] in the amount of

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[redacted] has been submitted to fund this requirement.

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The Statutory Authority is 41 U.S.C. 253 (c) (6). The Regulatory Authority is FAR 6.302-6 (a) (2), Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

(U) (S) Harris Corporation [redacted]

[redacted] Harris [redacted]

[redacted]

(S) [redacted]

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(U) (S) Harris Corporation [redacted]

[redacted] WITT [redacted]

[redacted]

(S) [redacted]

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(S)

6. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICAL

(U) Since this procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202 (a) (1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would

7. DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE

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(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF REASONS A MARKET SURVEY WAS NOT CONDUCTED

(U) WITT

WITT

WITT assessed

Harris Corporation

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN

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COMPETITION

(U) [redacted] See paragraph (5) above for facts supporting the use of other than full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED, IN WRITING, AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurements to determine whether full and open competition is appropriate and in the best interests of the government.

12. CERTIFICATIONS

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

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(U) As the Acting Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Contracting Officer's Technical Representative (Date)

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Contracting Officer (Date)

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(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Supervisory Contracting Officer (Date)

[redacted] FBI Chief Contracting Officer (Date)

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Office of General Counsel (Date)

Approved By:

[redacted] Competition Advocate (Date)

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ON 04-10-2013

(Rev. 05-01-2008)

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 07/09/2010

To: Finance **Attn:**

From: Operational Technology Division

Contact:

Approved By:

Drafted By:

(U) **Case ID #:** (~~S~~//NF) 268-HQ-1068430

(U) **Title:** (~~S~~//NF) WIRELESS INTERCEPT AND TRACKING TEAM

(U) **Synopsis:** (~~S~~//NF) To request finance division initiate a request for information to

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(U) **Details:** (~~S~~//NF)

~~SECRET~~//NORFORN/20350709

CELL-OTD 021927

To: Finance From: Operational Technology Division
(U) Re: ~~(S~~//NF) 268-HQ-1068430, 07/09/2010

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

FOR INFORMATION ONLY

CC: [redacted]

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♦♦

CELL-OTD 021923

CELLSITE-17496

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DATE 04-10-2013 BY NSICG J76J18T80

REQ. #

5/10/2005
DATE

ORDERING OFFICE/COST CODE APPROVED BY

Page 1 OF 1

JULIAN DATE

Supply Technician:
Program Manger:
Funding Approved:
COTR:
Room# & Ext:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order#

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
			Recommend by: Unit Chief						
			Requested by/Deliver to: Federal Bureau of Investigation						
			ERF Building 27958A, Quantico, VA22135						
			Attn:					Total	

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b7E

SPECIAL INSTRUCTION:
Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:
See Attached EC

CELL-OTD 015572

CELLSITE-17497

~~SECRET~~

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WHERE SHOWN OTHERWISE

DATE: 04-10-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-10-2038

FEDERAL BUREAU OF INVESTIGATION

STATEMENT OF WORK

For

FBI Contract: [redacted]

Task [redacted]

b3
b7E

RESEARCH AND EVALUATION OF CURRENT [redacted]

June 13, 2005

CELL-OTD 07SEP8

~~SECRET~~

INTRODUCTION **3**

Scope of Document *3*
Contract Type Contemplated *3*
Period of Performance *3*
Security *3*
Scope of Authority *3*
Points of Contact *3*

BACKGROUND AND ACTIVITY OBJECTIVES **4**

Background *4*
Objectives and Scope of the Activity *4*

SPECIFIC REQUIREMENTS **5**

Task Description *5*
Proposal Submission *6*
Travel *6*
Other Direct Costs (ODCs) *7*
Deliverables and Reports *7*
Other Reporting Requirements *7*

CELL-OTD 01579

CELLSITE-17504

Introduction

Scope of Document

This document describes the activity to be executed and the deliverables required by the Federal Bureau of Investigation in relation to [redacted]

This document will be part of the contract and shall serve as an applicable document throughout the execution of the work, with amendments as agreed to at Contract Review (CR) meetings, if appropriate.

Contract Type Contemplated

Cost Reimbursement

Period of Performance

The length of this activity shall be from date of award 8 months. This activity may be incrementally funded, which may result in extensions to the end date of this activity.

Security

This activity shall be at the security level, ~~SECRET (S).~~

Scope of Authority

The offeror is advised that the Contracting Officer is the only person who can legally obligate the Government for the expenditure of public funds in connection with this procurement, and that only the Contracting Officer or the COTR is authorized to accept or reject deliverables.

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Points of Contact

Contracting Officer's Representative (COR)

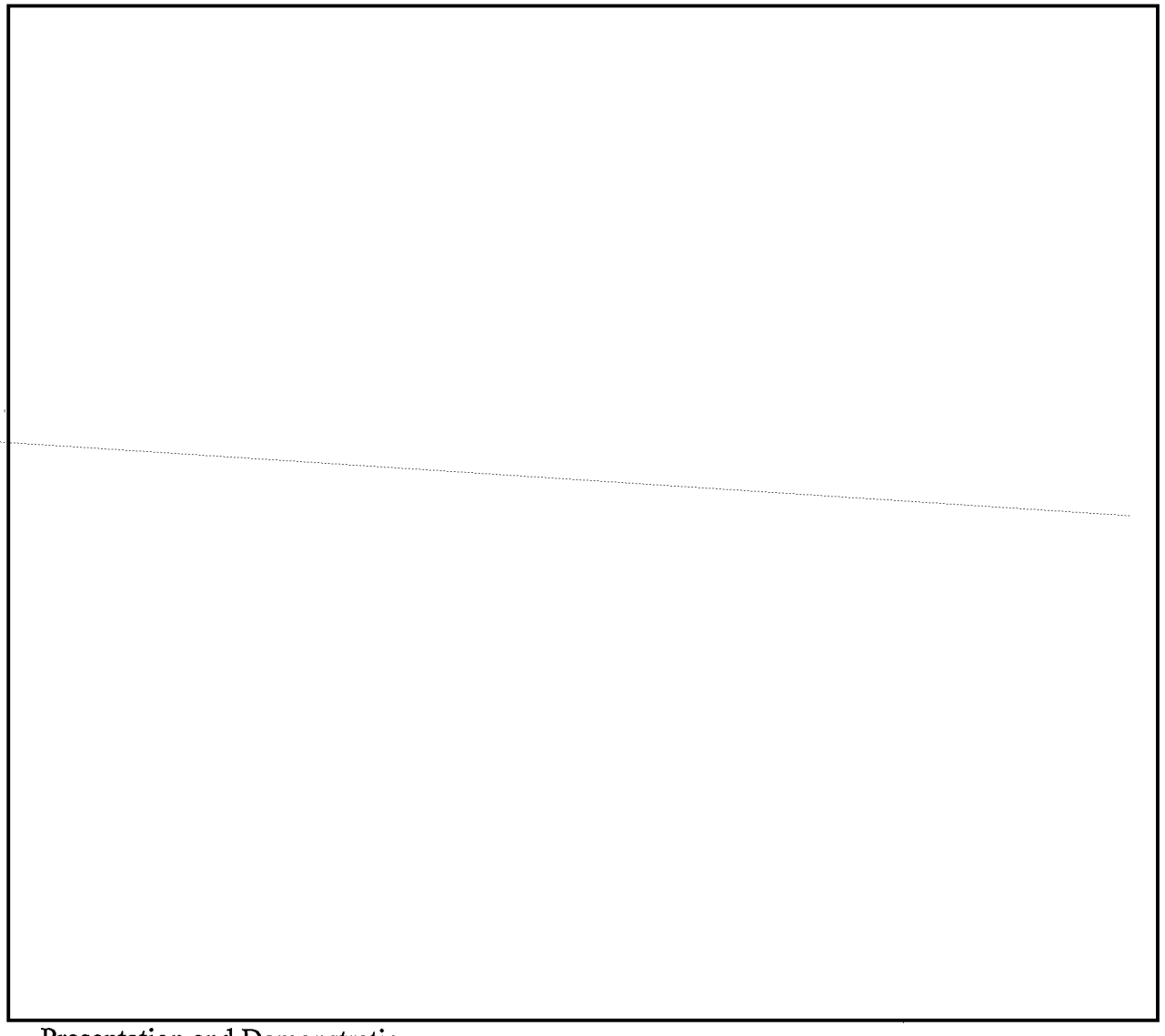
[redacted]

Contracting Officer's Technical Representative (COTR)

[redacted]
ERF Building 27958A
Quantico, Va 22135
[redacted]

FBI Security Officer

[redacted]
ERF Building 27958A
Quantico, Va 22135
[redacted]



(S)

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Presentation and Demonstration

- The contractor shall provide presentations/and or demonstrations which shall reflect the results of these methodologies.

Proposal Submission

The FBI will request proposals for this task, Request for Proposal (RFP). The contractor shall submit a written cost and technical proposal for consideration before the due date and time for this RFP. This proposal shall be for a Cost Reimbursement Type of Task Order, and as a result, the contractor shall submit a payment schedule as part of the cost proposal

Travel

As part of the Cost Proposal, the contractor shall provide all anticipated travel costs, if known, to include: origination; destination; number of trips; number of persons; and a breakdown of lodging, meals, transportation and related costs. Actual expenses are limited by the Government Travel Regulations and must be pre-approved by the FBI.

Other Direct Costs (ODCs)

The contractor shall provide a breakdown of any ODCs in the Cost Proposal. The breakdown shall include an identification of any "open market items" or the contracting vehicle used for the ODCs.

Deliverables and Reports

The contractor shall provide the following deliverables and reports:

- DRAFT RESEARCH REPORT: The Contractor shall deliver to the Government a draft research report describing its research and evaluation performed in accordance with sub section titled, Task Description. If the research indicates that methods described above are not reflective of a realizable solution, the reports shall contain contractor's recommendations and/or modifications for improvement. The report shall cite, reference or describe all data, data sources, methodologies, findings, and determinations used or discovered during the research and evaluation.
- FINAL RESEARCH REPORT: The Contractor shall deliver a final research report that embodies the draft research report and also addresses or incorporates, as appropriate, all comments or questions from FBI that were submitted to the Contractor in response to the draft research report.

The draft and final research reports shall be submitted in both hard copy and electronic copy, with electronic versions in MS Word format (or MS Excel if applicable). Delivery by email is not acceptable.

Other Reporting Requirements

The contractor shall provide a status briefing and report to the FBI every 3 months from the start date of the activity. This briefing should contain at a minimum the following:

Reporting Period Information

1. A narrative review of work accomplished during the reporting period and significant events.
2. Problem areas
3. Anticipated activity for the next reporting period
4. Description of any travel or unique services provided
5. Other relative information as necessary

In addition the contractor shall provide the following:

- The contractor shall inform the COR in writing of the actual task starting date on or before the starting date.
- The contractor shall bring problems or potential problems affecting performance to the attention of the COR as soon as possible. Verbal reports will be followed up with written reports when directed by the COR.
- The contractor shall notify the COR when 75 % of the task has been expended.
- Additional written reports may be required and negotiated.

DATE: 04-10-2013
CLASSIFIED BY NSICG J76J18I80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-10-2038

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

STATEMENT OF WORK

For

FBI Contract: [redacted]

Task [redacted]

b3
b7E

RESEARCH & DEVELOPMENT STUDY OF [redacted]

January 03, 2006

CELL-OTD 015585

~~SECRET~~

INTRODUCTION **3**

Scope of Document *3*
Contract Type Contemplated *3*
Period of Performance *3*
Security *3*
Scope of Authority *3*
Points of Contact *3*

BACKGROUND AND ACTIVITY OBJECTIVES **4**

Background *4*
Objectives and Scope of the Activity *4*

SPECIFIC REQUIREMENTS **5**

Task Description *5*
Proposal Submission *5*
Travel *6*
Other Direct Costs (ODCs) *6*
Deliverables and Reports *6*
Other Reporting Requirements *6*

CELL/OTD 015586

Introduction

Scope of Document

(U) ~~(S)~~ This document describes the activity to be executed and the deliverables required by the Federal Bureau of Investigation in relation to [redacted]

(U) This document will be part of the contract and shall serve as an applicable document throughout the execution of the work, with amendments as agreed to at Contract Review (CR) meetings, if appropriate.

Contract Type Contemplated

(U) Time and Material

Period of Performance

(U) The length of this activity shall be from date of award 8 months. This activity may be incrementally funded, which may result in extensions to the end date of this activity.

Security

(U) ~~(S)~~ This activity shall be at the security level, ~~SECRET (S).~~

Scope of Authority

(U) The offeror is advised that the Contracting Officer is the only person who can legally obligate the Government for the expenditure of public funds in connection with this procurement, and that only the Contracting Officer or the COTR is authorized to accept or reject deliverables.

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b7E

Points of Contact

(U) Contracting Officer's Representative (COR)

[redacted]

(U) Contracting Officer's Technical Representative (COTR)

[redacted]
ERF Building 27958A
Quantico, Va. 22135
[redacted]

(U) Security Officer

[redacted]
ERF Building 27958A
Quantico, Va. 22135
[redacted]

CELL-OTD 015587

Specific Requirements

Task Description

(U) The contractor shall research and evaluate methods that shall meet the objectives described in section titled, Objectives and Scope of the Activity. In particular, the contractor shall research and develop techniques and solutions that shall provide the following:

[redacted]

[redacted]

(U) Specifically, the contractor shall analyze, document, and provide a study on the similarities that exist between the [redacted]

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[redacted]

(S)

(U) Presentation and Demonstration

- (U) The contractor shall provide presentations/and or demonstrations which shall reflect the results of these methodologies.

Proposal Submission

(U) The customer shall request proposals for this task, Request for Proposal (RFP). The contractor shall submit a written cost and technical proposal for consideration before the due date and time for this RFP. This proposal shall be for a Time and Material Task Order, and as a result, the contractor shall submit a payment schedule as part of the cost proposal

CELL-OTD 015589

Travel

(U) As part of the Cost Proposal, the contractor shall provide all anticipated travel costs, if known, to include: origination; destination; number of trips; number of persons; and a breakdown of lodging, meals, transportation and related costs. Actual expenses are limited by the Government Travel Regulations and must be pre-approved by the FBI.

Other Direct Costs (ODCs)

(U) The contractor shall provide a breakdown of any ODCs in the Cost Proposal. The breakdown shall include an identification of any "open market items" or the contracting vehicle used for the ODCs.

Deliverables and Reports

(U) The contractor shall provide the following deliverables and reports:

- (U) DRAFT RESEARCH REPORT: The Contractor shall deliver to the customer a draft research report describing its research and evaluation performed in accordance with sub section titled, Task Description. If the research indicates that methods described above are not reflective of a realizable solution, the reports shall contain contractor's recommendations and/or modifications for improvement. The report shall cite, reference or describe all data, data sources, methodologies, findings, and determinations used or discovered during the research and evaluation.
- (U) FINAL RESEARCH REPORT: The Contractor shall deliver a final research report that embodies the draft research report and also addresses or incorporates, as appropriate, all comments or questions from the customer that were submitted to the Contractor in response to the draft research report.

(U) The draft and final research reports shall be submitted in both hard copy and electronic copy, with electronic versions in MS Word format (or MS Excel if applicable). Delivery by email is not acceptable.

Other Reporting Requirements

(U) The contractor shall provide a status briefing and report every 3 months from the start date of the activity. This briefing should contain at a minimum the following:

(U) Reporting Period Information

1. (U) A narrative review of work accomplished during the reporting period and significant events.
2. (U) Problem areas
3. (U) Anticipated activity for the next reporting period
4. (U) Description of any travel or unique services provided
5. (U) Other relative information as necessary

(U) In addition the contractor shall provide the following:

- (U) The contractor shall inform the COR in writing of the actual task starting date on or before the starting date.
- (U) The contractor shall bring problems or potential problems affecting performance to the attention of the COR as soon as possible. Verbal reports will be followed up with written reports when directed by the COR.
- (U) The contractor shall notify the COR when 75 % of the task has been expended.
- (U) Additional written reports may be required and negotiated.

CELL/OTD 015591

DATE: 04-10-2013
CLASSIFIED BY NSICG J76J18I80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-10-2038

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WHERE SHOWN OTHERWISE

Statement of Work

Task Order Specific

Federal Bureau of Investigation

CELLSITE 021385

CELLSITE-17549

STATEMENT OF WORK

Task Order

(U) **1.0 (S//NF) INTRODUCTION**

(S)

(U) **1.1 (S//NF) Project Description and Background**

(S)

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(U) The structure of this statement of work consists of the following: Section 1 provides a broad project description and background of the task requirements; Section 2 details the specific system requirements, key technology areas, concept of operations, and

4.0 (U) Deliverables

(U) This section describes the deliverable items from the task order.

- (U) Monthly Status Report (at customer discretion)
- (U) Monthly Program Review (at customer discretion)
- (U) Technical Proposal
- (U) System Testing Plan
- (U) [redacted] b7E
- (U) System Demonstration at customer facility
- (U) Final Technical Summary Report

4.1 Security Standards and Regulations

(U) SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

5.0 Customer Representative

[redacted] – Contracting Officer [redacted]

The following Bureau personnel may be contacted in performance of this work, but are not authorized to negotiate contractual issues:

Programmatic and Technical Personnel b6 b7C

a) [redacted] – Project Manager/COTR

b) [redacted] – Program Manager/COTR

c) [redacted] – Unit Chief [redacted]

~~SECRET~~

DATE: 04-10-2013
CLASSIFIED BY NSICG J76J18I80
REASON: 1.4 (c)
DECLASSIFY ON: 04-10-2038

[redacted]

From: [redacted]
Sent: Monday, December 13, 2010 1:55 PM
To: [redacted]
Subject: RE: WITT[redacted]

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

~~SECRET//NOFORN~~
RECORD[redacted]

Here is your revised copy.

[redacted]

From: [redacted]
Sent: Monday, December 13, 2010 10:34 AM
To: [redacted]
Subject: FW: WITT[redacted]

~~SECRET//NOFORN~~
RECORD[redacted]

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Lisa: Please add the 1 and 2. below to the attached. And renumber

<< File: [redacted] WITT.20101123.doc >>

[redacted]

From: [redacted]
Sent: Thursday, December 09, 2010 8:46 AM
To: [redacted]
Cc:
Subject: RE: WITT[redacted]

~~SECRET//NOFORN~~
RECORD[redacted]

[redacted]

(U) (S) I think it was [redacted] who said someone there was doing the agreement for [redacted] I asked if there was coordination and he didn't know. This was before the start of Tuesday's [redacted] meeting, I'm not sure if you were in the room at that time.

~~SECRET~~

CELL/OTD 07T026

CELLSITE-17560

~~SECRET~~

[redacted] don't shoot the messenger, I'm heard it Tuesday and thought you should be aware of it.

Here is my attempt to capture the [redacted] issue at the end of page 1 :

[redacted]

Renumber following items as appropriate……

[redacted]

From: [redacted]
Sent: Thursday, December 09, 2010 6:25 AM
To: [redacted]
Cc:
Subject: RE: WITT [redacted]

~~SECRET//NOFORN~~
RECORD [redacted]

(S) [redacted]

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Also. Provide me the statement concerning [redacted] you want to see in this [redacted] I will confer with OGC and add same to the document.

[redacted] Can you advise if [redacted] correct.

[redacted]

From: [redacted]
Sent: Wednesday, December 08, 2010 5:34 PM
To: [redacted]
Subject: RE: WITT [redacted]

~~SECRET//NOFORN~~
RECORD [redacted]

[redacted]

~~SECRET~~

CELL-OTD 017027

~~SECRET~~

(S)

The idea is to make the [redacted] and they agree to abide by them.

Thanks,

[redacted]

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From: [redacted]
Sent: Wednesday, December 08, 2010 1:27 PM
To: [redacted]
Subject: WITT [redacted]

UNCLASSIFIED
NON-RECORD

[redacted] What was the read from [redacted]

UNCLASSIFIED

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20201208~~
~~SECRET//NOFORN~~

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20201208~~
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~~DERIVED FROM: Multiple Sources~~
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~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20201208~~
~~SECRET//NOFORN~~

~~SECRET~~

CELL/OTD 017028

~~SECRET~~

(S)

From:
Sent: Thursday, December 09, 2010 6:25 AM
To:
Cc:
Subject: RE: WITT

~~SECRET//NOFORN~~
RECORD

(S)

Also. Provide me the statement concerning you want to see in this I will confer with OGC and add same to the document.

Can you advise if correct.

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b7E

From:
Sent: Wednesday, December 08, 2010 5:34 PM
To:
Subject: RE: WITT

~~SECRET//NOFORN~~
RECORD

(S)

The idea is to make the and they agree to abide by them.

~~SECRET~~

CELL/OTD 017035

CELLSITE-17569

~~SECRET~~

Thanks,

[redacted]

From: [redacted]
Sent: Wednesday, December 08, 2010 1:27 PM
To: [redacted]
Subject: WITT [redacted]

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UNCLASSIFIED
NON-RECORD

[redacted] What was the read from [redacted]

UNCLASSIFIED

~~**DERIVED FROM: Multiple Sources**~~
~~**DECLASSIFY ON: 20201208**~~
~~**SECRET//NOFORN**~~

~~**DERIVED FROM: Multiple Sources**~~
~~**DECLASSIFY ON: 20201208**~~
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~~**SECRET//NOFORN**~~

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~~**DECLASSIFY ON: 20201208**~~
~~**SECRET//NOFORN**~~

~~**DERIVED FROM: Multiple Sources**~~
~~**DECLASSIFY ON: 20201208**~~
~~**SECRET//NOFORN**~~

~~SECRET~~

CELL/OTD 017036

~~SECRET~~

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DATE: 04-10-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c)
DECLASSIFY ON: 04-10-2038

[redacted]

From: [redacted]
Sent: Thursday, December 09, 2010 8:50 AM
To: [redacted]
Cc:
Subject: RE: WITT [redacted]

~~SECRET//NOFORN~~
RECORD [redacted]

[redacted]

[redacted] and [redacted] are the ones responsible for the other [redacted]

(S) [redacted]

From: [redacted]
Sent: Thursday, December 09, 2010 8:46 AM
To: [redacted]
Cc:
Subject: RE: WITT [redacted]

~~SECRET//NOFORN~~
RECORD [redacted]

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[redacted]

(U) ~~(S)~~ I think it was [redacted] who said someone there was doing the agreement for [redacted] I asked if there was coordination and he didn't know. This was before the start of Tuesday's [redacted] meeting, I'm not sure if you were in the room at that time.

[redacted] - don't shoot the messenger, I'm heard it Tuesday and thought you should be aware of it.

Here is my attempt to capture the [redacted] at the end of page 1 :

[redacted]

Renumber following items as appropriate.....

[redacted] ~~SECRET~~

CELL/OTD 1017037

~~SECRET~~

[redacted]

From: [redacted]
Sent: Thursday, December 09, 2010 6:25 AM
To: [redacted]
Cc:
Subject: RE: WITT [redacted]

~~SECRET//NOFORN~~
RECORD [redacted]

(S) [redacted]

Also. Provide me the statement concerning [redacted] you want to see in this [redacted] I will confer with OGC and add same to the document.

[redacted] Can you advise if [redacted] correct.

[redacted]

b1
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From: [redacted]
Sent: Wednesday, December 08, 2010 5:34 PM
To: [redacted]
Subject: RE: WITT [redacted]

~~SECRET//NOFORN~~
RECORD [redacted]

(S) [redacted]

The idea is to make the [redacted] and they agree to abide by them.

Thanks,

[redacted]

~~SECRET~~

CELL/OTD 017038

CELLSITE-17572

~~SECRET~~

From: [redacted]
Sent: Wednesday, December 08, 2010 1:27 PM
To: [redacted]
Subject: WITT [redacted]

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UNCLASSIFIED
NON-RECORD

[redacted] What was the read from [redacted]

UNCLASSIFIED

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20201208~~
~~SECRET//NOFORN~~

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20201208~~
~~SECRET//NOFORN~~

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20201208~~
~~SECRET//NOFORN~~

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20201208~~
~~SECRET//NOFORN~~

~~SECRET~~

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

DATE: 04-10-2013
CLASSIFIED BY NSICG J76J18I80
REASON: 1.4 (c)
DECLASSIFY ON: 04-10-2038

[redacted]

From: [redacted]
Sent: Thursday, December 09, 2010 8:49 AM
To: [redacted]
Cc:
Subject: RE: WITT[redacted]

~~SECRET//NOFORN~~
RECORD[redacted]

[redacted]

(S) [redacted]

(S) [redacted]

From: [redacted]
Sent: Thursday, December 09, 2010 6:25 AM
To: [redacted]
Cc:
Subject: RE: WITT[redacted]

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b7C
b7E

~~SECRET//NOFORN~~
RECORD[redacted]

(S) [redacted]

Also. Provide me the statement concerning [redacted] you want to see in this [redacted] I will confer with OGC and add same to the document.

[redacted] Can you advise if [redacted] correct.

[redacted]

CELL/OTD 017040

From: [redacted]
Sent: Wednesday, December 08, 2010 5:34 PM
To: [redacted]
Subject: RE: WITT[redacted]

~~SECRET~~

~~SECRET~~

~~SECRET//NOFORN~~
RECORD

(S)

The idea is to make the and they agree to abide by them.

Thanks,

b1
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b7C
b7E

From:
Sent: Wednesday, December 08, 2010 1:27 PM
To:
Subject: WITT

UNCLASSIFIED
NON-RECORD

What was the read from

UNCLASSIFIED

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20201208~~
~~SECRET//NOFORN~~

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20201208~~
~~SECRET//NOFORN~~

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20201208~~
~~SECRET//NOFORN~~

~~SECRET~~ CELL/OTD 017041

~~SECRET~~

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

DATE: 04-10-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c)
DECLASSIFY ON: 04-10-2038

[redacted]

From: [redacted]
Sent: Thursday, December 09, 2010 8:46 AM
To: [redacted]
Cc: [redacted]
Subject: RE: WITT [redacted]

~~SECRET//NOFORN~~
RECORD [redacted]

[redacted]

(U) (S) I think it was [redacted] who said someone there was doing the agreement for [redacted] I asked if there was coordination and he didn't know. This was before the start of Tuesday's [redacted] meeting, I'm not sure if you were in the room at that time.

[redacted] don't shoot the messenger, I'm heard it Tuesday and thought you should be aware of it.

Here is my attempt to capture the [redacted] issue at the end of page 1 :

[redacted]

Renumber following items as appropriate.....

[redacted]

b1
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b5
b6
b7C
b7E

From: [redacted]
Sent: Thursday, December 09, 2010 6:25 AM
To: [redacted]
Cc:
Subject: RE: WITT [redacted]

~~SECRET//NOFORN~~
RECORD [redacted]

(S) [redacted]

Also. Provide me the statement concerning [redacted] you want to see in this [redacted] I will confer with OGC and add same to the document.

[redacted] Can you advise if [redacted] correct.

~~SECRET~~

CELL/OTD 017042

~~SECRET~~

[redacted]

From: [redacted]
Sent: Wednesday, December 08, 2010 5:34 PM
To: [redacted]
Subject: RE: WITT [redacted]

~~SECRET//NOFORN~~
RECORD [redacted]

[redacted]

(S) [redacted] b1 b3 b6 b7C b7E

The idea is to make the [redacted] and they agree to abide by them.

Thanks,

[redacted]

From: [redacted]
Sent: Wednesday, December 08, 2010 1:27 PM
To: [redacted]
Subject: WITT [redacted]

UNCLASSIFIED
NON-RECORD

[redacted] What was the read from [redacted]

UNCLASSIFIED

~~**DERIVED FROM: Multiple Sources**~~
~~**DECLASSIFY ON: 20201208**~~
~~**SECRET//NOFORN**~~

~~SECRET~~
~~**DERIVED FROM: Multiple Sources**~~

CELL/OTD 017043

~~SECRET~~

DATE: 04-10-2013
CLASSIFIED BY NSICG J76J18I80
REASON: 1.4 (c)
DECLASSIFY ON: 04-10-2038

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

From: [redacted]
Sent: Wednesday, December 08, 2010 5:34 PM
To: [redacted]
Subject: RE: WITT [redacted]

~~SECRET//NOFORN~~
RECORD [redacted]

[redacted]

(S) [redacted]

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b7E

The idea is to make the [redacted] and they agree to abide by them.

Thanks,

[redacted]

From: [redacted]
Sent: Wednesday, December 08, 2010 1:27 PM
To: [redacted]
Subject: WITT [redacted]

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NON-RECORD

[redacted] What was the read from [redacted]

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For Official Use Only

Wireless Intercept and Tracking Team (WITT)

Status Report for First Quarter, 2004

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TTU - Policy

(Rev. 05-01-2008)

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 10/31/2011

To: Operational Technology **Attn:** [redacted]

From: Operational Technology
Tracking Technology Unit
Contact: [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 268-HQ-1068430 (Pending) - 782

Title: CHANGED
[redacted]

Synopsis: (U) Changes name of captioned program.

Previous Title: (U) Title marked "Changed" to reflect an accurate description of program's purpose and capability. Title previously carried as [redacted]

Details: [redacted]

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ON 10-24-2012

[redacted] (OTD) (FBI)

From: [redacted] (FD)(FBI)
Sent: Tuesday, July 05, 2011 4:35 PM
To: [redacted] (OTD) (FBI)
Cc:
Subject: RE: [redacted] --- ~~SECRET~~

Classification: ~~SECRET~~

~~Classified By: C12W12B75~~
~~Declassify On: 20360705~~
~~Derived From: Multiple Sources~~
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Here are the copies of the SOWs that were provided to [redacted] on Friday 6/24/11

- General SOW for the Contract
- TO #1 – consolidation of outstanding efforts from previously awarded contract
- TO #2 – New [redacted] tasking

[redacted] Contract General SOW 6-24-.. (07a) Statement of Work Task O... (07b) Statement of Work Task O...

From: [redacted] (OTD) (FBI)
Sent: Tuesday, July 05, 2011 3:41 PM
To: [redacted]
Cc: [redacted] (FD)(FBI)
Subject: [redacted] --- ~~SECRET~~

Classification: ~~SECRET~~

~~Classified By: C12W12B75~~
~~Declassify On: 20360705~~
~~Derived From: Multiple Sources~~
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[redacted]

I placed a copy of the project milestone (as of May 2011) and system level design of the current contract (COTR – [redacted] on your desk [redacted] is working with [redacted] for a program status briefing to be held this month and is requesting them to provide us a [redacted] of their ongoing current effort so that we conduct preliminary evaluation and provide feedback prior to the briefing. Attached is the SOWs I had prepared with a few editing by [redacted] will provide copy of the final version with all changes incorporated shortly.]

<< File: [redacted] Contract General SOW 6-15-11 Draft 1.doc >>

(U) << File: (07a) Statement of Work Task Order 1 (S-NF)_June 2011.doc >>
(U) << File: (07b) Statement of Work Task Order 2 (S-NF).doc >>

[redacted]

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Classification: ~~SECRET~~

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DATE: 10-24-2012
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REASON: 1.4 (c,g)
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[redacted] **Contract**

Statement of Work

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b7E

Tracking Technology Unit

[redacted]

Science and Technology Branch

Operational Technology Division

CELL/OTD 022732

(U) (~~S~~) **1.0 SCOPE**

(S)

(U) (~~S~~) **1.1 OBJECTIVES**

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(U) (~~S~~) The specific objectives of the contract shall include:

- (S)
- (S)
- (S)
- (S)
- (S)
- (S)
- (S)

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CELL/OTD 022733

- (U) To provide engineering services for [redacted]
- (U) To report, track, and document processes and outcomes.

(U) **(S) 1.2 BACKGROUND**

(S) [redacted]

(S) [redacted]

(S) [redacted]

(S) [redacted]

(S) [redacted]

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CELL/OTD 022734

(S)

(S)

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(U) (S) **2.0 REQUIREMENTS AND DELIVERABLES**

(U) 2.1 TASKING

(U) Work under this SOW shall be task-oriented. Each task shall be coordinated with the Contractor by the Contracting Officer's Technical Representative (COTR) and awarded on a task by task basis through the Contracting Officer (CO). As indicated in each Task Order (TO) SOW, the Contractor shall provide services to include the following:

- Engineering Services for
- Providing and enhancing systems
- Systems
- Systems quality assurance;
- Systems
- Reporting, tracking, documentation development, and presenting;
- Project management to include scheduling, cost management, process analysis and evaluation, project control, and risk management.

(U) The CO shall specify the intended pricing type, firm fixed-price or cost-plus fixed fee, during request for TO proposals. Reference the solicitation documentation for additional information regarding "Ordering Procedures."

(U) For key personnel, the COTR shall require the Contractor to provide a resume demonstrating experience, skills, and education. Once key personnel are approved by the FBI, replacement of those personnel on by the Contractor is subject to review and approval by the COTR. All Contractor personnel shall possess the knowledge and skills necessary to complete the work identified by the FBI.

CELL/OTD 022735

(U) The Contractor shall be expected to apply a broad base of engineers and support personnel with varying backgrounds in order to maintain the efforts under this contract. At a minimum, the Contractor shall include a copy of the job descriptions to include experience levels and formal education required for each labor category presented in the proposal.

(U) Services provided under each TO shall be performed in accordance with this SOW for the contract as well as contractual terms and conditions. All services and enhancements under this contract shall be conducted with all appropriate legal authority.

(U) (S) 2.2 REQUIREMENTS

The Contractor shall meet the system level criteria for performance as stated below:

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(S)

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(S)

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(U) 2.2.7 The Contractor system shall require [redacted] and any [redacted] features under this contract to ensure such use are limited to personnel with the required authority.

(U) 2.3 DELIVERABLES

(U) The Contractor shall provide any of the following as required in specific Task Order requirements documentation:

CELL/OTD 022736

- Project Deliverables
  - [redacted]
  - [redacted]
  - Production Run Equipment
- Documentation
  - White Paper Study Reports
  - Baseline Design Documentation
  - Monthly Project Status Reports
- Meetings or Briefings
  - Kick-Off, Program Management, Status or Technical Integration Meetings
  - Review or Technical Briefings to include any required materials

b3
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(U) 3.0 REPORTING AND STATUS REVIEW REQUIREMENTS

(U) 3.1 Project Progress Reports: Project progress shall be reported to the COTR on a monthly basis. At a minimum, the report shall include the following information per Task Order: technical accomplishments and status, upcoming milestones, issues/concerns/risks, action items, and projected cost or schedule overruns.

(U) 3.2 Other Reports: Other reports that may be required by the contractor on a per-task order basis shall include:

- Test Procedures Report
- Installation Report
- [redacted]
- System [redacted]
- Training Plans and Manuals
- Task Order Closeout Report
- Contract Closeout Report

(U) 3.3 Phase Review Meetings: Formal phase review meetings shall be conducted at a minimum at the conclusion of each Task Order Phase and include reports for project plans, status, and results.

(U) 3.4 Other Review Meetings: Other meetings that may be required by the contractor on a per-task order basis shall include:

- Monthly or Periodic Technical Integration Meetings - To review technical progress, address any technical challenges and barriers, and communicate with project team
- System Requirements Review - To review and baseline the requirements to be satisfied by the proposed system (product)
- Preliminary Design Review - To review and concur on initial system design concepts including exploitation techniques and implementation methodology
- Critical Design Review - To review and approve final system design
- Test Readiness Review - To review test readiness and authorize initiation of testing

CELL/OTD 022737

- Operational Readiness Review - To review operational readiness and officially accept system (product)

(U) (S) **4.0 SPECIAL CONSIDERATIONS**

(U) 4.1 Health and Safety

(U) In certain configurations if the Contractor systems [redacted] the Contractor shall provide information regarding these topics in writing and make recommendation to reduce such risk.

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(U) (S) **4.2 Security and Restrictions Considerations**

(S) [redacted]

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STATEMENT OF WORK

[ ] Contract

Task Order 1

[ ] Baseline System

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1.0 (U) INTRODUCTION

(S)

(U) 1.1 (~~S//NF~~) Project Description and Background

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(S)

CELL/OTD 022739
CELLSITE-15822

(S) [redacted] b1 b3 b7E

(U) The structure of this statement of work consists of the following: Section 1 provides a broad project description and background of the task requirements; Section 2 details the specific system requirements, key technology areas, concept of operations, and technical strategy; Section 3 lists and describes the tasks to be accomplished; Section 4 lists the deliverables, and Section 5 lists the customer representatives, roles and contact information.

(U) 2.0 (~~S//NF~~) Scope

(U) Within this statement of work, all references to [redacted] or [redacted] are defined as a product that is [redacted] as [redacted]

(U) The following requirements as identified in Section 2 shall be provided for under this Task Order to [redacted] All capabilities shall be available for utilization [redacted] n order to provide all requirements below shall not be accepted. b3 b7E

2.1 Task Overview

(S) [redacted] b1 b3 b7E

CELL/OTD 022740
CELLSITE-15823

2.1.1 [redacted] **Requirements**

2.1.1.1 [redacted]

2.1.1.2 [redacted]

2.1.1.3 [redacted]

2.1.1.4 [redacted]

2.1.1.5 [redacted]

(S) **2.1.1.6** [redacted]

2.1.1.7 [redacted]

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2.1.1.8 [redacted]

2.1.1.9 [redacted]

2.1.1.10 [redacted]

2.1.1.11 [redacted]

2.1.1.12 [redacted]

2.1.1.13 [redacted]

2.1.1.14 [redacted]

2.1.2 Key Technology Area

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CELLSITE-15824

2.1.2.1

2.1.2.2

2.1.2.3

2.1.2.4

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2.1.2.5

2.1.2.6

2.1.2.7

2.1.3 Operating Requirements

2.1.3.1

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b7E

2.1.3.2

2.1.3.3

2.1.3.4

2.1.3.5 (U) The system shall be

(U) 2.1.4 (~~S//NF~~) System Capabilities

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(U) 2.2 ~~(S//NF)~~ Concept of Operations

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b7E

(U) 2.2.1 ~~(S//NF)~~

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b3
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(S)

2.2.1.8 ~~X~~

(S)

2.2.1.9 ~~X~~

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b3
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b3
b7E

2.2.1.10 The system shall perform the following general sequence of operations:

2.2.1.10.1 ~~X~~

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(S)

2.2.1.10.2 ~~X~~

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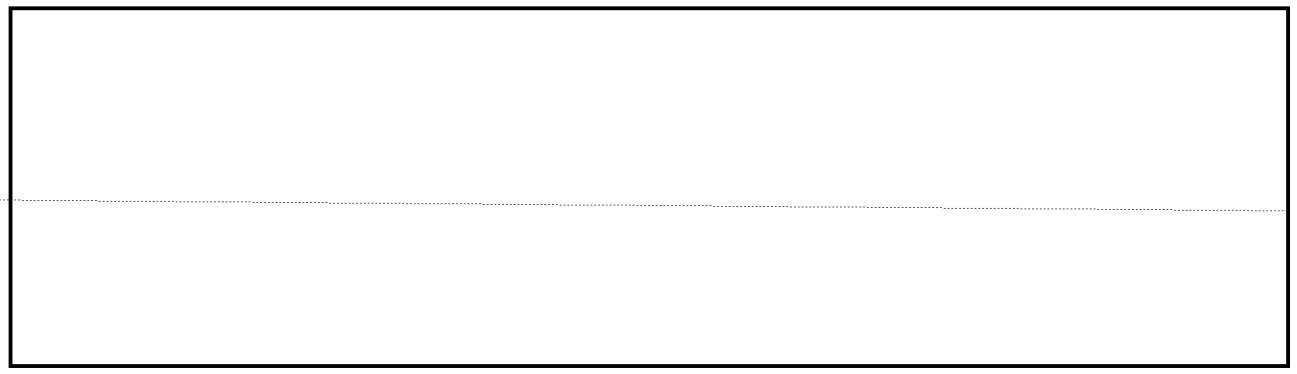

(S)

(S) **2.2.2.9**

(S)

(S) **2.2.2.1**

(S)

(S) **2.2.2.1**

(S)

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2.2.2.12 The system shall perform the following general sequence of operations

2.2.2.12.1

(S)

2.2.2.12.2

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CELLSITE-15829

2.2.3.11 (U) The system shall perform the following general sequence of operations:

2.2.3.11.1

2.2.3.11.2

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2.2.3.11.3

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(U) A conceivable technical strategy for providing the [redacted] is described below: the Contractor shall take the following into account when performing the [redacted] required under this Task Order.

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2.2.4.5

2.2.4.6

2.2.4.7

2.2.4.8

2.2.4.9

2.2.4.10

[redacted]

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CELLSITE-15835

3.0 (U) Task Descriptions

~~(S//NF)~~ This section describes the tasks to be completed. It is divided into five major areas shall be completed under this Task Order:

(a) **General Project Tasks** – General project tasks include a kickoff meeting to be conducted at the customer's facility, a general project status review conducted at the midpoint of the project, and a monthly meeting at the customer's discretion status reports identifying current task status, risks, mitigations, percent complete, expected date of completion, and actual date of completion for each enhancement feature.

(b) [redacted] to address the following requirements: [redacted]

(c) [redacted]

b3
b7E

(d) [redacted]

(e) **Demonstration** – Conduct a demonstration of a fully operational system according to the requirements described herein system at the customer facility to include [redacted]

4.0 (U) Deliverables

(U) This section describes the deliverable items from the task order.

- (U) Monthly Status Report
- (U) Monthly Program Review
- (U) System Power Requirements for [redacted]
- (U) System Testing Plan
- (U) System [redacted]
- (U) System Demonstration at customer facility
- (U) Pictorial system connection diagram

b3
b7E

CELL/OTD 022753

CELLSITE-15836

- (U) Final Technical Summary Report

4.1 Security Standards and Regulations

(U) SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information outside those parties designated by the COTR must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. This program in its entirety is restricted from any and all disclosure to any entity considered foreign to the United States. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

5.0 Customer Representative

The Contracting Officer (CO) is the only person from the FBI with the authority to negotiate contractual issues or changes and obligate funding. The Contractor is responsible for any changes made without authorization of the CO.

[ ] Contracting Officer [ ]

The following Bureau personnel may be contacted after award of the contract in performance of this work and for technical guidance, but are not authorized to negotiate contractual issues or obligate funding:

b6
b7C

Programmatic and Technical Personnel

a) [ ] Project Manager/COTR

b) [ ] Program Manager/Unit Chief [ ]

CELL/OTD 022754

CELLSITE-15837

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STATEMENT OF WORK

[redacted] Contract

Task Order 2

[redacted]

b3
b7E

1.0 (U) INTRODUCTION

(S) [redacted]

(U) 1.1 (~~S//NF~~) Project Description and Background

b1
b3
b7E

(S) [redacted]

(S) [redacted]

CELL/OTD 022755

CELLSITE-15838

(S) [redacted] b1 b3 b7E

(U) The structure of this statement of work consists of the following: Section 1 provides a broad project description and background of the task requirements; Section 2 details the specific system requirements, key technology areas, concept of operations, and technical strategy; Section 3 lists and describes the tasks to be accomplished; Section 4 lists the deliverables, and Section 5 lists the customer representatives, roles and contact information.

(U) 2.0 (~~S//NF~~) Scope

(U) Within this statement of work, all references to a [redacted] are defined as a product that is [redacted]

(U) The following requirements as identified in Section 2 shall be provided for under this Task Order to [redacted] All capabilities shall be available for utilization [redacted] in order to provide all requirements below shall not be accepted. b3 b7E

2.1 Task Overview

(S) [redacted] b1 b3 b7E

2.1.1 [redacted] Requirements

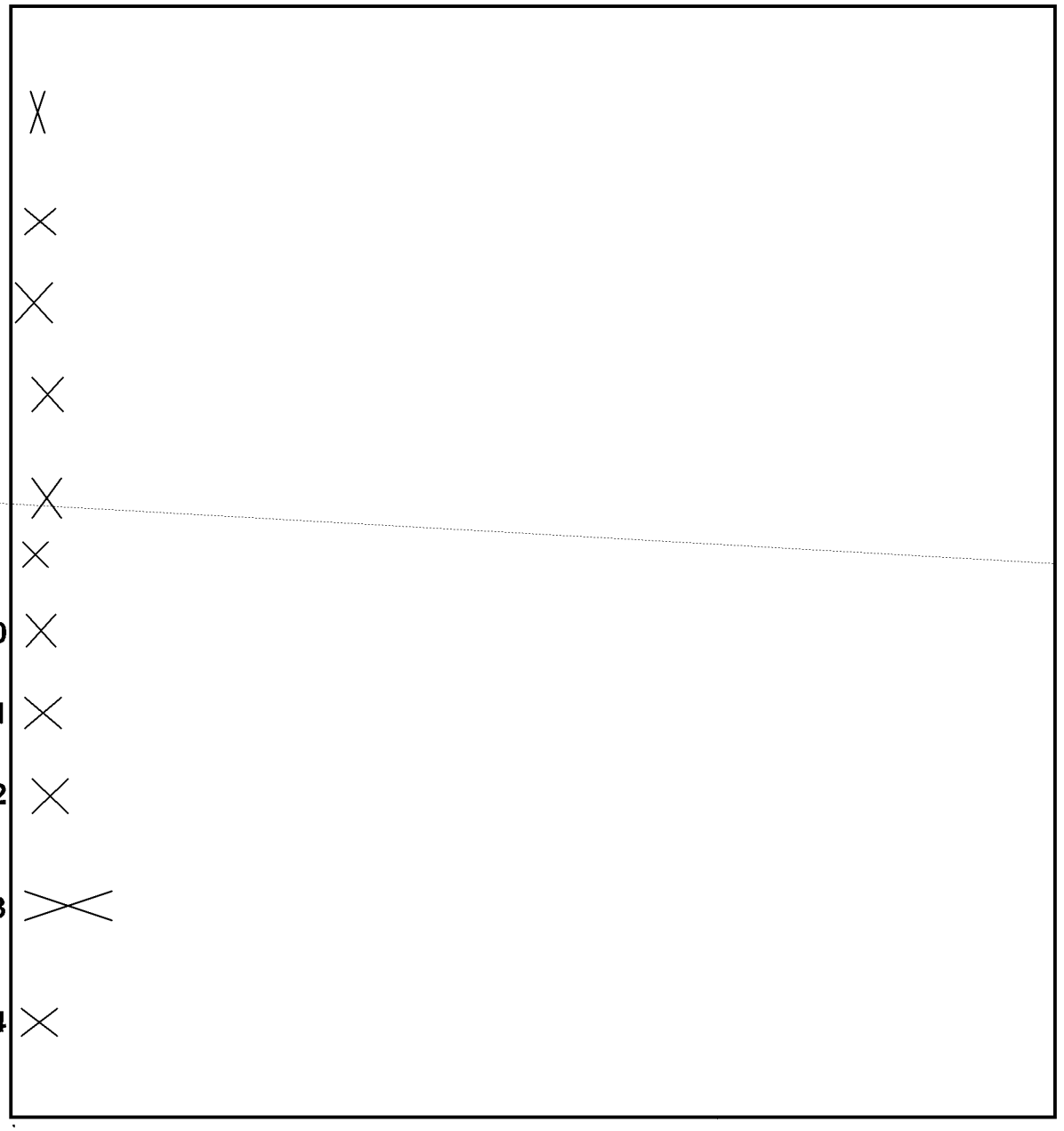
2.1.1.1 X

(S) [redacted]

2.1.1.2 X

2.1.1.3 X

CELL/OTD 022756
CELLSITE-15839



2.1.1.4

2.1.1.5

2.1.1.6

2.1.1.7

(S) 2.1.1.8

2.1.1.9

2.1.1.10

2.1.1.11

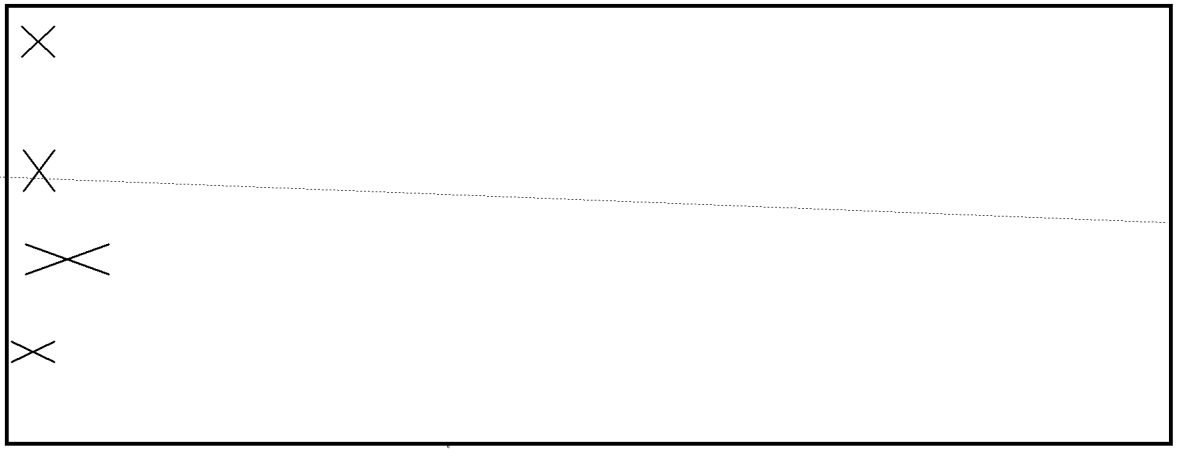
2.1.1.12

2.1.1.13

2.1.1.14

2.1.2 Key Technology Area

b1
b3
b7E



2.1.2.1

(S) 2.1.2.2

2.1.2.3

2.1.2.4

2.1.2.5 X

2.1.2.6 X

(S)

2.1.2.7 X

b1
b3
b7E

2.1.3 Operating Requirements

2.1.3.1

b3
b7E

2.1.3.2

2.1.3.3

2.1.3.4

2.1.3.5 (U) The system shall be

(U) ## 2.1.4 (~~S//NF~~) System Capabilities

(S)

b1
b3
b7E

(U) ## 2.2 (~~S//NF~~) Concept of Operations

b3
b7E

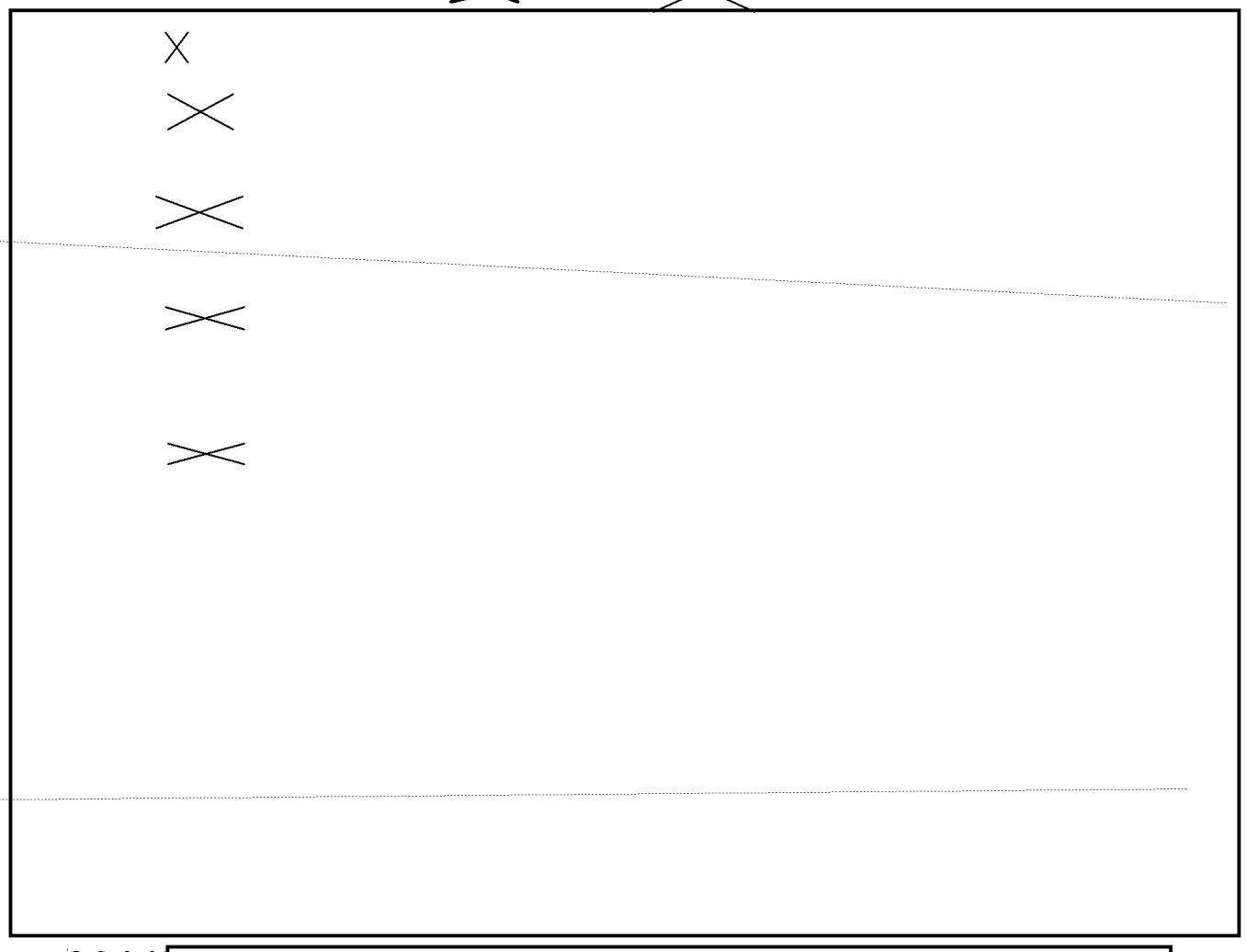
(U) ### 2.2.1 (~~S//NF~~)

(S)

b1
b3
b7E

(S)

CELL/OTD 022759 CELLSITE-15842



(S)

(S)

b1
b3
b7E

2.2.1.10

2.2.1.11 The system shall perform the following general sequence of operations:

b1
b3
b7E

2.2.1.11.1

(S)

CELL/OTD 022760

CELLSITE-15843

2.2.2.10 X

(S)

2.2.2.11 X

2.2.2.12 The Contractor shall ensure the system is able to perform the following general sequence of operations

2.2.2.12.1 X

b1
b3
b7E

(S)

2.2.2.12.2 X

2.2.2.12.3 X

CELL/OTD 022763 CELLSITE-15846

(S)

2.2.3.11 (U) The system shall perform the following general sequence of operations:

2.2.3.11.1

2.2.3.11.2

(S)

b1
b3
b7E

2.2.3.11.3

2.2.4 [redacted]

[redacted]

b3
b7E

(U) A conceivable technical strategy to provide the [redacted] is described below. The Contractor shall take the following into account when [redacted] under this Task Order.

2.2.4.5 [redacted]

b3
b7E

2.2.4.6 [redacted]

2.2.4.7 [redacted]

2.2.4.8 [redacted]

2.2.4.9 [redacted]

2.2.4.10 [redacted]

CELL/OTD 022768 CELLSITE-15851

3.0 (U) Task Descriptions

(U) ~~(S//NF)~~ This section describes the tasks that shall be completed under this Task Order. It is divided into five major areas:

(a) **General Project Tasks** – General project tasks include a kickoff meeting to be conducted at the customer's facility, a general project status review conducted at the midpoint of the project, and a monthly or bi-monthly at the customer's discretion status reports identifying current task status, risks, mitigations, percent complete, expected date of completion, and actual date of completion.

(b

(c

(d

b3
b7E

(e) **Demonstration** – Conduct a demonstration of a fully operational system according to the requirements described herein at the customer facility to include

4.0 (U) Deliverables

(U) This section describes the deliverable items from the task order.

- (U) Monthly Status Report
- (U) Monthly Program Review
- (U) System Power Requirements for
- (U) System Testing Plan
- (U) System
- (U) System Demonstration at customer facility
- (U) Pictorial system connection diagram
- (U) Final Technical Summary Report

b3
b7E

CELL/OTD 022769 CELLSITE-15852

4.1 Security Standards and Regulations

(U) SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements are subject to the security requirements of this contract and all Contractor personnel shall adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information outside those parties designated by the COTR shall be pre-approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. This program in its entirety is restricted from any and all disclosure to any entity considered foreign to the United States. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

5.0 Customer Representative

The Contracting Officer (CO) is the only person from the FBI with the authority to negotiate contractual issues or changes and obligate funding. The Contractor is responsible for any changes made without authorization of the CO.

[redacted] – Contracting Officer [redacted]

b6
b7C

The following Bureau personnel may be contacted after award of the contract in performance of this work and for technical guidance, but are not authorized to negotiate contractual issues or obligate funding:

Programmatic and Technical Personnel

a) [redacted] Project Manager/COTR

b) [redacted] Program Manager/Unit Chief [redacted]

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☐ **Contract**

b3
b7E

Statement of Work

Task Order 3

Federal Bureau of Investigation

CELL/OTD 022710

STATEMENT OF WORK

[ ] **Contract**

Task Order 3

b3
b7E

[ ]

1.0 (U) INTRODUCTION

(S) [ ]

(U) ## 1.1 (S~~//NF~~) Project Description and Background

b1
b3
b7E

(S) [ ]

(S) [ ]

(U) The structure of this statement of work consists of the following: Section 1 provides a broad project description and background of the task requirements; Section 2 details the specific system requirements, key technology areas, concept of operations, and technical approach; Section 3 lists and describes the tasks to be accomplished; Section 4 lists the deliverables, and Section 5 lists the customer representatives, roles and contact information.

(U) 2.0 ~~(S//NF)~~ Scope

(U) Within this statement of work, all references to [redacted] are defined as a product that is [redacted] b3 b7E

2.1 Task Overview

(S) [redacted]

2.1.1 [redacted] Requirements b1 b3 b7E

2.1.1.1 X

2.1.1.2 X

2.1.1.3 X

(S) [redacted]

2.1.1.4 X

2.1.1.5 X

2.1.1.6 X

2.1.1.7 X

2.1.1.8 X

2.1.1.9 X

2.1.1.10 X

(S)

2.1.1.11 X

2.1.1.12 X

2.1.1.13 X

2.1.1.14 X

b1
b3
b7E

2.1.2 Key Technology Area

2.1.2.1 X

2.1.2.2 X

2.1.2.3 X

(S)

2.1.2.4 X

2.1.2.5 X

2.1.2.6 X

2.1.2.7 X

2.1.3 Operating Requirements

2.1.3.1

2.1.3.2

2.1.3.3

2.1.3.4

b3
b7E

2.1.3.5 (U) The system shall be

(U) ### 2.1.4 (~~S//NF~~) System Capabilities

(S)

b1
b3
b7E

(U) ### 2.2 (~~S//NF~~) Concept of Operations

b3
b7E

CELL/OTD 022714 CELLSITE-15858

2.2.1.8

b1
b3
b7E

2.2.1.9 The system performs the following general sequence of operations:

2.2.1.9.1

(S)

2.2.1.9.2

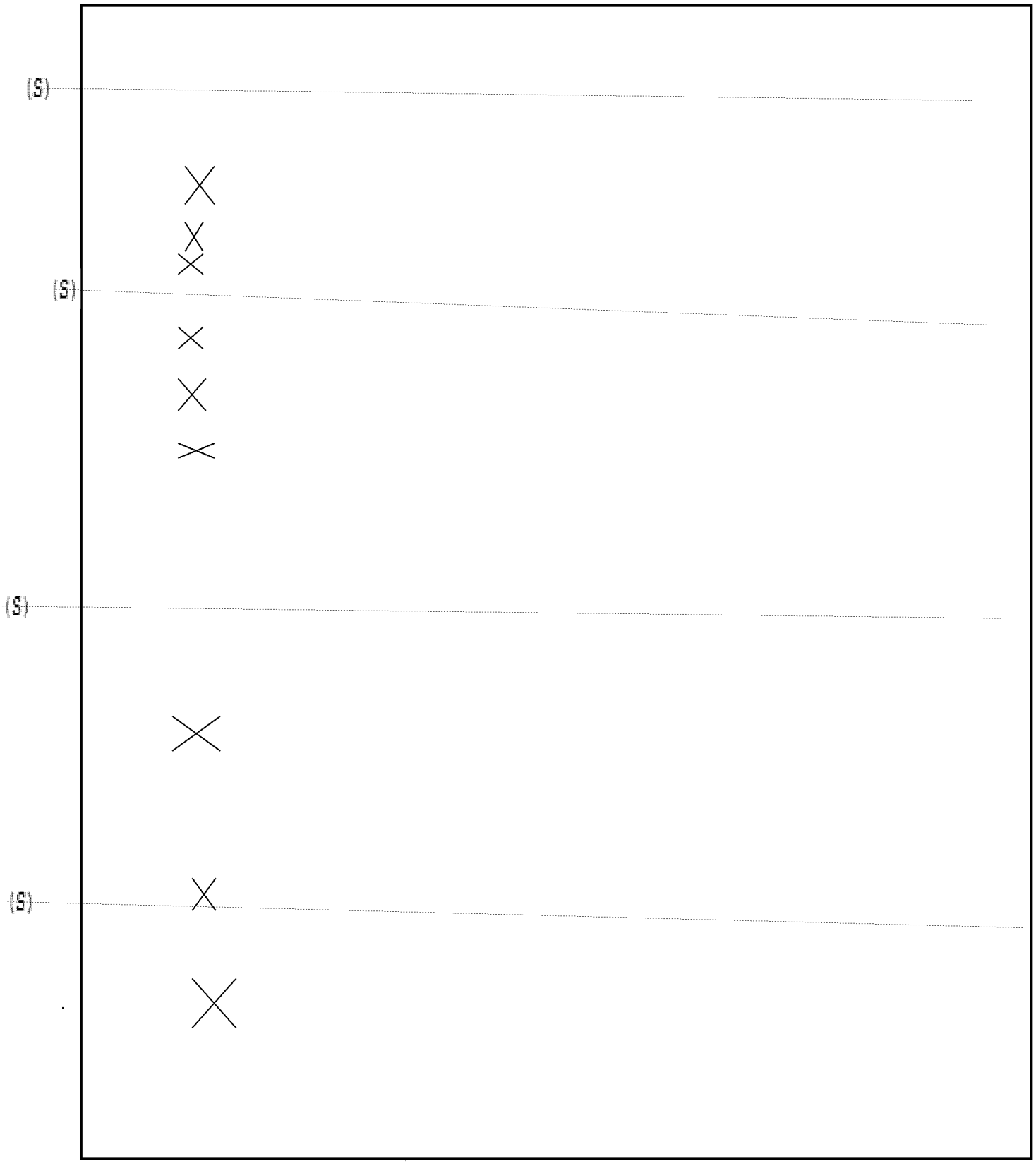
2.2.1.9.3

2.2.1.9.4

CELL/OTD 022716

CELLSITE-15860

(U) **2.2.2 (S//NF)** [redacted] b3 b7E



b1 b3 b7E

2.2.2.10 The system performs the following general sequence of operations

CELLSITE-15861
CELL/OTD 022717

2.2.3.11 (U) The system performs the following general sequence of operations:

2.2.3.11.1

2.2.3.11.2

(S)

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b3
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2.2.3.11.3

CELL/OTD 022720

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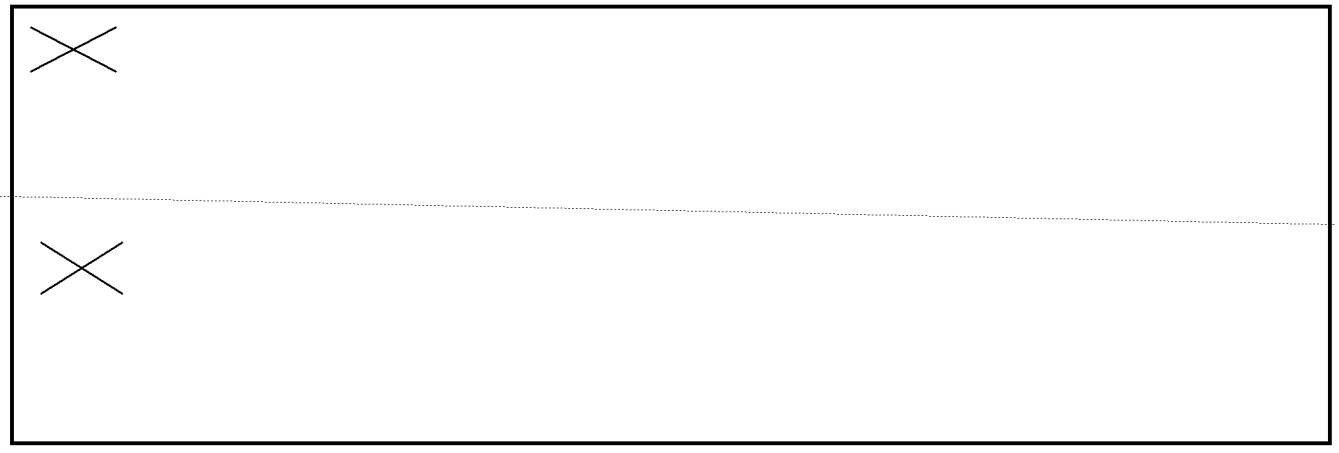

(S)

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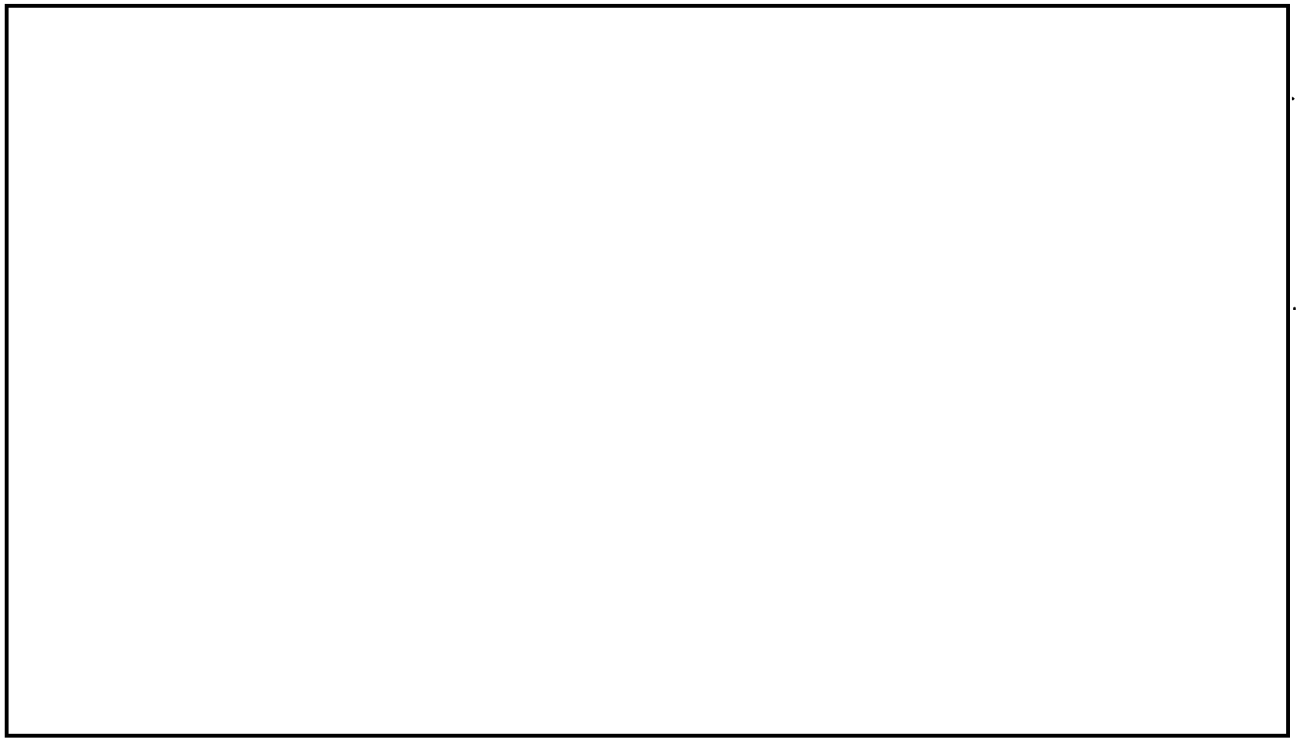
2.2.4 (U)



b3
b7E

(U) The conceivable technical approach to developing is described below.

b3
b7E

2.2.4.5

2.2.4.6

2.2.4.7

CELL/OTD 022722 CELLSITE-15866

2.2.4.8

2.2.4.9

2.2.4.10

b3
b7E

3.0 (U) Task Descriptions

(U) (~~S//NF~~) This section describes the tasks to be completed. It is divided into five major areas:

(a) **General Project Tasks** – General project tasks include a kickoff meeting to be conducted at the customer's facility, a general project status review conducted at the midpoint of the project, and a monthly or bi-monthly at the customer's discretion status reports identifying current task status, risks, mitigations, percent complete, expected date of completion, and actual date of completion.

(b)

(c)

(d)

b3
b7E

(e) **Demonstration** – Conduct a demonstration of a working system at the customer facility to include

CELL/OTD 022723

CELLSITE-15867

4.0 (U) Deliverables

(U) This section describes the deliverable items from the task order.

- (U) Monthly or Bi-Monthly Status Report
- (U) Monthly or Bi-Monthly Program Review
- (U) System Power Requirements for [redacted]
- (U) System Testing Plan
- (U) System [redacted]
- (U) System Demonstration at customer facility
- (U) Pictorial system connection diagram
- (U) Final Technical Summary Report

b3
b7E

4.1 Security Standards and Regulations

(U) SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

5.0 Customer Representative

[redacted] – Contracting Officer [redacted]

b6
b7C

The following Bureau personnel may be contacted in performance of this work, but are not authorized to negotiate contractual issues:

Programmatic and Technical Personnel

a) [redacted] – Project Manager/COTR
b) [redacted] – Project Manager/COTR
c) [redacted] – Unit Chief [redacted]

CELL/OTD 022724 CELLSITE-15868

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DATE 10-25-2012 BY 65179/dmh/stp/as

Base Budget [ ] Systems

Equipment [ ]	Quantity	Unit Price	Total Price
[ ]			
[ ]			
[ ]			

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-25-2012 BY 65179/dmh/stp/as

(Rev. 05-01-2008)

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 12/14/2010

To: Finance **Attn:** A/SC
CO
General Counsel **Attn:** UC
Operational Technology **Attn:** UC
UC
ACSO

From: Security
Security Operations Section/Acquisition Security Unit/PA-555
Contact: b6 b7C

Approved By:

Drafted By:

Case ID #: 260A-HQ-1528742 Serial 3741

Title: SENSITIVE BUT UNCLASSIFIED (SBU) ACQUISITIONS

Synopsis: To advise that a for the identified procurement involving under Requisition

Reference: 319W-HQ-A1487699-SECD Serial 4 b3 b7E
319W-HQ-A1487699-SECD Serial 93
319W-HQ-A1487699-SECD Serial 481

Details: ASU has received a request for a . This procurement is identified as Requisition for a and for the Operational

UNCLASSIFIED

CELL/OTD 022058

To: Finance From: Security
Re: 260A-HQ-1528742, 12/14/2010

Technology Division, [redacted] Tracking Technology Unit.

Upon review of this request, the procurement does not [redacted] b3 b6 b7C b7E

No further action by ASU will be taken unless notified of [redacted]

Questions concerning this matter should be directed to Unit Chief [redacted]

[redacted] Please provide direct feedback regarding the Unit's performance in this area by clicking here: [redacted]

CELL-OTD 032059

To: Finance From: Security
Re: 260A-HQ-1528742, 12/14/2010

LEAD(s):

Set Lead 1: (Info)

FINANCE

AT WASHINGTON, DC

For information only.

Set Lead 2: (Info)

GENERAL COUNSEL

AT WASHINGTON, DC

For information only.

Set Lead 3: (Info)

OPERATIONAL TECHNOLOGY

AT QUANTICO, VA

For information only.

♦♦

CELL/OTD 022060

CELLSITE-15877

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Page 215 ~ b3; b4; b7E;
Page 216 ~ b3; b4; b7E;
Page 217 ~ b3; b4; b7E;
Page 218 ~ b3; b4; b7E;
Page 219 ~ b3; b4; b7E;
Page 220 ~ b3; b4; b7E;
Page 221 ~ b3; b4; b7E;
Page 222 ~ b3; b4; b7E;
Page 223 ~ b3; b4; b7E;

Page 224 ~ b3; b4; b7E;
Page 225 ~ b3; b4; b7E;
Page 226 ~ b3; b4; b7E;
Page 227 ~ b3; b4; b7E;
Page 228 ~ b3; b4; b7E;
Page 229 ~ b3; b4; b7E;
Page 230 ~ b3; b4; b7E;
Page 231 ~ b3; b4; b7E;
Page 232 ~ b3; b4; b7E;
Page 233 ~ b3; b4; b7E;
Page 234 ~ b3; b4; b7E;
Page 235 ~ b3; b4; b7E;
Page 236 ~ b3; b4; b7E;
Page 237 ~ b3; b4; b7E;
Page 238 ~ b3; b4; b7E;
Page 239 ~ b3; b4; b7E;
Page 240 ~ b3; b4; b7E;
Page 241 ~ b3; b4; b7E;

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(Rev. 05-01-2008)

ALL INFORMATION CONTAINED
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DATE 10-25-2012 BY 65179/dmh/stp/as

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 02/02/2012

To: **Attn:**
Attn:
Attn:
Attn:
Attn:

From: Operational Technology
/Tracking Technology Unit
Contact:

b6
b7C
b7E

Approved By:

Drafted By: jdp

Case ID #: (U) 268-HQ-1068430

Title: (U)

Synopsis: (U) To provide details of training that will be conducted from at

Details: (U//FOUO) The OTD Tracking Technology Unit (TTU), manages the FBI capability for identification and location of cellular devices, including operator training. The logistical details follow below.

b3
b6
b7C
b7E

(U) The point of contact for this training is telephone number Class will begin promptly at 8:30 am on Monday. Please contact if you have any questions regarding the training facility.

b3
b6
b7C
b7E

CELL/OTD 023345

To: [redacted] From: Operational Technology
Re: (U) 268-HQ-1068430, 02/02/2012

[redacted]

b3
b6
b7C
b7E

(U) Class participants are to use [redacted] Students are required to request enrollment for the class through [redacted] Any questions regarding this communication can be directed to [redacted]

cc: [redacted] ERF
[redacted]

CELL/OTD 2023346

(Rev. 05-01-2008)

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 10/09/2008

To: Criminal Investigative **Attn:** [redacted]

Finance **Attn:** [redacted]

From: Operational Technology
[redacted]/TTU/ERF
Contact: [redacted]

b6
b7C
b7E

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: (U) 268-HQ-1068430

Title: (U) WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request that the Tracking Technology Unit's Wireless Intercept and Tracking Team (WITT) provide training for [redacted]

Enclosure(s): FD-369 [redacted] in the amount of $[redacted] b7E
[redacted]

Details: The Tracking Technology Unit's Wireless Intercept and Tracking Team (WITT) is tasked with supporting the [redacted]

[redacted]

b3
b7E

UNCLASSIFIED [redacted] wpd

CELL000 023348

CELLSITE-4282

The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Technician (ET) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions. [redacted]

b6
b7C
b7E

[redacted]

To: Criminal Investigative From: Operational Technology
Re: (U) 268-HQ-1068430, 10/02/2008

LEAD(s):

Set Lead 1: (Action)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

The Criminal Investigative Division is requested to approve the [redacted] Funding for amount of $[redacted] is specified on the attached FD-369, requisition [redacted]

Lead 2: (Action)

FINANCE

AT PSFO, DC

The Finance Division is requested to approve the procurement [redacted] Funding for amount of $[redacted] is specified on the attached FD-369, requisition [redacted]

CC: [redacted]

♦♦

b6
b7C
b7E

ALL INFORMATION CONTAINED
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DATE 10-25-2012 BY 65179/dmh/stp/as

[redacted] (OTD) (FBI)

From: [redacted] OTD) (FBI)
Sent: Friday, February 25, 2011 8:20 PM
To: [redacted]
Subject: Statement of Work(s) for [redacted]

b6
b7C
b3
b7E

I have completed 3 Statement of Works [redacted] as follow for the [redacted] The package is now ready for submittal to Quantico Contract Unit. All of the required documents were sent earlier and I have since made changes to only one document [redacted] which I will attach here. The dates on the previously prepared documents may require change to reflect current date. I plan to prepare one more SOW to address additional requirements.

(07a) Statement of Work Task O...

(07b) Statement of Work Task O...

(07c) Statement of Work Task O...

(02) Acquisition Plan [redacted]

From: [redacted]
Sent: Thursday, February 17, 2011 1:14 PM
To: [redacted]
Subject [redacted] Plan Submission to OTD [redacted]

b3
b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

H [redacted]

I reviewed the Action Items in red that were sent out to OTD from [redacted] regarding a request for acquisition plans (AP). This requirement is for FY12 APs only. I verified with [redacted] and because the [redacted] contract is an FY11 requirement, she will not need a copy of the AP. [redacted] will provide her with a copy once they have finalized the document and assigned an AP #.

CELL/OTD 022987

I will review the AP[redacted] sent out for [redacted] and provide any recommendations by the end of the week (worst case early next week). I will also verify the process for acquiring the remaining signatures and get back to you with an answer.

Have a good day,

[redacted]

[redacted]

Contracting Officer
Science and Technology Contracts Unit
Finance Division
JEH Bldg Rm [redacted]
QT-ERF Rm

b3
b7E
b6
b7C

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CELL/OTD 022988

DATE: 10-25-2012
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b3
b7E

Statement of Work

Task Order 1

Federal Bureau of Investigation

CELL/OTD 022989

STATEMENT OF WORK

[redacted]

b3
b7E

Task Order 1

[redacted]

1.0 (U) INTRODUCTION

(S) [redacted]

b1
b3
b7E

(U) 1.1 (S//NF) Project Description and Background

(S//NF) [redacted]

(S) [redacted]

(S//NF) [redacted]

b1
b3
b7E

(S) [redacted]

(U) The structure of this statement of work consists of the following: Section 1 provides a broad project description and background of the task requirements; Section 2 details the specific system requirements, key technology areas, concept of operations, and technical approach; Section 3 lists and describes the tasks to be accomplished; Section 4 lists the deliverables, and Section 5 lists the customer representatives, roles and contact information.

(U) 2.0 ~~(S//NF)~~ Scope

b7E

2.1 Task Overview

(S//NF)

(S)

b1
b3
b7E

2.1.1 Driving System Requirements

2.1.1.1 X

2.1.1.2 X

2.1.1.3 X

(S)

b1
b3
b7E

2.1.1.4 X

2.1.1.5 X

2.1.1.6 X

2.1.1.7

2.1.1.8

2.1.1.9

2.1.1.10

(S)

2.1.1.11

2.1.1.12

2.1.1.13

2.1.1.14

b1
b3
b7E

2.1.2 Key Technology Area

2.1.2.1

2.1.2.2

2.1.2.3

(S)

2.1.2.4

2.1.2.5

2.1.2.6

2.1.2.7

b1
b3
b7E

2.1.3 Operating Requirements

2.1.3.1

2.1.3.2

2.1.3.3

2.1.3.4

2.1.3.5

b3
b7E

(U) ### 2.1.4 (~~S//NF~~) System Capabilities

(S//NF)

(S)

b1
b3
b7E

(U) ### 2.2 (~~S//NF~~) Concept of Operations

b3
b7E

2.2.1.10

b3
b7E

2.2.1.11 The system performs the following general sequence of operations:

2.2.1.11.1

2.2.1.11.2

b1
b3
b7E

(S)

2.2.1.11.3

2.2.1.11.4

2.2.3.11 (U) The system performs the following general sequence of operations:

2.2.3.11.1

2.2.3.11.2

(S)

b1
b3
b7E

2.2.3.11.3

CELL/OTD 022999

CELLSITE-4297

2.2.4.9

2.2.4.10

b3
b7E

3.0 (U) Task Descriptions

(U) ~~(S//NF)~~ This section describes the tasks to be completed. It is divided into five major areas:

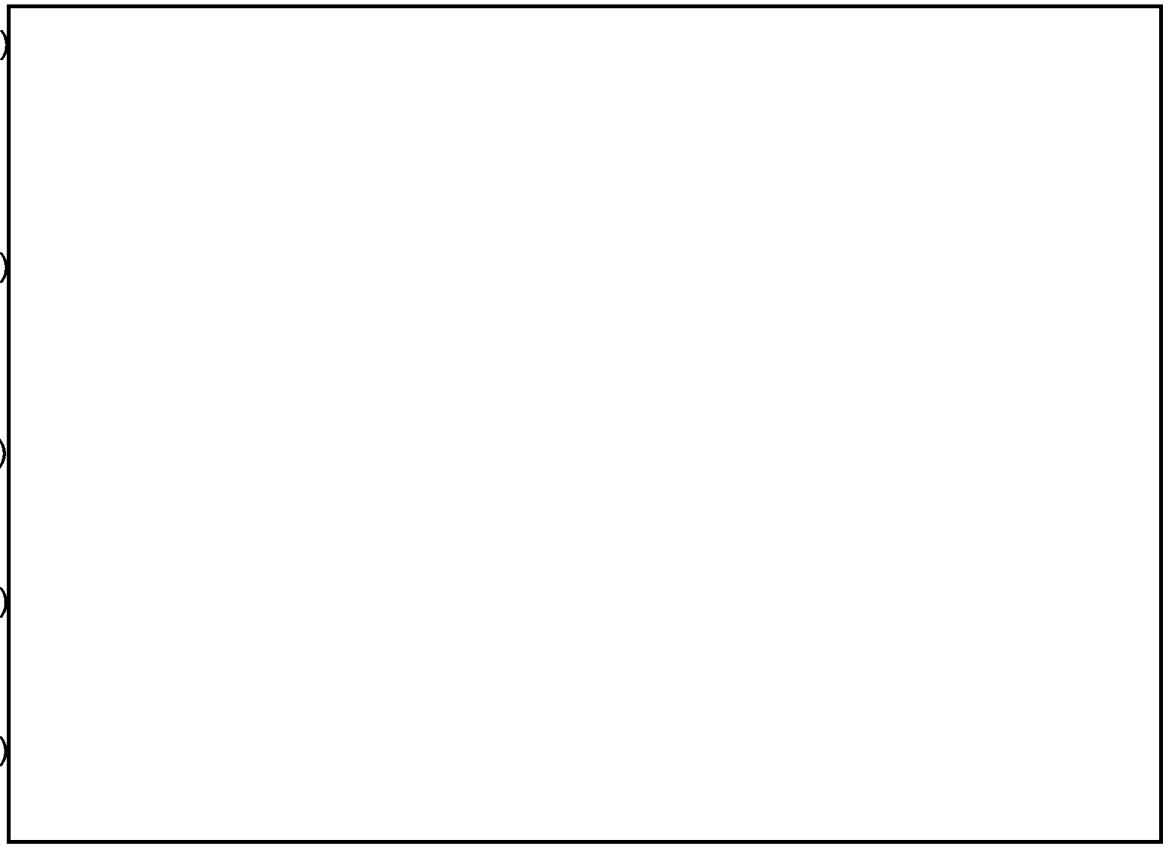
(a)

(b)

(c)

(d)

(e)



b3
b7E

4.0 (U) Deliverables

(U) This section describes the deliverable items from the task order.

- (U)
- (U)
- (U)
- (U)
- (U)
- (U)
- (U)
- (U)

platform b3
b7E

CELLSITE-4300
CELL/OTD 023002

4.1 Security Standards and Regulations

(U) SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

5.0 Customer Representative

[redacted] Contracting Officer [redacted]

The following Bureau personnel may be contacted in performance of this work, but are not authorized to negotiate contractual issues:

b6
b7C

Programmatic and Technical Personnel

a) [redacted]

b)

c)

[redacted]

DATE: 10-25-2012
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b3
b7E

Statement of Work

Task Order 2

Federal Bureau of Investigation

CELL/OTD 023004

CELLSITE-4302

STATEMENT OF WORK

b3
b7E

Task Order 2

1.0 (U) INTRODUCTION

(S)

b1
b3
b7E

(U) 1.1 ~~(S//NF)~~ Project Description and Background

(S//NF)

(S)

(S//NF)

b1
b3
b7E

(S)

(U) The structure of this statement of work consists of the following: Section 1 provides a broad project description and background of the task requirements; Section 2 details the specific system requirements, key technology areas, concept of operations, and technical approach; Section 3 lists and describes the tasks to be accomplished; Section 4 lists the deliverables, and Section 5 lists the customer representatives, roles and contact information.

(U) 2.0 ~~(S//NF)~~ Scope

2.1 Task Overview

b1
b3
b7E

(S//NF)

(S)

2.1.1 Driving System Requirements

2.1.1.1

2.1.1.2

(S) **2.1.1.3**

b1
b3
b7E

2.1.1.4

2.1.1.5

2.1.1.6

CELL/OTD 023006 CELLSITE-4304

2.1.1.7

2.1.1.8

2.1.1.9

2.1.1.10

(S) 2.1.1.11 b1 b3 b7E

2.1.1.12

2.1.1.13

2.1.1.14

2.1.2 Key Technology Area

2.1.2.1

2.1.2.2

2.1.2.3

(S) 2.1.2.4 b1 b3 b7E

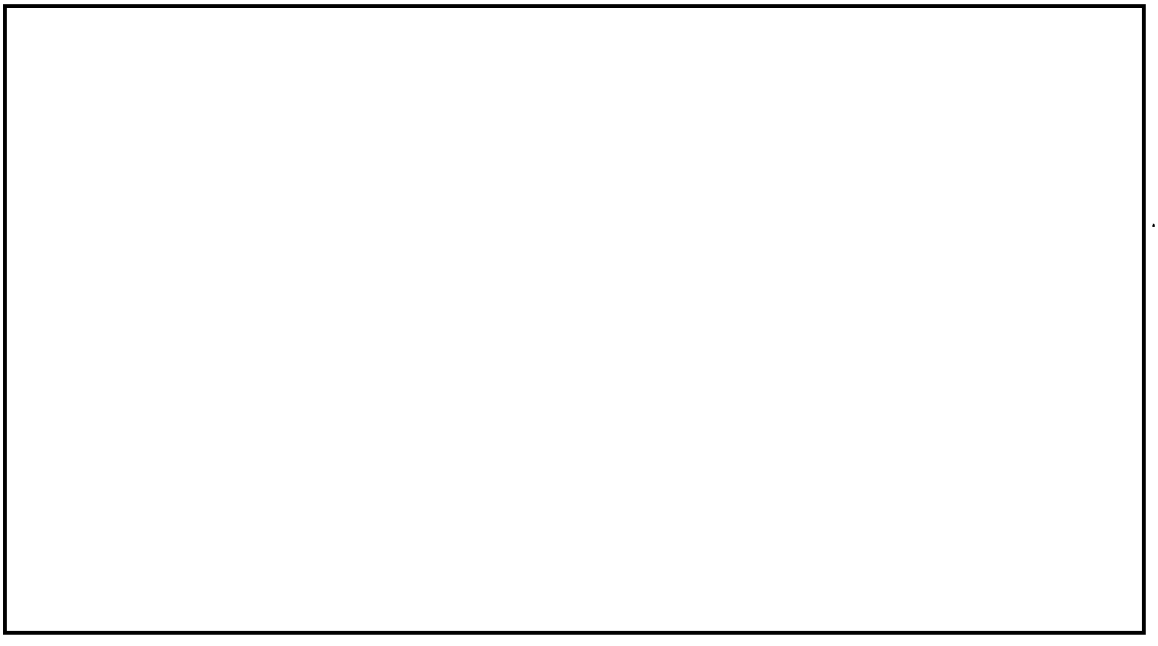
2.1.2.5

2.1.2.6

2.1.2.7

2.1.3 Operating Requirements

2.1.3.1



b3
b7E

2.1.3.2

2.1.3.3

2.1.3.4

2.1.3.5

(U) ### 2.1.4 (~~S//NF~~) System Capabilities

(S//NF)

(S)

b3
b7E

(U) ## 2.2 (~~S//NF~~) Concept of Operations

b3
b7E

CELL/OTD 023008 CELLSITE-4306

2.2.1.1 [redacted]

b3
b7E

2.2.1.11 The system performs the following general sequence of operations:

2.2.1.11 [redacted]

2.2.1.11 [redacted]

(S) [redacted]

b1
b3
b7E

2.2.1.11. [redacted]

2.2.1.11. [redacted]

(S)

b1
b3
b7E

2.2.2.12 The system performs the following general sequence of operations

2.2.2.12.

(S)

2.2.2.12.

b1
b3
b7E

2.2.2.12.

2.2.3.11 (U) The system performs the following general sequence of operations:

2.2.3.11.1 [redacted]

2.2.3.11.2 [redacted]

(S) [redacted]

b1
b3
b7E

2.2.3.11.3 [redacted]

CELL/OTD 023014 CELLSITE-4312

2.2.4.8

2.2.4.9

2.2.4.10

b3
b7E

3.0 (U) Task Descriptions

(U) ~~(S//NF)~~ This section describes the tasks to be completed. It is divided into five major areas:

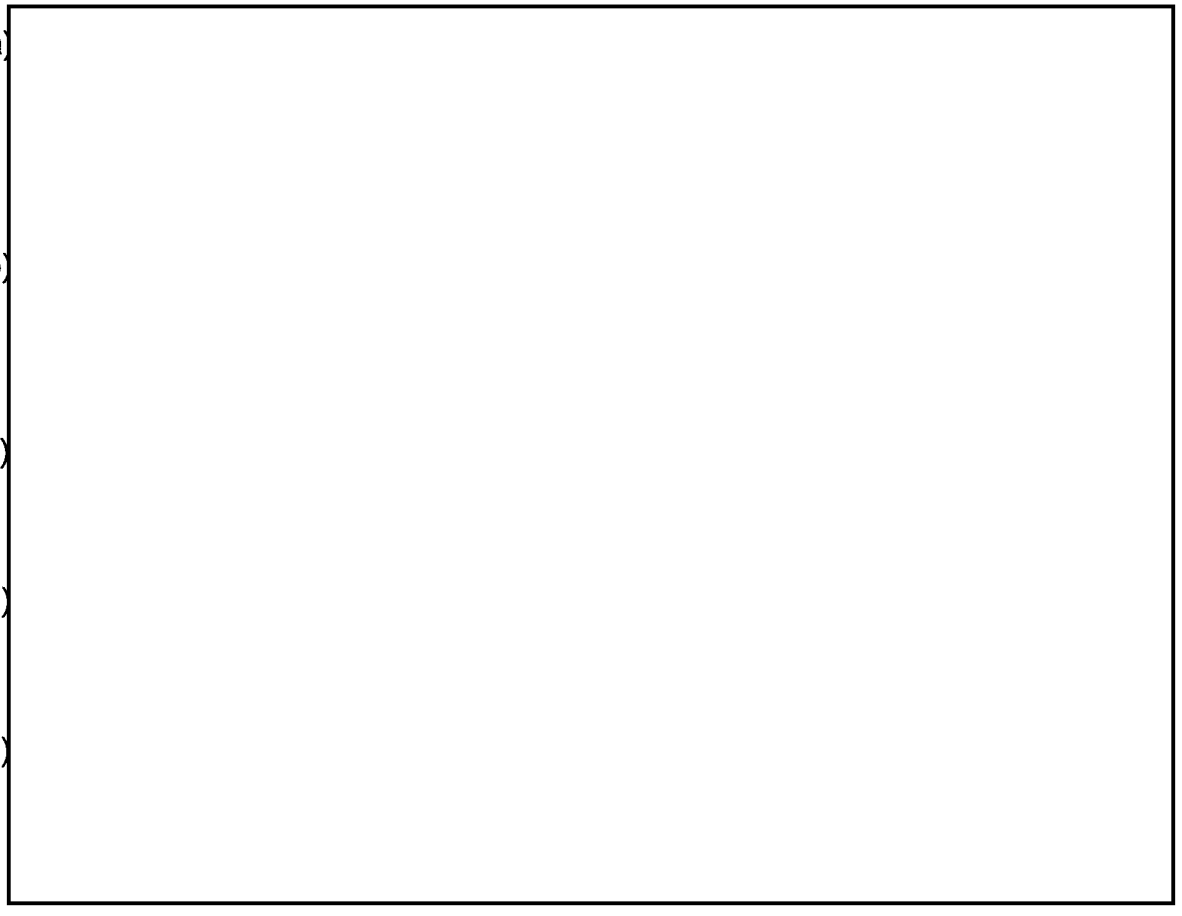
(a)

(b)

(c)

(d)

(e)



b3
b7E

CELL/OTD 023017 CELLSITE-4315

4.0 (U) Deliverables

(U) This section describes the deliverable items from the task order.

- (U)
- (U)
- (U)
- (U)
- (U)
- (U)
- (U)
- (U)

b3
b7E

4.1 Security Standards and Regulations

(U) SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

5.0 Customer Representative

– Contracting Officer

The following Bureau personnel may be contacted in performance of this work, but are not authorized to negotiate contractual issues:

b6
b7E

Programmatic and Technical Personnel

a)

b)

c)

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b7E

Statement of Work

Task Order 3

Federal Bureau of Investigation

CELL/OTD 023019 CELLSITE-4317

STATEMENT OF WORK

[redacted]

b3
b7E

Task Order 3

[redacted]

1.0 (U) INTRODUCTION

(S) [redacted]

b1
b3
b7E

(U) 1.1 (~~S//NF~~) Project Description and Background

(S//NF) [redacted]

(S) [redacted]

b1
b3
b7E

(S//NF) [redacted]

(S) [redacted]

b1
b3
b7E

(U) The structure of this statement of work consists of the following: Section 1 provides a broad project description and background of the task requirements; Section 2 details the specific system requirements, key technology areas, concept of operations, and technical approach; Section 3 lists and describes the tasks to be accomplished; Section 4 lists the deliverables, and Section 5 lists the customer representatives, roles and contact information.

(U) 2.0 (~~S//NF~~) Scope

[redacted] b3 b7E

2.1 Task Overview

(S//NF) [redacted] b1 b3 b7E

(S) [redacted]

2.1.1 Driving System Requirements

2.1.1.1 X

2.1.1.2 X

(S) 2.1.1.3 X [redacted] b1 b3 b7E

2.1.1.4 X

2.1.1.5 X

2.1.1.6 X

2.1.1.7 X

2.1.1.8 X

2.1.1.9 X

2.1.1.10 X

(S) b1 b3 b7E

2.1.1.11 X

2.1.1.12 X

2.1.1.13 X

2.1.1.14 X

2.1.2 Key Technology Area

2.1.2.1 X

2.1.2.2 X

2.1.2.3 X

(S) b1 b3 b7E

2.1.2.4 X

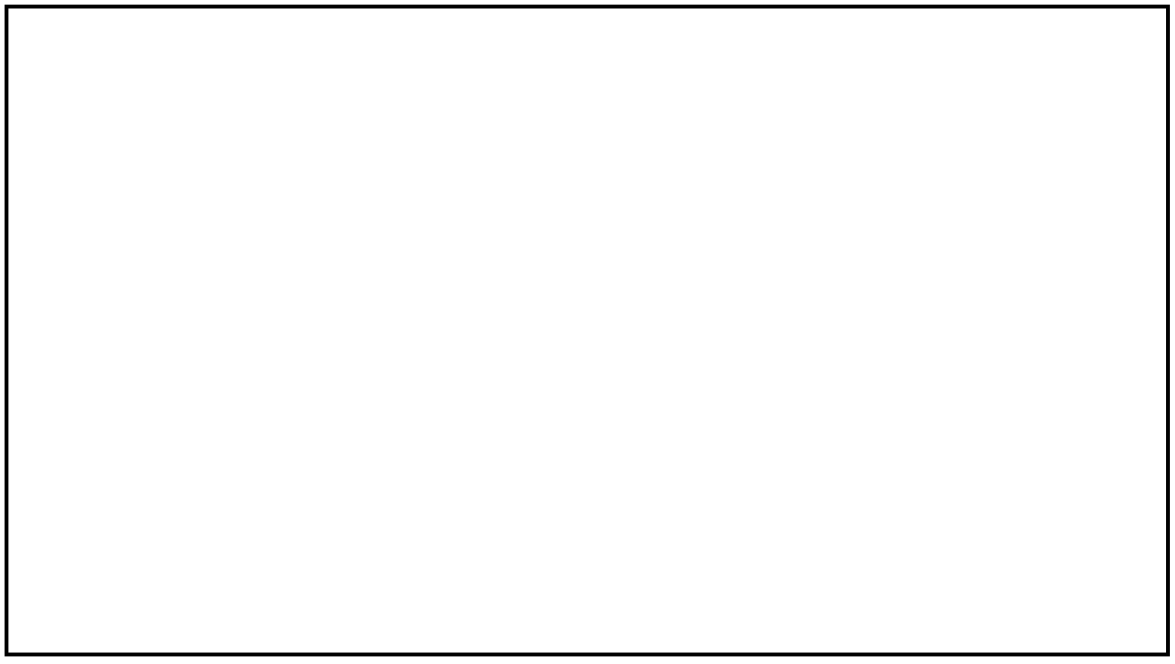
2.1.2.5 X

2.1.2.6 X

2.1.2.7 X

2.1.3 Operating Requirements

2.1.3.1



b3
b7E

2.1.3.2

2.1.3.3

2.1.3.4

2.1.3.5

(U) ### 2.1.4 (~~S//NF~~) System Capabilities

(S//NF)

(S)

b1
b3
b7E

(U) ## 2.2 (~~S//NF~~) Concept of Operations

b3
b7E

CELL/OTD 023023

CELLSITE-4321

2.2.1.8 [redacted] b3 b7E

2.2.1.9 The system performs the following general sequence of operations:

2.2.1.9.1 [redacted]

(S) **2.2.1.9.2** [redacted] b1 b3 b7E

2.2.1.9.3 [redacted]

2.2.1.9.4 [redacted]

CELL/OTD 023025 CELLSITE-4323

2.2.3.11 (U) The system performs the following general sequence of operations:

2.2.3.11.1

2.2.3.11.2

(S)

b1
b3
b7E

2.2.3.11.3

CELL/OTD 023029 CELLSITE-4327

2.2.4.8

2.2.4.9

2.2.4.10

b3
b7E

3.0 (U) Task Descriptions

(U) ~~(S//NF)~~ This section describes the tasks to be completed. It is divided into five major areas:

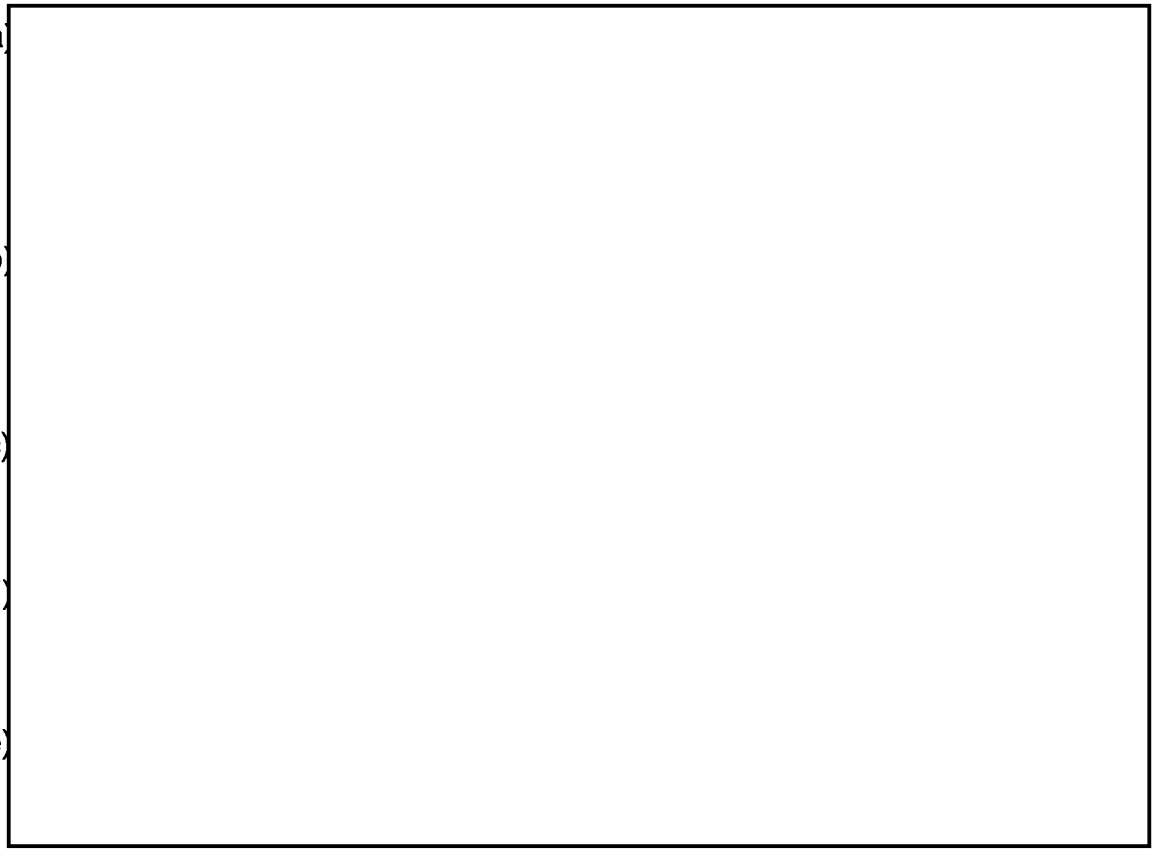
(a)

(b)

(c)

(d)

(e)



b3
b7E

CELL/OTD 023032

CELLSITE-4330

4.0 (U) Deliverables

(U) This section describes the deliverable items from the task order.

- [redacted]

b3
b7E

4.1 Security Standards and Regulations

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5.0 Customer Representative

[redacted] – Contracting Officer [redacted]

The following Bureau personnel may be contacted in performance of this work, but are not authorized to negotiate contractual issues:

b6
b7C

Programmatic and Technical Personnel

a [redacted]

b

c

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b3
b7E

Statement of Work

Task Order 1

Federal Bureau of Investigation

CELL/OTD 022914

CELLSITE-4334

STATEMENT OF WORK

b3
b7E

Task Order 1

1.0 (U) INTRODUCTION

(S)

b1
b3
b7E

(U) 1.1 ~~(S//NF)~~ Project Description and Background

(S//NF)

(S)

(S//NF)

b1
b3
b7E

(S)

CELL/OTD 022915
CELLSITE-4335

(U) The structure of this statement of work consists of the following: Section 1 provides a broad project description and background of the task requirements; Section 2 details the specific system requirements, key technology areas, concept of operations, and technical approach; Section 3 lists and describes the tasks to be accomplished; Section 4 lists the deliverables, and Section 5 lists the customer representatives, roles and contact information.

(U) 2.0 ~~(S//NF)~~ Scope

b3
b7E

2.1 Task Overview

(S//NF)

(S)

b1
b3
b7E

2.1.1 Driving System Requirements

2.1.1.1

2.1.1.2

2.1.1.3

(S)

b1
b3
b7E

2.1.1.4

2.1.1.5

2.1.1.6

CELL/OTD 022916 CELLSITE-4336

2.1.1.7

2.1.1.8

2.1.1.9

2.1.1.10

(S)

2.1.1.11

2.1.1.12

2.1.1.13

2.1.1.14

b1
b3
b7E

2.1.2 Key Technology Area

2.1.2.1

2.1.2.2

2.1.2.3

(S)

2.1.2.4

2.1.2.5

2.1.2.6

2.1.2.7

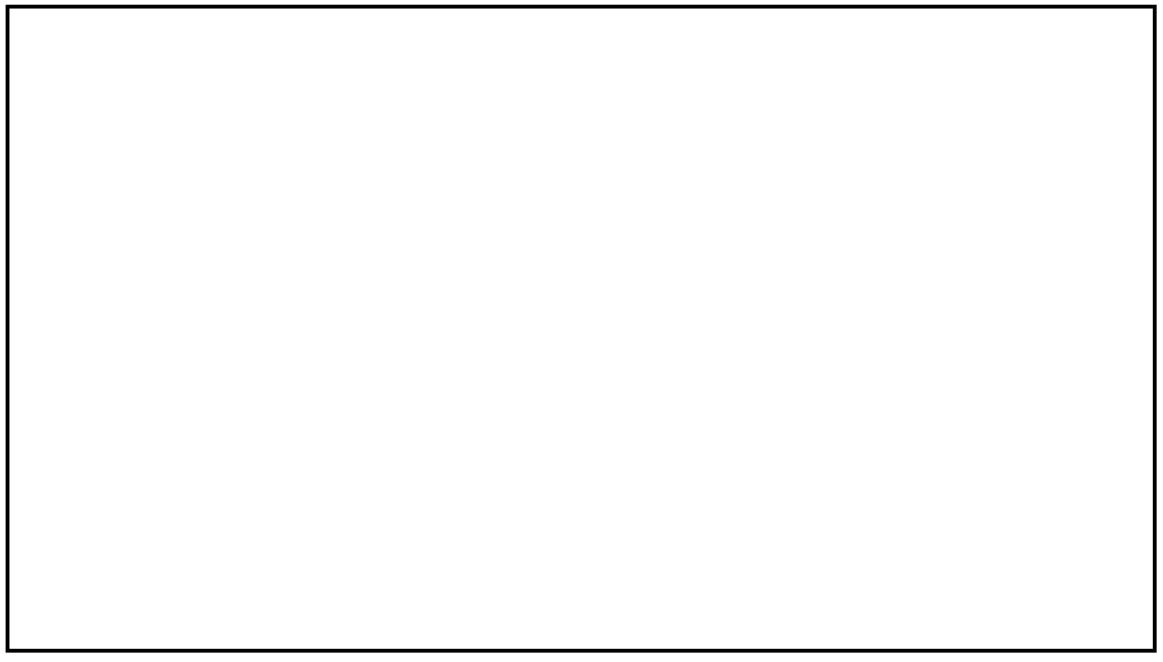
b1
b3
b7E

CELL/OTD 022917

CELLSITE-4337

2.1.3 Operating Requirements

2.1.3.1



b3
b7E

2.1.3.2

2.1.3.3

2.1.3.4

2.1.3.5

(U) 2.1.4 (~~S//NF~~) System Capabilities

(S//NF)

(S)

b1
b3
b7E

(U) 2.2 (~~S//NF~~) Concept of Operations

b3
b7E

CELL/OTD 022918
CELLSITE-4338

2.2.1.1

b3
b7E

2.2.1.11 The system performs the following general sequence of operations:

2.2.1.11.1

2.2.1.11.2

(S)

b1
b3
b7E

2.2.1.11.3

2.2.1.11.4

(S)

b1
b3
b7E

2.2.2.12 The system performs the following general sequence of operations

2.2.2.12.1

2.2.2.12.2

(S)

b1
b3
b7E

2.2.2.12.3

CELL/OTD 022922CELLSITE-4342

2.2.3.11 (U) The system performs the following general sequence of operations:

2.2.3.11.1

2.2.3.11.2

(S)

b1
b3
b7E

2.2.3.11.3

CELL/OTD 022924

CELLSITE-4344

2.2.4.9	
2.2.4.10	

b3
b7E

3.0 (U) Task Descriptions

(U) ~~(S//NF)~~ This section describes the tasks to be completed. It is divided into five major areas:

(a)

(b)

(c)

(d)

(e)

b3
b7E

4.0 (U) Deliverables

(U) This section describes the deliverable items from the task order.

- (U)
- (U)
- (U)
- (U)
- (U)
- (U)
- (U)

b3
b7E

CELL/OTD 022927
CELLSITE-4347

4.1 Security Standards and Regulations

(U) SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

5.0 Customer Representative

[redacted] - Contracting Officer [redacted]

The following Bureau personnel may be contacted in performance of this work, but are not authorized to negotiate contractual issues:

b6
b7C

Programmatic and Technical Personnel

a [redacted]

b

c

CELL/OTD 022928 CELLSITE-4348

DATE: 10-25-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 10-25-2037

STATEMENT OF WORK

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

b3
b7E

[redacted]

Task Order 1

(U) 1 ~~(S//NF)~~ SCOPE

(U) 1.1 ~~(S//NF)~~ Task Overview

(S//NF) [redacted]

(S) [redacted]

b1
b3
b7E

1.2 (U) Deliverables

- (U) [redacted]
- (U)
- (U)
- (U)
- go
- (U)
- (U)
- (U)

b3
b7E

(U) 1.3 ~~(S//NF)~~ Driving System Requirements

(S//NF) [redacted]

(S) [redacted]

b1
b3
b7E

CELL/OTD 022838 CELLSITE-4364

(S)

(U) 1.3.1 (~~S//NF~~) Key Technology Areas

a)

b)

(S)

c)

d)

b1
b3
b7E

(U) 2 (~~S//NF~~) Concept of Operations

(U) 2.1 (~~S//NF~~) Assumptions in Concept of Operations

(S)

b1
b3
b7E

CELL/OTD 022839

CELLSITE-4365

(U) 2.1.1 (S//NF) Technical Concept of Operations

- X
- X
- X
- X
- X
- X
- X
- X
- X
- X
- X
- X
- X
- X
- X

(U)

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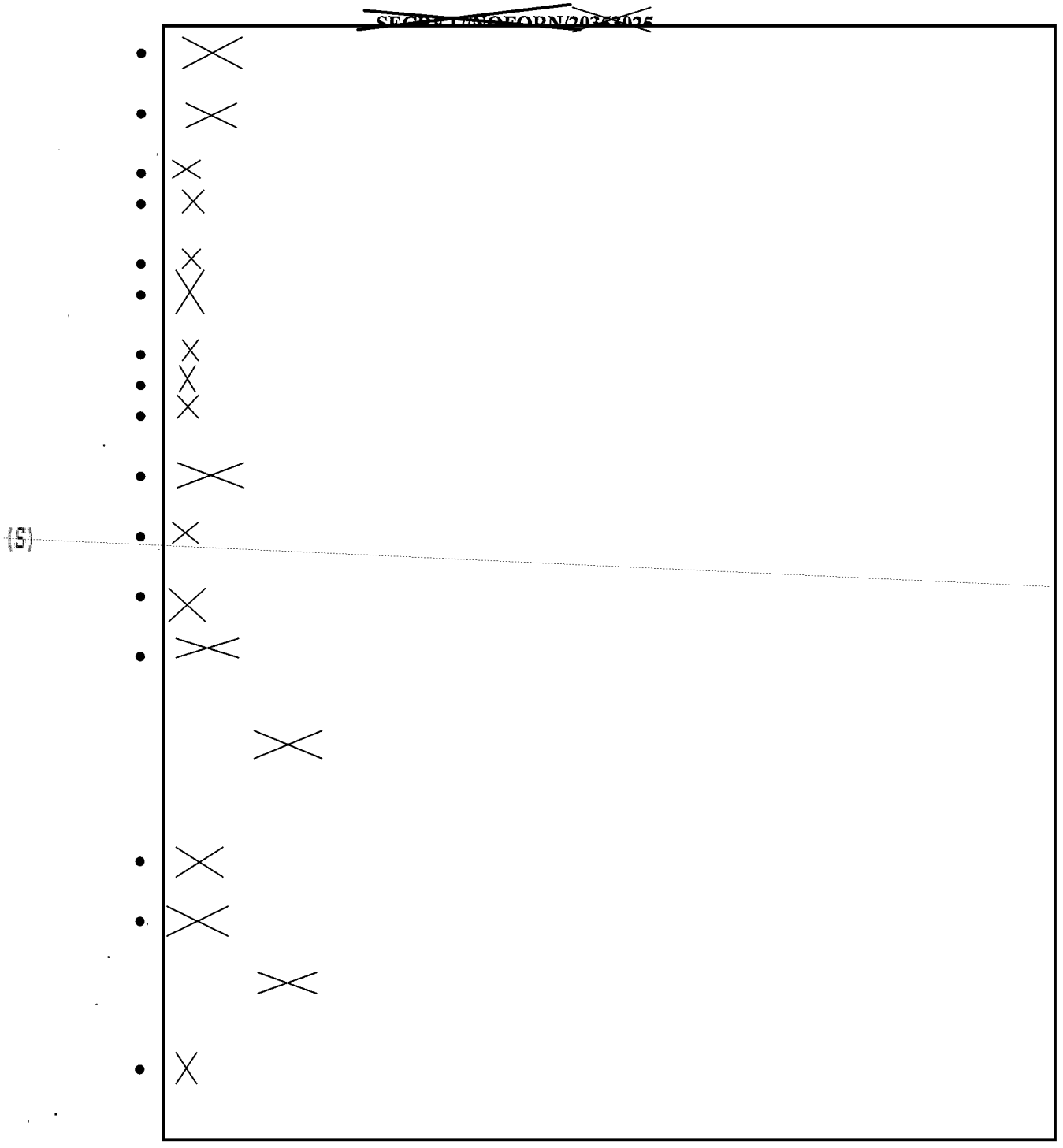
b3
b7E

CELL/OTD 022840

CELLSITE-4366



(S)

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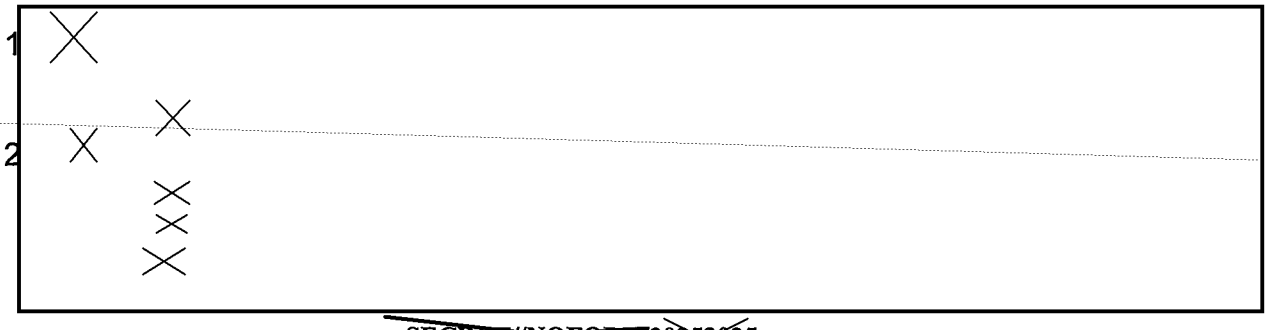
(U) 2.1.2 (S//NF) Generalized Sequence of Events



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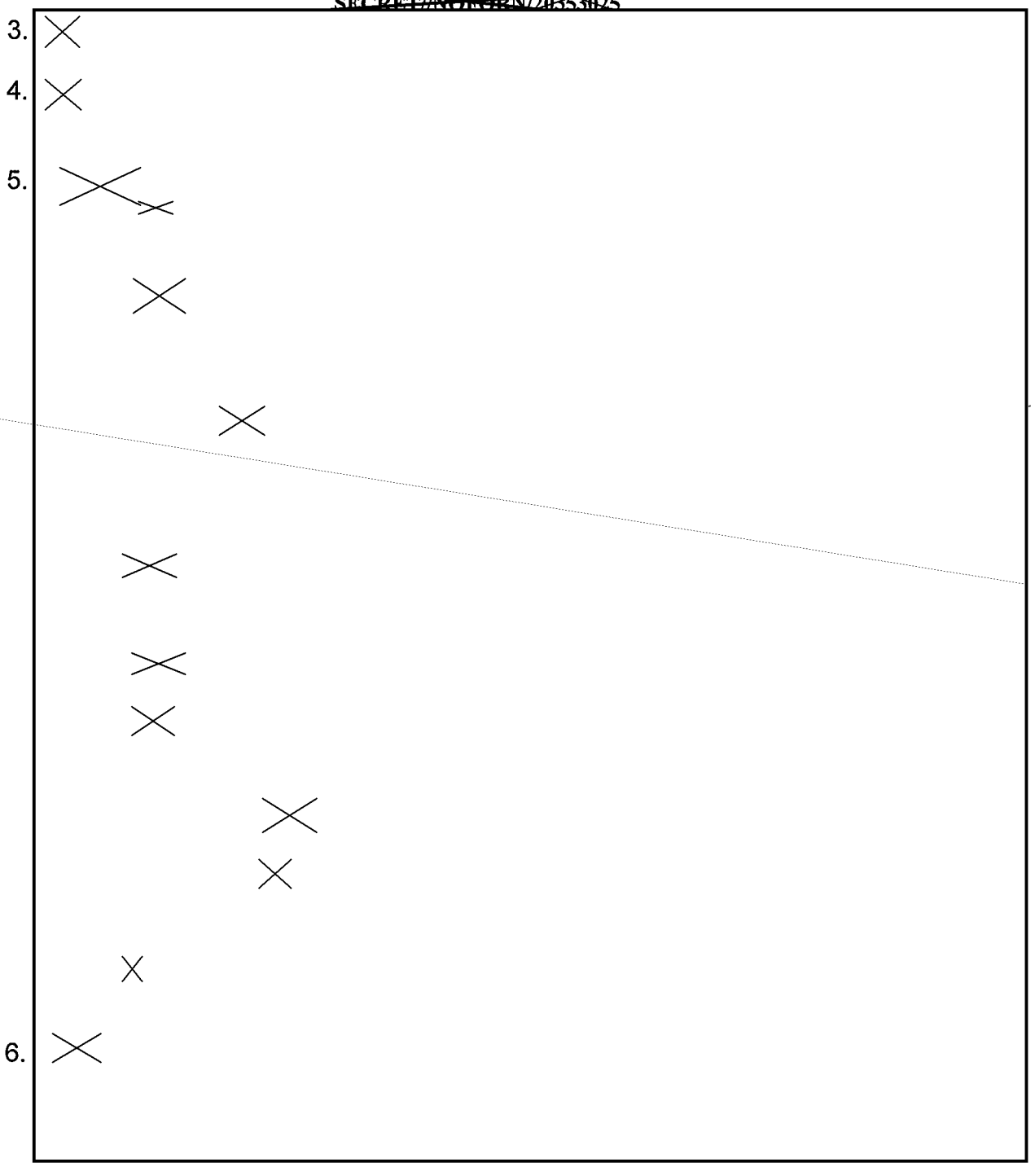

(S)

b1
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(U) 3 (S//NF) Requirements

3.1 Security Standards and Regulations

b3
b7E

(U) Refer to [redacted] Statement of Work section 2.3 for guidance.

(U) SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible

repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

(U) 3.2 (~~S//NF~~) Contractor Furnished Documentation

(U) Refer to [redacted] Statement of Work section 2.6 for list.

(S//NF) [redacted]

(S) [redacted]

b1
b3
b7E

3.3 (U) Status Reporting

(U) Refer to [redacted] Statement of Work Section 3.3 for guidance

3.4 (U) Formal Meetings

(U) Refer to [redacted] Statement of Work Section 3.4 for guidance

b3
b7E

3.5 (U) Government Furnished Equipment

(U) [redacted]
(U)

- (S) [redacted]

b1
b3
b7E

CELL/OTD 022843 CELLSITE-4369

DATE: 10-26-2012
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REASON: 1.4 (c,g)
DECLASSIFY ON: 10-26-2037

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[ ] 10-12-99)

b7E

ACQUISITION PLANNING FORM

[ ]

FEDERAL BUREAU OF INVESTIGATION

*AP #*_____

1. Unit/Section/Division: Tracking Technology Unit [ ] Operational Technology Division

2. Acquisition Background and Objectives:

(a)

(S) [redacted]

(b)

[redacted] b1 b3 b7E

(S) [redacted]

(c) Cost:

1. [redacted] b1 b3 b7E

(S) [redacted]

Procurement History	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	Total Cost
Direct Labor Cost						
Equipment Procurement						
Engineering Service Cost						
Subtotal						
Indirect Cost Estimate						
Fee Estimate						
Total Acquisition Cost						

b7E

CELL/OTD 022822

CELLSITE-4370

2. [redacted]

(S) b1 b3 b7E

Most Likely ICGE	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	Total Cost
Direct Labor Cost	[redacted]					
Equipment Procurement						
Engineering Service Cost						
Subtotal						
Indirect Cost Estimate						
Fee Estimate						
Total Acquisition Cost						

b3 b7E

3. **Application of Should-Cost:** An independent government cost estimate (IGCE) for each fiscal year of the contract has been included. The contract funding shall be for specific task order defined in the Statement of Work and for the procurement of new hardware platforms.
4. **Capability or Performance:** Contractor costs will be directly related to the individual task orders and their specific Statement of Work.
5. **Delivery or Performance-Based Requirements:** Delivery requirements will be dependant on individual task orders and their specific Statement of Work.
6. [redacted]
7.
8.

b7E

3. Plan of Action:

a) **Sources:** [redacted]

b3 b7E

[redacted] b3 b7E

b) [redacted] (S) b1 b3 b7E

c) **Source Selection Procedures:** [redacted]

d) **Contracting Considerations:** The proposed acquisition strategy is to award a contract effort fo[redacted] TTU shall evaluate the technical proposal for each specific task order from each vendor and will determine which proposal is the optimal solution based on technical merits and operational advantages.

e) **Budgeting and Funding:** [redacted] per year, dependant on specific task orders, will be available from TTU's base budget. b1 b3 b7E

[redacted]

f) [redacted] (S)

g) **Priorities, Allocations, and Allotments:** N/A

h) **Contractor versus Government Performance:** Contract tasks will be for engineering services and purchase of equipment that are not readily available within the government.

i) **Inherently Governmental Functions:** The contractors will not be completing inherently government functions.

CELL/OTD 022824

j) **Management Information Requirements:** The contractor's performance will be monitored by the Contract Officer Technical Representative (COTR) and reported to the Unit Chief. The program has also been entered into the OTD Program Management Office's database for tracking at the Section Chief level.

k) (S) [redacted] b1 b3 b7E

l) **Test and Evaluation:** [redacted] b7E

m) **Logistics Considerations:** Logistical requirements will be by individual tasks to include warranty, maintenance, upgrade and technical support of purchased items.

n) **Government Furnished Property:** The government may furnish property based on specific task orders. This property will remain at the contractor's facilities, and the property will be tracked by the COTR.

o) **Government Furnished Information:** The government may furnish information based on specific task orders. The information will remain at the contractor's facilities, and the information will be tracked by the COTR.

p) **Environmental and Energy Conservation Objectives:** The contract will use energy star components whenever possible.

q) **Security Considerations:** [redacted] b3 b7E

r) **Contract Administration:** The performance of the contract will be verified by the COTR.

s) **Other Considerations:** *None*

CELL/OTD 022825

t) **Milestones for the Acquisition Cycle:**

Topic	**Date**
(1) Acquisition Plan Approval	_____
(2) Statement of Work	_____
(3) Specifications	_____
(4) Data Requirements	_____
(5) Completion of Acquisition Package Plan	_____
(6) Purchase Request	_____
(7) Justification and Approvals and/or Determination and Findings	_____
(8) Issuance of Synopsis	_____
(9) Issuance of Solicitation	_____
(10) Evaluations of Proposals, Audits, and Field Reports	_____
(11) Beginning and Completion of Negotiations	
(12) Contract Preparation, Review, and Clearance	_____
(13) Contract Award	_____

Prepared by and approved:

_____ _____

Technical Staff Member (date) Budget Staff Member (date)

_____ _____

Legal Review (if applicable) (date) Contracting Officer (date)

_____

Competition Advocate (Section Chief – PPMS) (date)

Reviewed & Updated/Revised:_____

_____

_____

CELL-OTD 022526

DECLASSIFIED BY 65179/dmh/stp/as
ON 10-26-2012

Original FY11 Funding Data provided to the [redacted]

[redacted]

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b7E

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20351214~~
~~SECRET//NOFORN~~

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[redacted] & [redacted] Proposals

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179 DMH/STW

From: [redacted]
Sent: Friday, August 06, 2010 11:20 AM
To: [redacted]
Cc:
Subject: [redacted] & [redacted] Proposals
Attachments: [redacted]

Hello [redacted]

[redacted] s on her way to [redacted] with classified docs to fax your way. You should be hearing from her about 11:45am. She will be faxing the following:

- [redacted] Technical Proposal
- [redacted] Technical Proposal

We will also be mailing/FedExing the following:

- [redacted] Technical Proposal on CD (classified)
- [redacted] Cost Proposal on CD (unclassified)
- [redacted] Technical Proposal on CD (classified)
- [redacted] Cost/Technical Proposal on CD (unclassified)

b3
b6
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The [redacted] Cost Proposal will be transmitted next week per our discussion earlier this morning.

Also attached to this email are the [redacted] Cost/Technical proposal and the [redacted] Cost Proposal and associated cover letters. Sorry the cover letters were addressed only to [redacted] is out this week and [redacted] was used to addressing to [redacted]

Let's keep our fingers crossed for the FAX working☺

[redacted]
Program Manager

[redacted]

[redacted]

CELLSITE-12455

8/6/2010

DECLASSIFIED BY 65179 DMH/SIW
ON 10-19-2012

[redacted]

From: [redacted]
Sent: Tuesday, September 14, 2010 11:44 AM
To: [redacted]
Subject: FW: [redacted] Review (Please Forward)

~~SECRET//NOFORN~~
RECORD 268-HQ-1068430

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Approved

From: [redacted]
Sent: Tuesday, September 14, 2010 10:25 AM
To: [redacted]
Subject: FW: [redacted] Review (Please Forward)

~~SECRET//NOFORN~~
RECORD 268-HQ-1068430

approved

[redacted]
Unit Chief
[redacted]

From: [redacted]
Sent: Tuesday, September 14, 2010 10:11 AM
To: [redacted]
Cc: [redacted]
Subject: [redacted] Review (Please Forward)

~~SECRET//NOFORN~~
RECORD 268-HQ-1068430

Hi [redacted]

This is the write up for the [redacted] review. Please forward to [redacted] if there are no more additional issues.

[redacted]

Evaluation:

Technical:

The technical portion of the proposal is complete and sufficient, which also meets our desired objectives.

Finance:

The financial portion of the proposal provided sufficient information to allow us to manage costing and accounting during the task execution.

ALL INFORMATION CONTAINED
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DATE 10-18-2012 BY 65179 DMH/STW

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		1

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicble)
Mod 1	06/04/10		

6. ISSUED BY CODE

Federal Bureau of Investigation
[redacted] Room 6853
935 Pennsylvania Ave. NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) CODE

Same as Item 6.

b3
b6
b7C
b7E

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

(X)	9A. AMENDMENT OF SOLICIATION NO.
	9B. DATED (SEE ITEM 11)
X	10A. MODIFICATION OF CONTRACT/ORDER NO.
	10B. DATED (SEE ITEM 11) 06/04/10

CODE FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a)By completing items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPIRATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 32.7 Funding

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is to provide incremental funding for ongoing engineering services under the [redacted] effort in the amount of [redacted] The period of performance is 6/4/10-6/4/11. All work shall be performed in accordance with the Statement of Work and the terms and conditions of the Contract. All technical guidance will be provided by [redacted] for this effort. Contractor exceeds funding at own risk.

b3
b6
b7C
b7E

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA (Signature of Contracting Officer)	16C. DATE SIGNED

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

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DATE 10-17-2012 BY 65179 DMH/STW

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

IMPORTANT: Mark all packages and papers with contract and/or order numbers

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
06/04/2010				1

6. To Contractor *(Name, Address and Zip Code)*:

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135
b3 b6 b7C b7E b4

10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	CONTRACT DUE DATE:06/04/2011 ENGINEERING SERVICES INCREMENTAL FUNDING FOR ONGOING EFFORTS UNDER THE ALL TECHNICAL GUIDANCE WILL BE PROVIDED BY COTR FOR THIS EFFORT. SERVICES WILL BE PERFORMED IN ACCORDANCE WITH THE SOW. PERIOD OF PERFORMANCE: 6/4/10-6/4/11. TERMS AND CONDITIONS ARE THOSE IN EFFECT UNDER THE CONTRACT. CONTRACTOR EXCEEDS FUNDING AT THEIR OWN RISK. INVOICES TO BE SENT TO ********** ALL PAYMENTS BY THE GOVERNMENT UNDER THIS ORDER SHALL BE MADE BY ELECTRONIC FUNDS TRANSFER (EFT). THE VENDOR SHALL PROVIDE THIS INFORMATION ON EACH INVOICE OR SUBMIT SF-3881 FORM TO: FBI, COMMERCIAL PAYMENTS UNIT RM. 1987, J. EDGAR HOOVER BLDG 935 PENNSYLVANIA AVENUE, NW				

b6 b7C b3 b7E

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total XXXXXXXXXXX

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice Payment Status:
Commercial Payments Uni

16. United States of America
By *(Signature)*

17. Name *(Typed)* XXXXXXXXXXX

Title: Contracting Officer

ORIGINAL

CELLSITE-12469

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

IMPORTANT: Mark all packages and papers with contract and/or order numbers

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
06/04/2010				2

6. To Contractor *(Name, Address and Zip Code)*:

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

b3
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b7C
b7E

10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	WASHINGTON, DC 20535 IF THIS INFORMATION IS NOT AVAILABLE TO THE GOVERNMENT, THE INVOICE WILL BE CONSIDERED AN IMPROPER INVOICE AND SHALL BE RETURNED. ********** A PROPER INVOICE SUBMITTED FOR PAYMENT TO THE FBI MUST CONTAIN THE FOLLOWING: THE NAME OF THE VENDOR; AN INVOICE NUMBER; THE CONTRACT OR PURCHASE ORDER NUMBER; THE INVOICE DATE; DESCRIPTION (I.E. NAME OR ITEM LINE NUMBER), PRICE AND QUANTITY OF GOODS OR SERVICES RENDERED; SHIPPING AND/OR PAYMENT TERMS; TAXPAYER ID#; BANKING / ROUTING NUMBER TO ALLOW EFT PAYMENT; CONTACT NAME, TITLE AND TELEPHONE NUMBER AND ANY OTHER SUBSTANTIATING DOCUMENTATION AS REQUIRED BY THE CONTRACT.				

b3
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14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

CONTRACTOR NUMBER

15. Grand Total

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Commercial Payments Unit -

16. United States By *(Signature)*

17. Name *(Typed)*

Title: Contracting/Ordering Officer

FEDERAL BUREAU OF INVESTIGATION

ORIGINAL

********** -COMM. JOURNAL- ********** DATE SEP-16-2010 ***** TIME 09:20 ********

MODE = MEMORY TRANSMISSION START=SEP-16 09:19 END=SEP-16 09:20

FILE NO.=021

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	#	[redacted]	005/005	00:01:02

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-18-2012 BY 65179 DMH/SIW

[redacted]

********** - ***** - [redacted] *********

FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION
FACSIMILE COVER SHEET

PRECEDENCE

○ Immediate ○ Priority ○ Routine

CLASSIFICATION

○ Top Secret ○ Secret ○ Confidential ○ Sensitive ○ Unclassified

TO

Name of Office: [redacted]
Facsimile Number: [redacted]
Date: **09/16/2010**
Attn: [redacted]
Room:
Telephone Number:

FROM

Name of Office: **FBI - Science and Technology Contracts Unit**
Number of Pages: (including cover) **5**
Originator's Name: [redacted]
Originator's Telephone Number: [redacted]
Originator's Facsimile Number: [redacted]
Approved:

b3
b6
b7C
b7E

DETAILS

Subject: **Please find attached** [redacted] **accompanying 2 page SF-30 Mod 1.**

Special Handling Instructions:
Please confirm receipt of the modification, sign the SF-30, and fax back to the number above.

Brief Description of Communication Faxed:
Thank you for your assistance and have a good day.

WARNING

Information attached to the cover sheet is U.S. Government Property. If you are not the intended recipient of this information disclosure, reproduction, distribution, or use of this information is prohibited (18.USC, § 641). Please notify the originator or local FBI Office immediately to arrange for proper disposition.

FEDERAL BUREAU OF INVESTIGATION CELLSITE-12471

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-18-2012 BY 65179 DMH/STW

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		2

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicble)
Mod 1	09/14/10		

6. ISSUED BY CODE

Federal Bureau of Investigation

935 Pennsylvania Ave. NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) CODE

Same as Item 6.

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

(X) 9A. AMENDMENT OF SOLICIATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO.

X

10B. DATED (SEE ITEM 11)
09/14/10

b3
b6
b7C
b7E

CODE FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a)By completing items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPIRATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 32.7 Funding

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

Please see attached document for details.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)

Contracts Manager

16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)

Contracting Officer

b6
b7C

15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

CELLSITE-12472

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179 DMH/STW

SF-30 AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

SF-30 PAGE 2 OF 2

Purchase Order Number [redacted]
Modification # 1
[redacted]

b3
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The purpose of this modification is to provide incremental funding in the amount of [redacted] for services under [redacted] Task Order. Period of Performance: 9/14/10-9/14/11. All technical guidance to come from [redacted] Services to be performed in accordance with the sow and documents below.

Documentation Incorporated:
The following documents are hereby incorporated into the SOW for this Task Order under [redacted]
[redacted]

b3
b7E

Award Summary:
The FBI the hereby awards this Task Order on the following estimates provided in [redacted] dated 9/9/10 under the previously agreed up on Cost-Plus Fixed Fee pricing:

- Development [redacted]
- [redacted]

b3
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The Total estimated cost of this Task Order is [redacted] The FBI provides incremental funding through [redacted] in the amount [redacted]

General:
Terms and conditions are those in effect under the contract. Contractor exceeds funding at own risk. Invoices to be sent to [redacted] COTR.

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-2012 BY 65179 DMH/STW

Purchase Order for Supplies or Services

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
09/14/2010				1

6. To Contractor *(Name, Address and Zip Code)*:

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

b3
b4
b6
b7C
b7E

10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	CONTRACT DUE DATE:09/14/2011 ENGINEERING SERVICES INCREMENTAL FUNDING FOR TASK ORDER. TECHNICAL GUIDANCE TO COME FROM SERVICES TO BE PERFORMED IN ACCORDANCE WITH THE SOW. POP: 9/14/10-9/14/11. TERMS AND CONDITIONS ARE THOSE IN EFFECT UNDER THE CONTRACT. CONTRACTOR EXCEEDS FUNDING AT OWN RISK. SEND INVOICES TO COTR. ********** ALL PAYMENTS BY THE GOVERNMENT UNDER THIS ORDER SHALL BE MADE BY ELECTRONIC FUNDS TRANSFER (EFT). THE VENDOR SHALL PROVIDE THIS INFORMATION ON EACH INVOICE OR SUBMIT SF-3881 FORM TO: FBI, COMMERCIAL PAYMENTS UNIT RM. 1987, J. EDGAR HOOVER BLDG 935 PENNSYLVANIA AVENUE, NW				

b3
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b7E

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total ➧ XXXXXXXXXXX

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice Payment Status:
Commercial Payments Unit

16. United States of America
By *(Signature)*

17. Name *(Typed)* XXXXXXXXXXX

Title: Contracting Officer

B - BUYER

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

[redacted]

Purchase Order for Supplies or Services

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
09/14/2010	[redacted]			2

6. To Contractor *(Name, Address and Zip Code)*:
[redacted]

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

b3
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b7E

10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	WASHINGTON, DC 20535 IF THIS INFORMATION IS NOT AVAILABLE TO THE GOVERNMENT, THE INVOICE WILL BE CONSIDERED AN IMPROPER INVOICE AND SHALL BE RETURNED. ********** A PROPER INVOICE SUBMITTED FOR PAYMENT TO THE FBI MUST CONTAIN THE FOLLOWING: THE NAME OF THE VENDOR; AN INVOICE NUMBER; THE CONTRACT OR PURCHASE ORDER NUMBER; THE INVOICE DATE; DESCRIPTION (I.E. NAME OR ITEM LINE NUMBER), PRICE AND QUANTITY OF GOODS OR SERVICES RENDERED; SHIPPING AND/OR PAYMENT TERMS; TAXPAYER ID#; BANKING / ROUTING NUMBER TO ALLOW EFT PAYMENT; CONTACT NAME, TITLE AND TELEPHONE NUMBER AND ANY OTHER SUBSTANTIATING DOCUMENTATION AS REQUIRED BY THE CONTRACT.				

b3
b6
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14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.
CONTRACTOR NUMBER [redacted]

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total ➧ [redacted]

See Instructions on Reverse

Point of Contact - Purchase Order Information:
[redacted]
Commercial Payments Unit [redacted]

16. Unite By (S [redacted]

17. Name [redacted]
Title: Contracting Officer

B - BUYER

CELLSITE-12475

DATE: 10-19-2012
CLASSIFIED BY 65179 DMH/SI
REASON: 1.4 (C, G)
DECLASSIFY ON: 10-19-2037

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

Reference Documents (U)

- Doc A [redacted] Technical Proposal
- Doc B [redacted] Program [redacted] Task Order 1, Statement of Work

(S) [redacted]

b1
b3
b4
b6
b7C
b7E

DERIVED FM NSISCG-20080301
DECLAS ON 20350629

(S) b1 b3 b7E

(U///FOUO) Question: 2. Section 2.0 – Scope of Work, paragraph 3, states these tasks are based on

b3 b7E

(S) b1 b3 b7E

(U//FOUO) Response: The development portion of this proposal will result in a

- (U//FOUO) Please clarify what characteristics or functions are supported in the stated

(U//FOUO) Response: The Sponsor will have full control of disclosure and access of any specific capabilities. The Sponsor will also have control the These capabilities will be agreed upon between the b3 b7E

Sponsor and Contractor during the development process and protected appropriately to meet the intent within cost and schedule constraints.

(U) See # 8 in assumptions

(S)

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(U///FOUO) Response: The Sponsor will have full control of disclosure and access of any specific capabilities. The Sponsor will also have control the These capabilities will be agreed upon between the Sponsor and Contractor during the development process and protected appropriately to meet the intent within cost and schedule constraints.

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- (U///FOUO) Please clarify

(S)

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- (U///FOUO) Please clarify if under Section 3.3

(U//FOUO) Response: The Sponsor will have full control of disclosure and access of any specific capabilities

The Sponsor will also have control to the These capabilities will be agreed upon between the Sponsor and Contractor during the

b3
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[redacted] **Technical Questions / Responses**

(S) [redacted] b1 b3 b7E

(U//FOUO) Response: The Sponsor will have full control of disclosure and access of any [redacted] specific capabilities. [redacted]

[redacted] The Sponsor will also have control [redacted] [redacted] to the [redacted] mission. These capabilities will be agreed upon between the Sponsor and Contractor during the [redacted] b3 b7E

(U//FOUO) Question: 3. Section 3.1 – Assumptions, paragraph 1, states that since this [redacted] b3 b7E

1) Will Provide answers

Please provide [redacted]

(U//FOUO) Response: [redacted] b1 b3 b7E

(S) [redacted]

(S) [redacted]

(S) b1 b3 b7E

(U//FOUO) Question: 5. Section 2.2 b3 b7E

(S) b1 b3 b7E

(U) (S) (Removed response changes cost Proposal)

(U//FOUO) Question: 6. Section 2.4 b3 b7E

(S) b1 b3 b7E

(U) Optional feature

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-18-2012 BY 65179 DMH/SIW

FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION
FACSIMILE COVER SHEET

PRECEDENCE

○ Immediate ☒ Priority ○ Routine

CLASSIFICATION

○ Top Secret ☒ Secret ○ Confidential ○ Sensitive ○ Unclassified

TO

Name of Office:

Date: 08/26/2010

Attn:

Room:

Telephone Number:

FROM

Name of Office:
FBI - Science and Technology Contracts Unit

Number of Pages: (including cover)
9

Originator's Name:

Originator's Telephone Number:

Originator's Facsimile Number:
(unclass)

COTR

b3
b6
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b7E

DETAILS

Subject:

Special Handling Instructions:
Please confirm receipt of documentation:
Please sign this unclassified fax cover + fax back to # above.

Brief Description of Communication Faxed:
Thank you for your assistance and have a good day.

WARNING

Information attached to the cover sheet is U.S. Government Property. If you are not the intended recipient of this information disclosure, reproduction, distribution, or use of this information is prohibited (18.USC, § 641). Please notify the originator or local FBI Office immediately to arrange for proper disposition.

9 2010

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CELLSITE-12505

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HEREIN IS UNCLASSIFIED
DATE 10-18-2012 BY 65179 DMH/STW

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

26 August 2010

[redacted]

Contract: [redacted]
Subject: Request for Clarification on [redacted]
Task Order Proposals

Enclosed please find the FBI's responses to [redacted] Technical and/or Cost proposals for the [redacted] Task Orders to be performed under the above Contract. Please review and prepare responds or for discussion to any questions or requests for clarifications regarding the Cost and Technical Proposals for next week. b3 b6 b7C b7E

This proposed tasking is intended as a Cost-Plus Fixed Fee requirement and as such, in accordance with the previously agreed upon terms and conditions of this contract, revise the Cost documentation to reflect a 10% fee structure. All Terms and Conditions under the [redacted] are unchanged and binding for all subsequent actions, including this intended Tasking.

To reduce administrative burdens, please make necessary changes to those affected pages and provide them for replacement in original documentation.

If I can be of further assistance with this effort you may contact me at [redacted]

[redacted]

Sincerely

[redacted]

Contracting Officer

unclassified

20350823; Derived from Multiple Sources

~~SECRET~~//NOFORN/20350825

[redacted] **Technical Questions:**

DATE: 10-19-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 10-19-2037

Reference Documents

- Doc A [redacted] Technical Proposal
- Doc B. [redacted] Statement of Work

b3
b7E

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

Clarifications

[redacted]

(S)

[redacted]

~~(S//NF)~~

(S)

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b7E

(U//FOUO) 2. Section 2.0 – Scope of Work, paragraph 3, states these tasks are based on [redacted] results being incorporated into the [redacted]

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b7E

[redacted]

- [redacted]

(S)

b1
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b7E

(S) [redacted] b1 b3 b7E

- (U//FOUO) Please clarify what characteristics or functions are supported in the stated [redacted]

(S) [redacted]

- (U//FOUO) Please clarify [redacted]

- (U//FOUO) Please clarify [redacted]

(S) [redacted]

(U//FOUO) 3. Section 3.1 – Assumptions, paragraph 1, states that since this development will require [redacted] b3 b7E

- Please provide a program status for the [redacted]

(S) [redacted]

(U//FOUO) 5. Section 2.2 - [redacted] b1 b3 b7E

(S)

(U//FOUO) 6. Section 2.4 -

b1
b3
b7E

(S)

ELLSITE-1b3
3 of 3 b7E

********** -COMM. JOURNAL- ********** DATE JUL-01-2010 ***** TIME 15:11 ********

MODE = MEMORY TRANSMISSION START=JUL-01 15:10 END=JUL-01 15:11

FILE NO.=811

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	#	[redacted]	001/001	00:00:17

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DATE 10-19-2012 BY 65179 DMH/STW

********** - [redacted] - ********* P. 1

********** -
JUL. 1. 2010 4:42PM RETRIEVER

[redacted]

THE HIGHEST CLASSIFICATION CONTAINED HEREIN IS:

[redacted]

DATE: 1 July 2010

OFAX [redacted]

b3
b6
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b7E

SECURE FAX HEADER SHEET

TO: FBI
Engineering Research Facility
Bldg 27958A
Quantico VA 22135
ATTN [redacted]

FROM [redacted]

STU-III FAX#:

UNCLASS FAX#: [redacted]

UNCLASSIFIED SUBJECT/COMMENT: [redacted] Questions 5 pgs
+ LTR (Unclas) 1 pg

[redacted]

THIS FAX CONSISTS OF HEADER + 6 PAGES.

PLEASE SIGN THE DOCUMENT RECEIPT BELOW AND FAX BACK TO EITHER NUMBER [redacted] TO AVOID TRACER ACTION. THANK YOU.

[redacted] 7/1/10 (date)

THE HIGHEST CLASSIFICATION CONTAINED HEREIN IS:

THIS HEADER SHEET IS UNCLASSIFIED [redacted]

FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION
FACSIMILE COVER SHEET

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-18-2012 BY 65179 DMH/STW

PRECEDENCE

○ Immediate ○ Priority ○ Routine

CLASSIFICATION

○ Top Secret ◉ Secret ○ Confidential ○ Sensitive ○ Unclassified

TO

Name of Office:

Facsimile Number:

Date: 07/13/2010

Attn:

Room:

Telephone Number:

FROM

Name of Office: FBI - Quantico Contracts Unit

Number of Pages: (including cover) 30

Originator's Name:

Originator's Telephone Number:

Originator's Facsimile Number:

Approved:

DETAILS

Subject:

Special Handling Instructions:

Unclass Fax: Secure Fax:

b3
b6
b7C
b7E

Brief Description of Communication Faxed:

Thank you and have a good day.

WARNING

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13 July 2010

********** -COMM. JOURNAL- ********** DATE JUL-13-2010 ***** TIME 14:27 ********

MODE = TRANSMISSION START=JUL-13 14:26 END=JUL-13 14:27

FILE NO.=028

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	634	<01>	SEND	000	00:00:00

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DATE 10-18-2012 BY 65179 DMH/STW

********** - ***** - **********

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b7E

7/13/10

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DATE 10-18-2012 BY 65179 DMH/STW

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

13 July 2010

[redacted]

Subject: [redacted]

Dear [redacted]

Please find enclosed a copy of the Statements of Work (SOW) for engineering services developed by the Federal Bureau of Investigation (FBI).

The FBI is interested in obtaining a proposal for this task to be performed in accordance with the subject Contract. Contractor shall provide technical and cost proposals to support tasking as set forth in the Statement of Work.

If there are any question regarding this SOW please submit them to my office within the next five (5) business days.

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It is therefore requested that your company review the enclosed SOW and if the proposed contract vehicle is appropriate, Cost-Plus Fixed Fee (CPFF), a cost and technical proposal should be submitted in accordance with the terms and conditions of the FBI's Contract prior to but no later than August 3, 2010 1:00 PM EST. Unclassified proposals maybe email to [redacted]

Should you have any questions concerning this matter, please contact me a[redacted] response may be faxed t[redacted] secure fa[redacted]

Sincerely,

[redacted]
Contracting Officer

Attached: Statement of Work for [redacted]

DATE: 10-19-2012
CLASSIFIED BY 65179 DMH/SIW
REASON: 1.4 (C, G)
DECLASSIFY ON: 10-19-2037

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WHERE SHOWN OTHERWISE

STATEMENT OF WORK

[redacted] **Program**

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b7E

[redacted]

Federal Bureau of Investigation

~~Derived From: NSISCG-20080201~~
~~Declassify On: 20350401~~

(U) 1 (S//NF) SCOPE

(S) [redacted] b1 b3 b7E

1.1 (U//FOUO//LES) Task Overview

(U//FOUO/LES) All documentation as described in the [redacted] Statement of Work section 2.6 will be made available for the government.

(U//FOUO/LES) All requirements as detailed in sections 3.1, 3.2 and 3.3 of the [redacted] Statement of Work will be included under this Task Order. Weekly status reporting required in section 3.3 will be acceptable in an email format and delivered to both the CO and COTR.

b3 b7E

1.2 (U//FOUO) Deliverables

- (U//FOUO) Weekly Status Report (See Section 3.3)
- (U//FOUO) Monthly Program Review (See Section 3.3)
- (U//FOUO) System Testing Plan (See Section 3.2)
- (U//FOUO) [redacted]
- (U//FOUO) System Demonstration at contractor facility
- (U//FOUO) [redacted]
- (U//FOUO) Final Technical Summary Report (See Section 3.2)

1.3

(S) [redacted] b1 b3 b7E

CELLSITE-12516

(S)

b1
b3
b7E

1.3.1 (U//FOUO) Key Technology Areas

a)

b)

c)

b3
b7E

(S)

b1
b3
b7E

CELLSITE-12517

(S) [redacted] b1 b3 b7E

(U) **3 (S//NF) Requirements**

The Contractor shall adhere to the following:

(S) [redacted] b1 b3 b7E

(U//FOUO/LES) Vendor shall use [redacted]

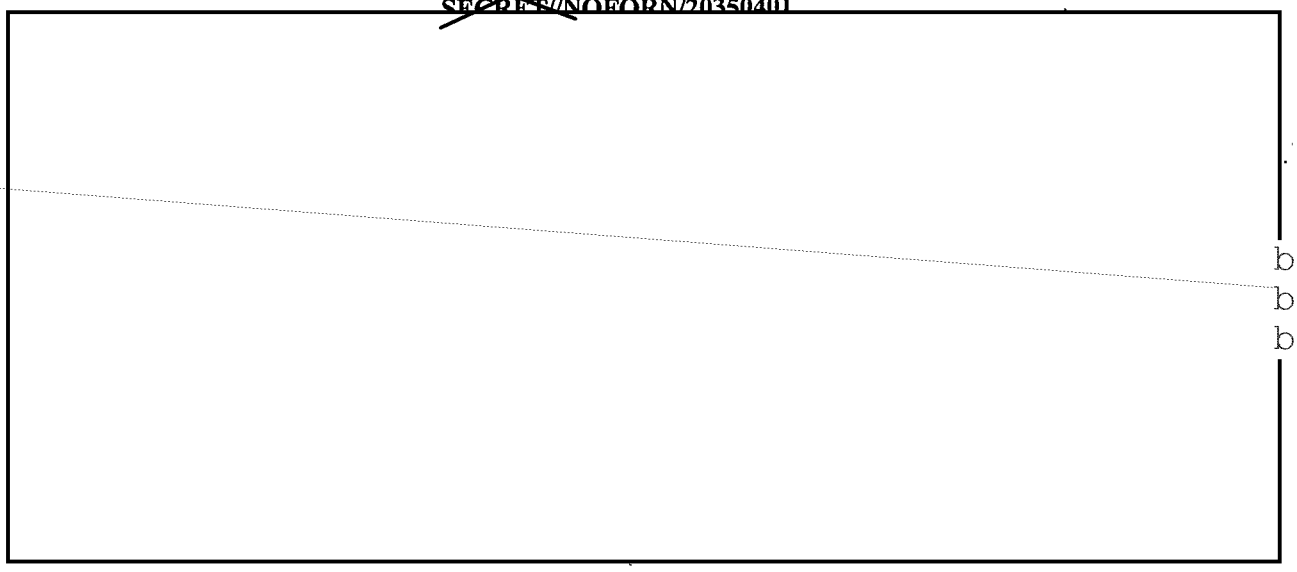
(S) [redacted] b1 b3 b7E

(U//FOUO/LES) Vendor shall provide for [redacted] b3 b7E

(U//FOUO/LES) Vendor shall provide for [redacted]

CELLSITE-12518

(S)



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3.1 (U//FOUO) Security Standards and Regulations

(U//FOUO) Refer to [redacted] Statement of Work section 2.3 for guidance.

(U//FOUO) SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

3.2 (U//FOUO) Contractor Furnished Documentation

(U//FOUO) Refer to [redacted] Statement of Work section 2.6 for list.

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3.3 (U//FOUO) Status Reporting

(U//FOUO) Refer to [redacted] Statement of Work Section 3.3 for guidance

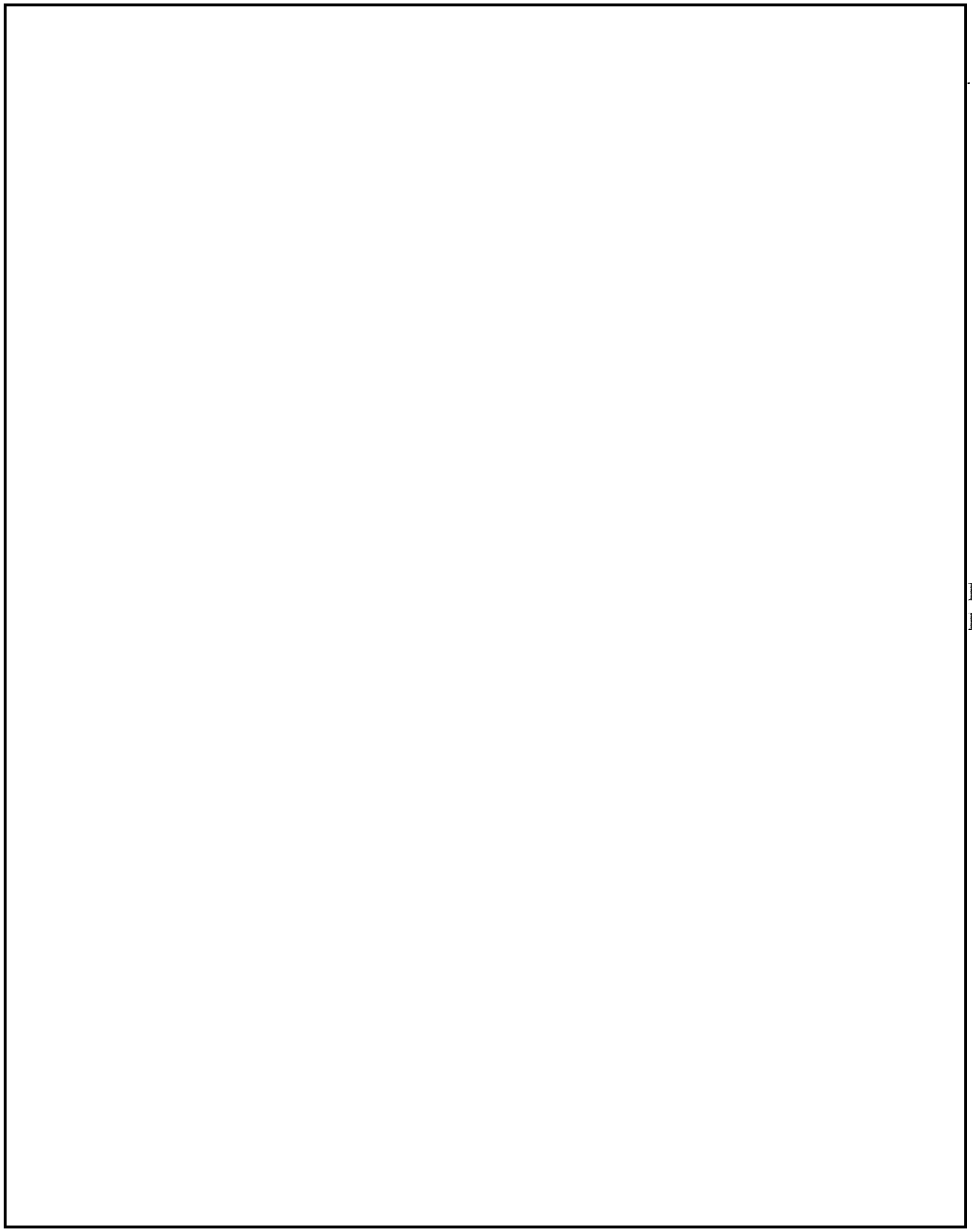
3.4 (U//FOUO) Formal Meetings

(U//FOUO) Refer to [redacted] Statement of Work Section 3.4 for guidance

3.5 (U//FOUO) Government Furnished Equipment

(U//FOUO) Government shall not supply any systems for fulfillment of this task.

CELLSITE-12519



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[redacted]

From: [redacted]
Sent: Thursday, July 01, 2010 5:38 PM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted] Meeting / Action items

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Thank you [redacted] for this letter.

I wish to address immediately th[redacted]; we will begin efforts on this project next week. [redacted] INCLASSIFIED. The primary place of performance will be at ou[redacted] for the unclassified effort. The Technical Point of Contact is [redacted] he can be reached at work [redacted] by cell phone at [redacted] and e-mail to [redacted] Please copy Contracts on all e-mails. Deliverables will be per our 9/14/09 proposal. We are looking at our schedule, and will work to have a final product by the 9/30/10 end date; however, more information on the schedule with be forthcoming.

Best regards,

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[redacted]

From [redacted]
Sent: Thursday, July 01, 2010 5:12 PM
To [redacted]
Cc [redacted]
Subject: RE [redacted] Meeting / Action items

b3
b6
b7C
b7E

Good Afternoon,

Thank you for taking the time to discuss [redacted] and other action items today on conference call. Please find the attached response to the list of action items from our 6/23/10 program meeting and other referenced topics from our conversation earlier today. I wrote the letter prior to our discussion, as a result, please be advised, some information may be redundant.

If you would like a signed copy of the letter please let me know to which # you would like me to fax it.

Have a good day.

[redacted]

From: [redacted]
Sent: Monday, June 28, 2010 5:12 PM
To: [redacted]
Cc:
Subject: [redacted] Meeting / Action items

[redacted]

Good day, attached is the action items from our recent meeting 23 June 2010. Please note that there are several actions that require input from the Customer for due dates. We would appreciate your support in filling in these dates and returning the enclosure with the dates to us hopefully within 10 business days.

[redacted]_Mtg_Action_It.doc>>

Thank you so much, it was such a pleasure to meet you last week.

Best regards,

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[redacted]

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DATE 10-18-2012 BY 65179 DMH/STW

[redacted] **Revised Estimate at Completion Documentation**

4/21/11 FBI Revision

[redacted]

Summary of Completion Estimates & Remaining Funds	
Voucher Number	**Invoice Amt**
1	$ [redacted]
2	$
3	$
4	$
5	$
6	$
7	$
8	$
9	$
Total Invoiced [1]	$
Proposed Contract Value	$
Remaining after Invoiced Total [2]	$
Hold [redacted] of Invoiced Contract Value [3]	$
Remaining after "Hold"	$
Funds Remaining on PO [4]	$
Total Remaining for Reallocation	$
$ to Hold: for Contract Close out & Voucher 9 [5]	$
Total Remaining for Reallocation [6]	$

b3
b7E

Note 1: The "Invoiced Total" provides a sum of all invoiced costs to date to include

Note 2: Corresponds to [redacted] February "Contract Value" and subtract the "Invoiced Total"; this revised calculation should correspond to [redacted] "Remaining" figure.

Note 3: [redacted] requested tha[redacted] be held for residual administration and potentia[redacted] adjustments. The FBI can accept this proposal. Our revised figure reflects [redacted] of the Total Invoiced Amount.

Note 4: Purchase Order [redacted] provided [redacted] for the [redacted]

Note 5: Per conference call 4/21/11, [redacted] will provide Voucher 9 in April for rates adjustments per FY11 [redacted] calendar year for [redacted] The FBI will reserv[redacted] of the contract value and the Voucher 9 estimate for this anticipated Voucher figure and contract close out of the [redacted] contract.

Note 6: Remaining for reallocation minus the funds reserved for contract close out and voucher 9. This figure may be available for [redacted] taskings [redacted] is the tangible follow-on effort from the [redacted] effort.

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DATE 10-18-2012 BY 65179 DMH/STW

[redacted] **Revised Estimate at Completion Documentation**

4/19/11 FBI Revision

[redacted]

Summary of Completion Estimates & Remaining Funds	
Voucher Number	**Invoice Amt**
1	$ [redacted]
2	$
3	$
4	$
5	$
6	$
7	$
8	$
Total Invoiced [1]	$ [redacted]
Proposed Contract Value	$
Remaining after Invoiced Total [2]	$
Hold [redacted] of Invoiced Contract Value [3]	$
Remaining after "Hold"	$
Funds Remaining on PO [4]	$
Total Remaining for Transfer	$

[redacted] b3 b7E b6 b7C

Note 1: The "Invoiced Total" provides a sum of all invoiced costs to date to include: [redacted] etc. This figure should correlate "Total Price" on [redacted] February [redacted]. Please note that the discrepancy in Invoice #6 is currently being processed [redacted] nd Invoice #8 is still being reviewed prior to approval and processing.

Note 2: Corresponds to [redacted] February "Contract Value" and subtract the "Invoiced Total"; this revised calculation should correspond to [redacted] "Remaining" figure.

Note 3: [redacted] requested tha [redacted] be held for residual administration and potential [redacted] The FBI can accept this proposal. Our revised figure reflects [redacted] of the Total Invoiced Amount.

Note 4: Purchase Order [redacted] provided [redacted] for the [redacted] The FBI acknowledges [redacted] proposed Contract Value as the estimated cost for this effort. The [redacted] proposed figure when subtracted from the PO yields the remaining [redacted] the FBI wishes to include in the "Remaining" funding intended for transfer to the [redacted] askable bucket. The final figure on the above chart adds this remaining funding on the PO to the "Remaining after Hold"

[redacted]

[redacted]

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DATE 10-19-2012 BY 65179 DMH/STW

From: [redacted]
Sent: Tuesday, April 19, 2011 3:40 PM
To: [redacted]
Subject: RE: March [redacted] Invoices
Attachments: [redacted]

Good Afternoon [redacted]

We have reviewed our records and it appears we processed the Invoice #6 we originally received (Attachment 1). I expedited the payment process for the difference and was able to submit the Invoice for the remaining balance to our payment office today. It should be rectified in a few days.

Could you please give a short summary of the work that was completed under th[redacted]illing for Invoice #8? I thought we had completed this project; or are these the hours you estimated would be required for clean up and mailing back [redacted] Should we anticipate any other invoices under [redacted]

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I've finished running through the figures for th[redacted] Estimate at Completion figures. Attached is my summary of remaining funds which differ slightly to your February EAC since I added actuals from the last few months and other residual funding on the PO. Please review and let me know when you would like to discuss the differences. I've included a quick explanation to assist in your review. Please let me know if you have any questions.

Thank you again for all your assistance,

[redacted]

From [redacted]
Sent: Monday, April 18, 2011 11:39 AM
To: [redacted]
Cc: [redacted]
Subject: RE: March [redacted] Invoices

Hello,

I have attached the invoices for this month.

Please note: [redacted] ended 3/31/2011 (Voucher No 8)
Voucher No. 6 for [redacted] is for the difference in the incorrect invoice paid [redacted] vs the one which including an extra month of charges that you should have received [redacted] The difference is [redacted]

b3
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b7E

Have a great day,

[redacted]

Contracts - Proprietary Programs
Phone [redacted]

[redacted]

[redacted]

2 March 2011

In Reply Please Refer to: [redacted]

935 Pennsylvania Ave. N.W.
JEH Bldg Room 6853
Washington, D.C. 20535

Attention: [redacted] Contracting Officer

Subject: [redacted]

Reference: (a) [redacted]

Attachment: [redacted] Estimate at Completion Calculation

Dea[redacted]

Please see the attached information regarding liabilities of accrued expenses through March 31, 2011, the end of the Period of Performance for this task.

The following information was used when calculating the EAC:

[redacted]

1. Actuals as of Friday 2/25/11
2. [redacted] beginning 2/26/11 which includes the following:
   a) [redacted]
   b)
   c)
   d) Shipping Charge fo[redacted]
3. Please note the attached represents the estimate at completion at [redacted] current forward pricing rates. There will be a rate impact with final invoicing. Therefore it may be in your best interest to leave a recommended minimum of [redacted] of the contract value on the contract until closure.

For technical questions please contact [redacted] Program Manager at [redacted]; or contact the undersigned a[redacted]

Very truly yours,

[redacted]

Contracts

[redacted]

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12527

[redacted]

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DATE 10-18-2012 BY 65179 DMH/SIW

From: [redacted]
Sent: Thursday, April 21, 2011 1:22 PM
To: [redacted]
Subject: RE: Docs For Today's Meeting

Thanks [redacted] – Have a great weekend!

From [redacted]
Sent: Thursday, April 21, 2011 1:19 PM
To: [redacted]
Subject: RE: Docs For Today's Meeting

Hi [redacted]

To summarize our meeting today:

- A summary of the FBI's intention for the remaining funds on [redacted] is coming via e-fax
- I have reached out again for direction and decision regarding the [redacted] ECP – hope to provide an answer by end of week if possible
- The FBI was notified of [redacted] rate changes and will anticipate a 9th Voucher fo [redacted] to cover these changes
- [redacted] Invoicing of Lines out of order – the FBI will handle any administration internally, please disregard any prior inquires on this topic
- I will also reached out regarding the anticipated testing and hope to discuss with [redacted] on Monday when returns to the office.

Thanks,
[redacted]

b3
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From [redacted]
Sent: Thursday, April 21, 2011 9:49 AM
To: [redacted]
Cc: [redacted]
Subject: Docs For Today's Meeting

Hi [redacted]

4/21/11

I have attached the following documents for your refer

[redacted]
PO
EAC
Voucher 8
PO

[redacted]

Contract all

[redacted]

[redacted]

[redacted]

[redacted] rate impact

FY11 ~ July 2010 – July 2011

4/21/2011

CELLSITE-12528

MODE = MEMORY TRANSMISSION START=APR-21 13:58 END=APR-21 13:59

FILE NO.=339

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	#	[redacted]	001/001	00:00:23

********** - [redacted] - ***** - [redacted] - *********

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DATE 10-18-2012 BY 65179 DMH/STW

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

21 April 2011

[redacted]

b3
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b7C
b7E

Contract: [redacted]
Subject: **Remaining Funds Allocation**

Good Morning [redacted]

The Federal Bureau of Investigation provides this letter describing our intent for the remaining funding on the [redacted]. After various revisions of estimates at completion from the FBI and [redacted], the FBI has determined to categorize and allocate the remaining funding on this referenced PO in the following manner. An official modification and further direction will be forthcoming.

Summary of Funding [redacted]	[redacted]
Original Proposed Contract Value	
Estimated Completion Value 4/21/11	
Funding Remaining on PO based on Estimated Completion Value	
Funding to Hold for Contract Close Out and Anticipared Voucher # 9	
Funding Remaining fo [redacted]	

If there are any questions please do not hesitate to contact my office.

[redacted]

Contracting Officer
Science and Technology Contracts Unit

ALL INFORMATION CONTAINED
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DATE 10-18-2012 BY 65179 DMH/STW

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

21 April 2011

[redacted]

b3
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b7E

Contract: [redacted]
Subject: **Remaining Funds Allocation**

Good Morning [redacted]

The Federal Bureau of Investigation provides this letter describing our intent for the remaining funding on the [redacted]. After various revisions of estimates at completion from the FBI and [redacted] the FBI has determined to categorize and allocate the remaining funding on this referenced PO in the following manner. An official modification and further direction will be forthcoming.

Summary of Funding [redacted]	[redacted]
Original Proposed Contract Value	
Estimated Completion Value 4/21/11	
Funding Remaining on PO based on Estimated Completion Value	
Funding to Hold for Contract Close Out and Anticipated Voucher # 9	
Funding Remaining fo [redacted]	

If there are any questions please do not hesitate to contact my office.

[redacted]
Contracting Officer
Science and Technology Contracts Unit

(Rev. 05-01-2008)

~~SECRET~~//NOFORN/20350325

DATE: 10-19-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 10-19-2037

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE Date: 03/25/2010

To: Finance Attn: [redacted] ERF A226

From: Operational Technology Division [redacted]

Contact: [redacted]

Approved By: [redacted]

Drafted By: [redacted]

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE b6 b7C b7E

(U) Case ID #: ~~(S)~~//NF) 268-HQ-1068430

(U) Title: ~~(S)~~//NF) WIRELESS INTERCEPT AND TRACKING TEAM

(U) Synopsis: ~~(S)~~//NF) To request finance division initiate contractual action for the

(S) [redacted]

~~Derived From~~ : FBI NSISCG-~~20~~090615
~~Declassify On:~~ 20350325

(U) Enclosure(s): ~~(S)~~//NF) Statement of Work and FD369 [redacted] b1 b3

(U) Details: ~~(S)~~//NF [redacted] intends to satisfy a [redacted] b7E

(S) [redacted]

~~(S)~~//NF) It is requested that the Engineering Contracts Unit initiate contractual action to [redacted] (WPG).

(S) [redacted]

further detailed on the attached SOW.

UPLOADED APR 2 2010 S.D.J.

[redacted] WPD

MT#27075

~~SECRET~~//NORFORN/20350325

CELLSITE-12531

(U) To: Finance From: Operational Technology Division
Re: (S//NF) 268-HQ-1068430, 03/25/2010

(U) The Contracting Officer Technical Representative (COTR) for this procurement is [redacted] b3 b6 b7C b7E

(U) Contracting Officers are responsible for ensuring that [redacted]

(U) To: Finance From: Operational Technology Division
Re: (S//NF) 268-HQ-1068430, 03/25/2010

LEAD(s):

Set Lead 1: (INFO)

FINANCE

AT WASHINGTON, DC

(U) (S//NF) For information purposes the following modification is being requested of FBI contract [redacted]

(S) [redacted] b1
b3
attached statement of work (SOW). Funding is specified on the
attached FD-369 [redacted] for this effort. b7E

♦♦

CELLSITE-12533

~~SECRET~~//NOFORN/20350325

FBI

DATE: 10-19-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 10-19-2037

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~~Derived From: FBI NSISCG - 20090615~~
~~Declassify On: 20350325~~

~~SECRET~~

~~SECRET~~/ /NONFORN/20350325

DATE: 10-18-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 10-18-2037

CONTRACT ADMINISTRATION OFFICE (CAO) - CONTRACT OPTION REVIEW

Contract Title:				Requisition #:	
Unit:		Unit Chief:		Phone:	
COTR:		Activity Leader:		Sponsor:	

Proposed Contract Type: ☐ T&M ☐ MIPR ☐ FFP ☐ CPFF ☐ CPIF ☒ Other

IT ☐ Yes ☒ No

Date of Review: 3/31/2010

Contract Goal/Objectives:

(S)

Planned Total Cost:	$	Option Years:	FY-10/11	$		Contract Info:	
Base Year:	FY-		FY-	$			

Cost Remarks:

Planned Start Date:		Total Months:	12	Planned Date for CO Review:	4/2010
Planned End Date:				RFP Requested Date:	N/A

(U) (S/NF) Deliverables:

(S)

Risk Assessment

SOW Concept: SOW attached.

CAO Remarks:

•

FOR USE ONLY

CAO Received:	3/31/2010	Contract Request Approved for ARB:		Forwarded for Review Summary on:	3/31/2010	CAO Processed by:	

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~~SECRET~~/ /NONFORN/20350325

Derived From: ~~FBI NSISCG-20090615~~
~~Declassify On: 20350325~~

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CAO rev. 11/07
3/31/2010

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DATE 10-18-2012 BY 65179 DMH/STW

FD-369 (Rev. 2-21-89)

FEDERAL BUREAU OF INVESTIGATION

REQUISITION FOR SUPPLIES AND/OR EQUIPMENT

RECEIVED
FBI APR 13 PM 2:26
ACQUISITION STRATEGY AND PLANNING UNIT

Req. #

ENTERED 4/12/10 YS

March 4, 2010
Date

Ordering Office/Cost Code

Approved By

Julian Date

Supply Technician:
Program Manager:
Funding Approved:
Requester:
COTR:

4/12/10

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order #

FY 2010

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	BI#	UNIT PRICE	TOTAL
1									

Requisition Description:
Services

Suggested Vendor:

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b7C
b7E

RECEIVED
APR 2010
BY:

SPECIAL INSTRUCTIONS:

Ship to Code:
Delivery Instructions: M-F 8am-5pm except holidays
Government's Estimate
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEMS:

see attached EC

CELLSITE-12538

ACQUISITION SECURITY REQUEST

Request Date: 03/25/2010	Anticipated Procurement Date: 04/30/2010

VENDOR INFORMATION

☐ **Reseller With Access to FBI Facilities** ☐ **Reseller With No Access to FBI Facilities**

Vendor Name:	
Vendor Address:	

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-18-2012 BY 65179 DMH/STW

☐ **Manufacturer** ☐ **Hardware** ☐ **Software** ☐ **Maintenance**

Vendor Name:	
Vendor Address:	

☑ **Contractor Providing Classified Services** ☐ **DD Form 254 Required**

Vendor Name:	
Vendor Address:	

PRODUCT/SERVICES INFORMATION

☐ **FISMA System** ☐ **Critical Asset System** ☐ **Telecommunications** ☐ **Audiovisual**

1. Products being procured (list the specific hardware / software / services in detail)	
2. What entity will be purchasing and using the product (Location, Division, Section, Unit, and Program)?	Wireless Intercept and Tracking Team (WITT)
4. Highest Classification / Security Requirements (i.e. Top Secret, Top Secret SCI, Secret, SBU, LES, etc.)	SECRET
5. Who is installing and maintaining the equipment/software (FBI personnel, vendor, other)?	FBI personnel will be installing and maintaining
6. Will the vendor require access to classified information/systems?	

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PROCUREMENT INFORMATION

Contracting Officer Name/ Phone:	
FBI COTR Name/Phone:	
Program Manager/Technical POC:	
Requisition Number:	
Purchase Order Number:	
Contract Number:	

DOCUMENTATION ATTACHED

☐ Answers to the Acquisition Risk Questions (the replacement for the SF-328)
☐ Key Management Personnel Listing (KMPL)
☑ FD-369 Requisition for Supplies and/or Equipment
☑ Statement of Work (SOW) – Required if a classified contract

PRIORITY

All requests will be handled by date received by ASU unless specific issues affecting the priority, i.e. Director's Priority, are specifically provided in writing by the Contracting Officer.

Comments:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-18-2012 BY 65179 DMH/SIW

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Qty Increase

Purchase Order for Supplies or Services

1. Date of Order	2. Order	3. Mod. No.	4. Mod. Date	5. Page No.
06/04/2010		3		

6. To Contractor *(Name, Address and Zip Code)*:

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

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10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	CONTRACT DUE DATE:09/14/2011				

FUNDING FOR ITEMS, QUANTITIES, AND SERVICES IDENTIFIED IN THIS ORDER. ALL TECHNICAL GUIDANCE WILL BE PROVIDED BY COTR FOR THIS EFFORT. SERVICES WILL BE PERFORMED IN ACCORDANCE WITH THE SOW. PERIOD OF PERFORMANCE: 6/4/10-6/4/11. TERMS AND CONDITIONS ARE THOSE IN EFFECT UNDER THE CONTRACT. CONTRACTOR EXCEEDS FUNDING AT THEIR OWN RISK. INVOICES TO BE SENT TO

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****

ALL PAYMENTS BY THE GOVERNMENT UNDER THIS ORDER SHALL BE MADE BY ELECTRONIC FUNDS TRANSFER (EFT). THE VENDOR SHALL PROVIDE THIS INFORMATION ON EACH INVOICE OR SUBMIT SF-3881 FORM TO: FBI, COMMERCIAL PAYMENTS UNIT RM. 1987, J. EDGAR HOOVER BLDG 935 PENNSYLVANIA AVENUE, NW

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total ➡ XXXXXXXXXXX

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice
Commercial Payments Unit

16. United States of America
By *(Signature)*

17. Name *(Typed)* XXXXXXXXXXX

Title: Contracting Officer

B PURCHASE CEELSITE 12605

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
06/04/2010	[redacted]	3		

6. To Contractor *(Name, Address and Zip Code)*:

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

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8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	WASHINGTON, DC 20535 IF THIS INFORMATION IS NOT AVAILABLE TO THE GOVERNMENT, THE INVOICE WILL BE CONSIDERED AN IMPROPER INVOICE AND SHALL BE RETURNED. ********** A PROPER INVOICE SUBMITTED FOR PAYMENT TO THE FBI MUST CONTAIN THE FOLLOWING: THE NAME OF THE VENDOR; AN INVOICE NUMBER; THE CONTRACT OR PURCHASE ORDER NUMBER; THE INVOICE DATE; DESCRIPTION (I.E. NAME OR ITEM LINE NUMBER), PRICE AND QUANTITY OF GOODS OR SERVICES RENDERED; SHIPPING AND/OR PAYMENT TERMS; TAXPAYER ID#; BANKING / ROUTING NUMBER TO ALLOW EFT PAYMENT; CONTACT NAME, TITLE AND TELEPHONE NUMBER AND ANY OTHER SUBSTANTIATING DOCUMENTATION AS REQUIRED BY THE CONTRACT.				

14. Type of Order

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15. Grand Total ➧ XXXXXXXXXXX

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice Payment Status:
Commercial Payments Unit [redacted]

16. United States of America
By *(Signature)*

17. Name *(Typed)* XXXXXXXXXXX

Title: Contracting Officer

B - BUYER

CELLSITE-12606

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

1. Date of Order	2. Order	3. Mod. No.	4. Mod. Date	5. Page No.
06/04/2010		3		

6. To Contractor *(Name, Address and Zip Code)*:

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

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10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	********** MOD 1 DATED 9/14/10 TO EXTEND POP TO 9/14/11 FOR DELIVERY PER TASK LEAD TO ********** MOD 2 DATED 2/15/11				

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14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

CONTRACTOR NUMBER

15. Grand Total

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Commercial Payments Unit

1

Title: Contracting Officer

B - BUYER

********** -COMM. JOURNAL- ********** DATE FEB-15-2011 ***** TIME 14:46 ********

MODE = MEMORY TRANSMISSION START=FEB-15 14:45 END=FEB-15 14:46

FILE NO.=255

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK			004/004	00:00:46

********** - - ***** - *****

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-18-2012 BY 65179 DMH/SIW

FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION
FACSIMILE COVER SHEET

PRECEDENCE

○ Immediate ○ Priority ○ Routine

CLASSIFICATION

○ Top Secret ○ Secret ○ Confidential ○ Sensitive ○ Unclassified

TO

Name of Office:
Facsimile Number:
Date: **02/15/2011**
Attn:
Room:
Telephone Number:

FROM

Name of Office: **FBI - Science and Technology Contracts Unit**
Number of Pages: (including cover) **4**
Originator's Name:
Originator's Telephone Number:
Originator's Facsimile Number:
Approved:

DETAILS

Subject: **Please find attached Mod 2 to th**

Special Handling Instructions: **Please confirm receipt of this PO.**

Brief Description of Communication Faxed: **Thank you for your assistance and have a good day.**

WARNING

Information attached to the cover sheet is U.S. Government Property. If you are not the intended recipient of this information disclosure, reproduction, distribution, or use of this information is prohibited (18.USC, § 641). Please notify the originator or local FBI Office immediately to arrange for proper disposition.

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CELLSITE-12608

FEDERAL BUREAU OF INVESTIGATION

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-18-2012 BY 65179 DMH/STW

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Price Reduction

Purchase Order for Supplies or Services

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
06/04/2010	[redacted]	2		

6. To Contractor *(Name, Address and Zip Code)*:

[redacted]

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN [redacted]
BUILDING 27958A
QUANTICO, VA 22135

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10. Business Classification	11. F.O.B. Point	12. Discount Terms
OTHER LARGE BUSINESS	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	CONTRACT [redacted] DUE DATE:09/14/2011 [redacted]				
	FUNDING FOR ITEMS, QUANTITIES, AND SERVICES IDENTIFIED IN THIS ORDER. ALL TECHNICAL GUIDANCE WILL BE PROVIDED BY [redacted] COTR FOR THIS EFFORT. SERVICES WILL BE PERFORMED IN ACCORDANCE WITH THE SOW. PERIOD OF PERFORMANCE: 6/4/10-6/4/11. TERMS AND CONDITIONS ARE THOSE IN EFFECT UNDER THE CONTRACT. CONTRACTOR EXCEEDS FUNDING AT THEIR OWN RISK. INVOICES TO BE SENT TO [redacted]				
	********** ALL PAYMENTS BY THE GOVERNMENT UNDER THIS ORDER SHALL BE MADE BY ELECTRONIC FUNDS TRANSFER (EFT). THE VENDOR SHALL PROVIDE THIS INFORMATION ON EACH INVOICE OR SUBMIT SF-3881 FORM TO: FBI, COMMERCIAL PAYMENTS UNIT RM. 1987, J. EDGAR HOOVER BLDG 935 PENNSYLVANIA AVENUE, NW				

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14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total ➧ XXXXXXXXXXX

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice P[redacted]
Commercial Payments Unit - [redacted]

16. United States of America
By *(Signature)*

17. Name *(Typed)* XXXXXXXXXXX

Title: Contracting Officer

BUYER

CEELSITE12609

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
06/04/2010	[redacted]	2		1

6. To Contractor *(Name, Address and Zip Code):*

[redacted]

7. Ship to (Consignee and address, Zip Code):

FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

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8. Issuing Office (Address correspondence to):

FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):

FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
OTHER LARGE BUSINESS	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	WASHINGTON, DC 20535 IF THIS INFORMATION IS NOT AVAILABLE TO THE GOVERNMENT, THE INVOICE WILL BE CONSIDERED AN IMPROPER INVOICE AND SHALL BE RETURNED. ********** A PROPER INVOICE SUBMITTED FOR PAYMENT TO THE FBI MUST CONTAIN THE FOLLOWING: THE NAME OF THE VENDOR; AN INVOICE NUMBER; THE CONTRACT OR PURCHASE ORDER NUMBER; THE INVOICE DATE; DESCRIPTION (I.E. NAME OR ITEM LINE NUMBER), PRICE AND QUANTITY OF GOODS OR SERVICES RENDERED; SHIPPING AND/OR PAYMENT TERMS; TAXPAYER ID#; BANKING / ROUTING NUMBER TO ALLOW EFT PAYMENT; CONTACT NAME, TITLE AND TELEPHONE NUMBER AND ANY OTHER SUBSTANTIATING DOCUMENTATION AS REQUIRED BY THE CONTRACT.				

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total ➧ XXXXXXXXXXX

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice Payment Status
Commercial Payments Unit [redacted]

16. United States of America
By *(Signature)*

17. Name *(Typed)* XXXXXXXXXXX

Title: Contracting Officer

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
06/04/2010	[redacted]	2		

6. To Contractor *(Name, Address and Zip Code)*:
[redacted]

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6023, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

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10. Business Classification	11. F.O.B. Point	12. Discount Terms
OTHER LARGE BUSINESS	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	**********	**********	**********	**********	
	MOD 1 DATED 9/14/10 TO EXTEND POP	TO 9/14/1	FOR		
	DELIVERY PER TASK LEAD TO PROVIDE	TIME [redacted]			
	**********				
	MOD 2 DATED 2/15/1[redacted]				
	[redacted]				

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14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the number if indicated, and the attached sheets, if any, I as indicated.
CONTRACTOR NUMBER [redacted]

☐ **B. Delivery** - This delivery order is subject to instructions con- s form and is issued subject to the terms -numbered contract.

15. Grand Total [redacted]

See Instructions on Reverse

Point of Contact - Purchase Order Information:
[redacted]

Commercial Payments Uni[redacted]

16. Unite By (S[redacted]

17. Nam[redacted] Title:

EN

BUYER

CEELSITE 12611

12-201 (Rev. 9-6-2006)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-18-2012 BY 65179 DMH/STW

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
06/04/2010		1		2

6. To Contractor *(Name, Address and Zip Code)*:

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

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10. Business Classification	11. F.O.B. Point	12. Discount Terms
OTHER LARGE BUSINESS	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	WASHINGTON, DC 20535 IF THIS INFORMATION IS NOT AVAILABLE TO THE GOVERNMENT, THE INVOICE WILL BE CONSIDERED AN IMPROPER INVOICE AND SHALL BE RETURNED. ********** A PROPER INVOICE SUBMITTED FOR PAYMENT TO THE FBI MUST CONTAIN THE FOLLOWING: THE NAME OF THE VENDOR; AN INVOICE NUMBER; THE CONTRACT OR PURCHASE ORDER NUMBER; THE INVOICE DATE; DESCRIPTION (I.E. NAME OR ITEM LINE NUMBER), PRICE AND QUANTITY OF GOODS OR SERVICES RENDERED; SHIPPING AND/OR PAYMENT TERMS; TAXPAYER ID#; BANKING / ROUTING NUMBER TO ALLOW EFT PAYMENT; CONTACT NAME, TITLE AND TELEPHONE NUMBER AND ANY OTHER SUBSTANTIATING DOCUMENTATION AS REQUIRED BY THE CONTRACT. ********** MOD 1 DATED 9/14/10 TO EXTEND POP TO 9/14/11 FOR DELIVERY PER TASK LEAD TO				

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14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

CONTRACTOR NUMBER

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total

See Instructions on Reverse

Point of Contact - Purchase Order Information

Commercial Payments Unit -

16.

17.

B - BUYER
CELLSITE-12612

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-18-2012 BY 65179 DMH/STW

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

[redacted]

Purchase Order for Supplies or Services

IMPORTANT: Mark all packages and papers with contract and/or order numbers

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
06/04/2010	[redacted]			1

6. To Contractor (Name, Address and Zip Code):
[redacted]

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

b3
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8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
CONTRACT [redacted]	DUE DATE:06/04/2011				[redacted]

[redacted]

FUNDING FOR ITEMS, QUANTITIES, AND SERVICES IDENTIFIED
IN THIS ORDER. ALL TECHNICAL GUIDANCE WILL BE PROVIDED
BY [redacted] COTR FOR THIS EFFORT.
SERVICES WILL BE PERFORMED IN ACCORDANCE WITH THE SOW.
PERIOD OF PERFORMANCE: 6/4/10-6/4/11. TERMS AND
CONDITIONS ARE THOSE IN EFFECT UNDER THE CONTRACT.
CONTRACTOR EXCEEDS FUNDING AT THEIR OWN RISK. INVOICES
TO BE SENT TO [redacted]
****
ALL PAYMENTS BY THE GOVERNMENT UNDER THIS ORDER SHALL
BE MADE BY ELECTRONIC FUNDS TRANSFER (EFT). THE VENDOR
SHALL PROVIDE THIS INFORMATION ON EACH INVOICE OR
SUBMIT SF-3881 FORM TO: FBI, COMMERCIAL PAYMENTS UNIT
RM. 1987, J. EDGAR HOOVER BLDG
935 PENNSYLVANIA AVENUE, NW

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14. Type of Order

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15. Grand Total ➧ XXXXXXXXXXX

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice Payment Status:
Commercial Payments U[redacted]

16. United States of America
By *(Signature)*

17. Name *(Typed)* XXXXXXXXXXX

Title: Contracting Officer

ORIGINAL

CELESTE-12613

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

IMPORTANT: Mark all packages and papers with contract and/or order numbers

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
06/04/2010	[redacted]			2

6. To Contractor *(Name, Address and Zip Code)*:
[redacted]

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted] b3 b6 b7C b7E
BUILDING 27958A
QUANTICO, VA 22135

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	WASHINGTON, DC 20535 IF THIS INFORMATION IS NOT AVAILABLE TO THE GOVERNMENT, THE INVOICE WILL BE CONSIDERED AN IMPROPER INVOICE AND SHALL BE RETURNED. ********** A PROPER INVOICE SUBMITTED FOR PAYMENT TO THE FBI MUST CONTAIN THE FOLLOWING: THE NAME OF THE VENDOR; AN INVOICE NUMBER; THE CONTRACT OR PURCHASE ORDER NUMBER; THE INVOICE DATE; DESCRIPTION (I.E. NAME OR ITEM LINE NUMBER), PRICE AND QUANTITY OF GOODS OR SERVICES RENDERED; SHIPPING AND/OR PAYMENT TERMS; TAXPAYER ID#; BANKING / ROUTING NUMBER TO ALLOW EFT PAYMENT; CONTACT NAME, TITLE AND TELEPHONE NUMBER AND ANY OTHER SUBSTANTIATING DOCUMENTATION AS REQUIRED BY THE CONTRACT. b3 b6 b7C b7E				

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

CONTRACTOR NUMBER [redacted]

15. Grand Total [redacted]

See instructions on reverse

Point of Contact - Purchase Order Information:
[redacted]

Commercial Payments Un[redacted]

16. United By *(Sig*[redacted]

17. Name *(*[redacted]

Title: Contracting Officer

CONTRACTING OFFICER
FEDERAL BUREAU OF INVESTIGATION

ORIGINAL

CELLSITE-12614

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-18-2012 BY 65179 DMH/STW

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

IMPORTANT: Mark all packages and papers with contract and/or order numbers

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
06/04/2010				1

6. To Contractor *(Name, Address and Zip Code)*:

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

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8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
OTHER LARGE BUSINESS	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	CONTRACT DUE DATE:06/04/2011				
	CONTRACT DUE DATE:06/04/2011				
	CONTRACT DUE DATE:06/04/2011				
	FUNDING FOR ITEMS, QUANTITIES, AND SERVICES IDENTIFIED IN THIS ORDER. ALL TECHNICAL GUIDANCE WILL BE PROVIDED BY COTR FOR THIS EFFORT. SERVICES WILL BE PERFORMED IN ACCORDANCE WITH THE SOW. PERIOD OF PERFORMANCE: 6/4/10-6/4/11. TERMS AND CONDITIONS ARE THOSE IN EFFECT UNDER THE CONTRACT.				

b3
b6
b7C
b7E
b4

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated:

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total ➧ XXXXXXXXXXX

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice Payment Commercial Payments Unit -

16. United States of America
By *(Signature)*

17. Name *(Typed)* XXXXXXXXXX

Title: Contracting Officer

ORIGINAL

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

IMPORTANT: Mark all packages and papers with contract and/or order numbers

1. Date of Order	2. Order No.	3. Mod. No.	4. Mod. Date	5. Page No.
06/04/2010				2

6. To Contractor (Name, Address and Zip Code):

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN:
BUILDING 27958A
QUANTICO, VA 22135

b3
b6
b7C
b7E

10. Business Classification	11. F.O.B. Point	12. Discount Terms
OTHER LARGE BUSINESS	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	CONTRACTOR EXCEEDS FUNDING AT THEIR OWN RISK. INVOICES TO BE SENT TO ********** ALL PAYMENTS BY THE GOVERNMENT UNDER THIS ORDER SHALL BE MADE BY ELECTRONIC FUNDS TRANSFER (EFT). THE VENDOR SHALL PROVIDE THIS INFORMATION ON EACH INVOICE OR SUBMIT SF-3881 FORM TO: FBI, COMMERCIAL PAYMENTS UNIT RM. 1987, J. EDGAR HOOVER BLDG 935 PENNSYLVANIA AVENUE, NW WASHINGTON DC 20535 IF THIS INFORMATION IS NOT AVAILABLE TO THE GOVERNMENT, THE INVOICE WILL BE CONSIDERED AN IMPROPER INVOICE AND SHALL BE RETURNED. **********				

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

15. Grand Total ➧ XXXXXXXXXXX

See Instructions on Reverse

Point of Contact - Purchase Order Information:

Point of Contact - Invoice P
Commercial Payments Unit -

16. United States of America
By *(Signature)*

17. Name *(Typed)* XXXXXXXXXXX

Title: Contracting Officer

ORIGINAL

12-201 (Rev. 9-6-2006)

FBI

U.S. Department of Justice
Federal Bureau of Investigation

Purchase Order for Supplies or Services

IMPORTANT: Mark all packages and papers with contract and/or order numbers

1. Date of Order	2. [redacted]	3. Mod. No.	4. Mod. Date	5. Page No.
06/04/2010				3

6. To Contractor (Name, Address and Zip [redacted])

7. Ship to (Consignee and address, Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted] b3 b6 b7C b7E
BUILDING [redacted]
QUANTICO, VA 22135

8. Issuing Office (Address correspondence to):
FEDERAL BUREAU OF INVESTIGATION
PROCUREMENT SECTION
ROOM 6823, JEH F.B.I. BLDG.
WASHINGTON, D. C. 20535

9. Send Invoice to: (Name, Address and Zip Code):
FEDERAL BUREAU OF INVESTIGATION
ATTN: [redacted]
BUILDING 27958A
QUANTICO, VA 22135

10. Business Classification	11. F.O.B. Point	12. Discount Terms
OTHER LARGE BUSINESS	DESTINATION	NET 30 DAYS

13. Schedule

Line No. (A)	Supplies or Services (B)	Quantity Ordered (C)	Unit (D)	Unit Price (E)	Amount (F)
	A PROPER INVOICE SUBMITTED FOR PAYMENT TO THE FBI MUST CONTAIN THE FOLLOWING: THE NAME OF THE VENDOR; AN INVOICE NUMBER; THE CONTRACT OR PURCHASE ORDER NUMBER; THE INVOICE DATE; DESCRIPTION (I.E. NAME OR ITEM LINE NUMBER), PRICE AND QUANTITY OF GOODS OR SERVICES RENDERED; SHIPPING AND/OR PAYMENT TERMS; TAXPAYER ID#; BANKING / ROUTING NUMBER TO ALLOW EFT PAYMENT; CONTACT NAME, TITLE AND TELEPHONE NUMBER AND ANY OTHER SUBSTANTIATING DOCUMENTATION AS REQUIRED BY THE CONTRACT.				b3 b6 b7C b7E

14. Type of Order

☐ **A. Purchase** - Please furnish the following under the terms, and Conditions specified on both sides of this order, the above quotation number if indicated, and the attached sheets, if any, including delivery as indicated.

☐ **B. Delivery** - This delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

CONTRACTOR NUMBER [redacted]

15. Grand Total [redacted]

See Instructions on Reverse

Point of Contact - Purchase Order Information:

[redacted]

Commercial Payments Unit [redacted]

16. [redacted]

17. [redacted]

ORIGINAL 12617

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-18-2012 BY 65179 DMH/STW

From: [redacted]
Sent: Tuesday, August 24, 2010 2:41 PM
To: [redacted]
Cc: [redacted]
Subje [redacted] Update - Meeting and Documentation

b3
b6
b7C
b7E

H [redacted]

I just faxed you the following documents: [redacted] Clarification Letter + Questions for Clarification (3 pages); 2) Mod 1 to [redacted] + SF-30 providing Mod 2 to the service agreement for the PO.

Below is also a proposed brief list of the topics for discussion on Tuesday 8/31/10. We are not bound to these topics – I'd like to allow for flexibility for discussion day of.

- Contract Administration of Task Order Letter Proposals
- Consolidated Updated [redacted] Contract Pricing
- [redacted]
- [redacted]
- Intellectual property rights clarification
- [redacted] Official Letter from [redacted] providing current status:
  - What documentation or requests were submitted and for what [redacted]
  - What is the current status of documentation, etc.?

Please let me know if you have any questions or additions to the list above. Please let me know you received the fax.

Thanks again for all your help,

[redacted]
Contracting Officer
Federal Bureau of Investigation
[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-18-2012 BY 65179 DMH/SIW

From:
Sent: Wednesday, August 25, 2010 8:52 AM
To:
Subject: RE: Proposal

I'm fine with both of these statements.

b3
b6
b7C
b7E

From:
Sent: Tuesday, August 24, 2010 2:17 PM
To:
Subject: RE: Proposal

Hi

Questions under Conditions and Assumptions under the proposal - Can you please provide a response or clarification for the following:

19. This proposal assumes

28. The along with the number of providers is very dynamic and subject to change. this during performance and will notify the customer as necessary.

Thanks.

-----Original Message-----
From:
Sent: Tuesday, August 24, 2010 10:01 AM
To:
Subject: RE: Proposal

b3
b6
b7C
b7E

Your edits to the comments look fine.

Thanks

From:
Sent: Monday, August 23, 2010 4:19 PM
To:
Subject: RE: Proposal

Hi

I went over your questions/comments with and we've updated with a few contractual words. Please review, especially the sections in red, revised per our discussion on the phone today.

Once I get your review on this document, I will send out to for response.

Thanks

b3
b6
b7C
b7E

-----Original Message-----
From:
Sent: Friday, August 20, 2010 10:38 AM

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-18-2012 BY 65179 DMH/STW

[redacted]

From: [redacted]
Sent: Monday, August 23, 2010 8:43 AM
To: [redacted]
Subject: RE: [redacted] Proposal

Hi [redacted]

Can you please provide a clarification on: Page 29 - Subtask #1 This task shall not require user input reducing the scope of effort.

Do you want them to reduce or remove the # of hours for this subtask since user input is not required?

Thanks,
[redacted]

b3
b6
b7C
b7E

-----Original Message-----
From: [redacted]
Sent: Friday, August 20, 2010 12:00 PM
To: [redacted]
Subject: RE: [redacted] Proposal

Had some extra time at the [redacted] airport due to a 2 hour flight delay. Here's my comments on the [redacted]

[redacted]

From: [redacted]
Sent: Friday, August 20, 2010 10:53 AM
To: [redacted]
Subject: RE: [redacted] Proposal

[redacted]

I think both [redacted] and [redacted] are out today. The delay won't be a problem. I think the three of us are all at the Radisson on the [redacted]

[redacted]

b3
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b7E

From: [redacted]
Sent: Friday, August 20, 2010 10:38 AM
To: [redacted]
Subject: [redacted] Proposal

I need to delay until Monday getting my feedback to you. If that's a problem let me know and I'll finish it this weekend. Where are you all staying in [redacted]

[redacted]

********** -COMM. JOURNAL- ********** DATE JUL-12-2010 ***** TIME 15:49 ********

MODE = MEMORY TRANSMISSION START=JUL-12 15:48 END=JUL-12 15:49

FILE NO.=835

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	#	[redacted]	007/007	00:01:07

[redacted]

********** - - ***** - [redacted] ******

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HEREIN IS UNCLASSIFIED
DATE 10-18-2012 BY 65179 DMH/STW

FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION
FACSIMILE COVER SHEET

PRECEDENCE

○ Immediate ○ Priority ○ Routine

CLASSIFICATION

○ Top Secret ○ Secret ○ Confidential ○ Sensitive ○ Unclassified

TO

Name of Office: [redacted] Facsimile Number: [redacted] Date: **07/12/2010**

[redacted] Room: [redacted] Telephone Number: [redacted]

FROM

Name of Office: **FBI - Quantico Contracts Unit** Number of Pages: (Including cover) **7**

[redacted] Originator's Telephone Number: [redacted] Originator's Facsimile Number: [redacted]

Approved:

DETAILS

Subject:
Please find attached Task Order Letter requesting proposals und[redacted]

Special Handling Instructions:
Please confirm receipt.

Brief Description of Communication Faxed:
Thank you and have a good day.

WARNING

Information attached to the cover sheet is U.S. Government Property. If you are not the intended recipient of this information disclosure, reproduction, distribution, or use of this information is prohibited (18.USC, § 641). Please notify the originator or local FBI Office immediately to arrange for proper disposition.

b3
b6
b7C
b7E

CELLSITE-12621

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-18-2012 BY 65179 DMH/STW

[redacted]

From: [redacted]
Sent: Monday, July 12, 2010 3:14 PM
To: [redacted]
Cc:
Subject: Task Order Letter [redacted]

b3
b6
b7C
b7E

Good Afternoon [redacted]

I'm faxing over a Task Order Letter f[redacted] momentarily requesting technical and cost proposals according to the attached official Statement of Work. This document will be unclassified. Please let me know when you receive it.

Thank you and have a good day,

[redacted]

[redacted]
Contracting Officer
Federal Bureau of Investigation
[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-18-2012 BY 65179 DMH/STW

FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION

FACSIMILE COVER SHEET

PRECEDENCE

○ Immediate ○ Priority ○ Routine

CLASSIFICATION

○ Top Secret ○ Secret ○ Confidential ○ Sensitive ○ Unclassified

TO

Name of Office:

Facsimile Number:

Date: **07/12/2010**

Attn:

Room:

Telephone Number:

FROM

Name of Office:
FBI - Quantico Contracts Unit

Number of Pages: (including cover)
7

Originator's Name:

Originator's Telephone Number:

Originator's Facsimile Number:

b3
b6
b7C
b7E

DETAILS

Subject:
Please find attached Task Order Letter requesting proposals unde

Special Handling Instructions:
Please confirm receipt.

Brief Description of Communication Faxed:
Thank you and have a good day.

WARNING

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FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

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ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

DATE: 04-15-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-15-2038

(Rev. 05-01-2008)

~~SECRET~~//NOFORN/20350224

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 02/24/2010

To: Finance **Attn:** [redacted]

From: Operational Technology Division
[redacted]/TTU/QT-ERF
Contact: [redacted]

Approved By: [redacted]

Drafted By: [redacted]

(U) **Case ID #:** (~~S~~//NF) 268-HQ-1068430 (None)

Title: (U) [redacted]

Synopsis: (U) To request finance division initiate contractual action for [redacted] as described in the attached Statement of Work (SOW).

~~**Derived From :** Multiple Sources~~
~~**Declassify On:** 20350224~~

Enclosure(s):
(U) (~~S~~//NF) Statement of Work (SOW)
(~~S~~//NF) Justification for other than full and open competition (JFOC)
(U) (~~S~~//NF) Security Addendum
(~~S~~//NF) FD-369

Details:

(S) [redacted]

~~SECRET~~//NOFORN/20350224

CELL-OTD 024875

To: Finance From: Operational Technology Division
(U) Re: (~~S~~//NF) 268-HQ-1068430, 02/24/2010

b1
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(S)

CELL-OTD 024376
CELLSITE-18418

To: Finance From: Operational Technology Division
(U) Re: ~~(S)~~/NF) 268-HQ-1068430, 02/24/2010

(S)

(U) The funding breakdown and staffing levels are included below and detailed in the attached SOW. The overall total for the duration of the 5 years is projected to be

b1
b3
b5
b7E

(U) Table 1

CELLSITE-18419

To: Finance From: Operational Technology Division
(U) Re: (~~S~~//NF) 268-HQ-1068430, 02/24/2010

b3
b5
b6
b7C
b7E

(U) Table 1

(U)

(U) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) who can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

CELL-OTD 024878
CELLSITE-18420

To: Finance From: Operational Technology Division
(U) Re: (~~S~~//NF) 268-HQ-1068430, 02/24/2010

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

(U) (~~S~~//NF) The Finance Division, Engineering Contracts Unit, is requested to initiate contractual action with [redacted] as specified on the attached FD-369 requisition number [redacted] and attached SOW. Funding is available in TTU budget item [redacted] and [redacted] in the amount of [redacted] b3 b7E

♦♦

CELL-OTD 02-879

CELLSITE-18421

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HEREIN IS UNCLASSIFIED
DATE 04-15-2013 BY NSICG J76J18T80

STATEMENT OF WORK

[redacted]

[redacted] Task Order 1

1 (U) SCOPE

b3
b7E

1.1 (U) Task Overview

(U) [redacted]

1.2 (U) Deliverables

- [redacted]

1.3 (U) Driving System Requirements

(U) [redacted]

CELL/OTD 024887

CELLSITE-18428

1.3.1 (U) Key Technology Areas

(U) Refer to CLASSIFIED Concept of Operations / SOW Document

2 (U) Concept of Operations

(U) Refer to CLASSIFIED Concept of Operations / SOW Document

3 (U) Requirements

3.1 (U) Security Standards and Regulations

(U) Refer to [redacted] Statement of Work section 2.3 for guidance. b3 b7E

(U) SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

3.2 (U) Contractor Furnished Documentation

(U) Refer to [redacted] Statement of Work section 2.6 for list.

(U) Refer to CLASSIFIED Concept of Operations / SOW Document

(U) A system connection diagram pictorial card to assist the operator during set-up.

3.3 (U) Status Reporting

(U) Refer to [redacted] Statement of Work Section 3.3 for guidance

3.4 (U) Formal Meetings

(U) Refer to [redacted] Statement of Work Section 3.4 for guidance

3.5 (U) Government Furnished Equipment

(U) [redacted]

CELL/OTD 024888
CELLSITE-18429

(U)

- [redacted]

b3
b7E

CELL/OTD 02/[illegible]/05 CELLSITE-18430

(Rev. 05-01-2008)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-15-2013 BY NSICG J76J18I80

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 12/16/2010

To: Finance **Attn:** [redacted]
Finance Division
Quantico Contracts Unit

From: Operational Technology Division
[redacted] Tracking Technology Unit
Contact: [redacted]

b3
b5
b6
b7C
b7E

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: [redacted] Wireless Intercept and Tracking team [redacted]

[redacted]

Details: [redacted] WITT [redacted]

[redacted]

To address this concern, WITT intends [redacted]

[redacted]

UNCLASSIFIED

[redacted]

CELL-OTD 02498 CELL-OTD 0249

CELLSITE-18431

To: Finance From: Operational Technology Division
Re: 268-HQ-1068430, 12/16/2010

[redacted]

LEAD(s):

Set Lead 1: (Info)

FINANCE

AT WASHINGTON, D.C.

For information only.

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CC: [redacted]

♦♦

CELL/OTD 024907

CELLSITE-18432

ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

DATE: 04-15-2013
CLASSIFIED BY NSICG J76J18I80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-15-2038

(Rev. 05-01-2008)

~~SECRET~~//NOFORN/20360228

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 2/28/2011

To: Finance **Attn:** [redacted] ERF-QT (Enc)

From: Operational Technology Division [redacted] /TTU/QT-ERF [redacted]

Approved By: [redacted]

Drafted By: [redacted]

b1
b3
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b7C
b7E

Case ID #: (U) 268-HQ-1068430

Title: (U) [redacted]

(U) **Synopsis:** (~~S~~//NF) [redacted]

(S) [redacted]

~~**Derived From :** FBI NSISCG-20080301~~
~~**Declassify On:** 20360228~~

(U) **Enclosure(s):** (~~S~~//NF) Acquisition Plan, Statement of Needs, Project Plan, Statement of Work, Justification for Other Than Full and Open Competition, Security Addendum, and [redacted]

(U) **Details:** (~~S~~//NF) [redacted]

b3
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b7E

~~SECRET~~//NOFORN/20360228

CELL-OTD 024916

To: Finance From: Operational Technology Division
Re: (U) 268-HQ-1068430, 2/28/2011

(U) (~~S~~//NF)

(S)

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(U) (~~S~~//NF)

(S)

CELL/OTD 024917

To: Finance From: Operational Technology Division
Re: (U) 268-HQ-1068430, 2/28/2011

b1
b3
b5
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(S)

CELL/OTD 024918

CELLSITE-18440

To: Finance From: Operational Technology Division
Re: (U) 268-HQ-1068430, 2/28/2011

(S)

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b7E

(U) (~~S~~//NF)

(S)

(U) (~~S~~//NF)

(S)

CELL/OTD 024920 CELLSITE-18441

To: Finance From: Operational Technology Division
Re: (U) 268-HQ-1068430, 2/28/2011

b1
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b5
b7E

(S)

(U) (~~S~~//NF)

(S)

CELL-OTD 024919
CELLSITE-18442

To: Finance From: Operational Technology Division
Re: (U) 268-HQ-1068430, 2/28/2011

(U) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

(U) Contracting Officers are responsible for ensuring that [redacted]

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CELL-OTD 024921 CELLSITE-18443

To: Finance From: Operational Technology Division
Re: (U) 268-HQ-1068430, 2/28/2011

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

(U) ~~(S)~~//NF) The Finance Division is requested to initiate a five-year engineering services and equipment procurement contract with [redacted] as specified on the attached [redacted] Acquisition Plan and Statement of Needs.

b3
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b7E

CC: [redacted]

♦♦

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 04-15-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-15-2038

Justification for Other Than Full and Open Competition
In Accordance With 41 U.S.C. 253 (c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI), Tracking Technology Unit (TTU), Operational Technology Division (OTD). The contracting activity is the Finance Division, Engineering Contracts Unit (ECU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

b1
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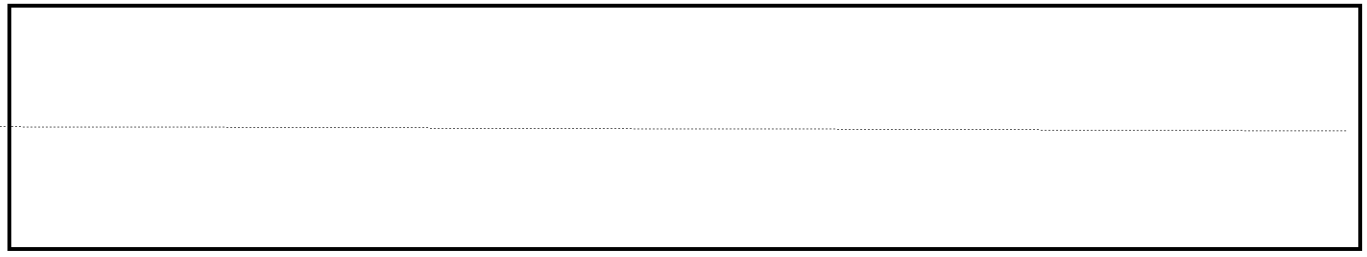
3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(S)

(S)



4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

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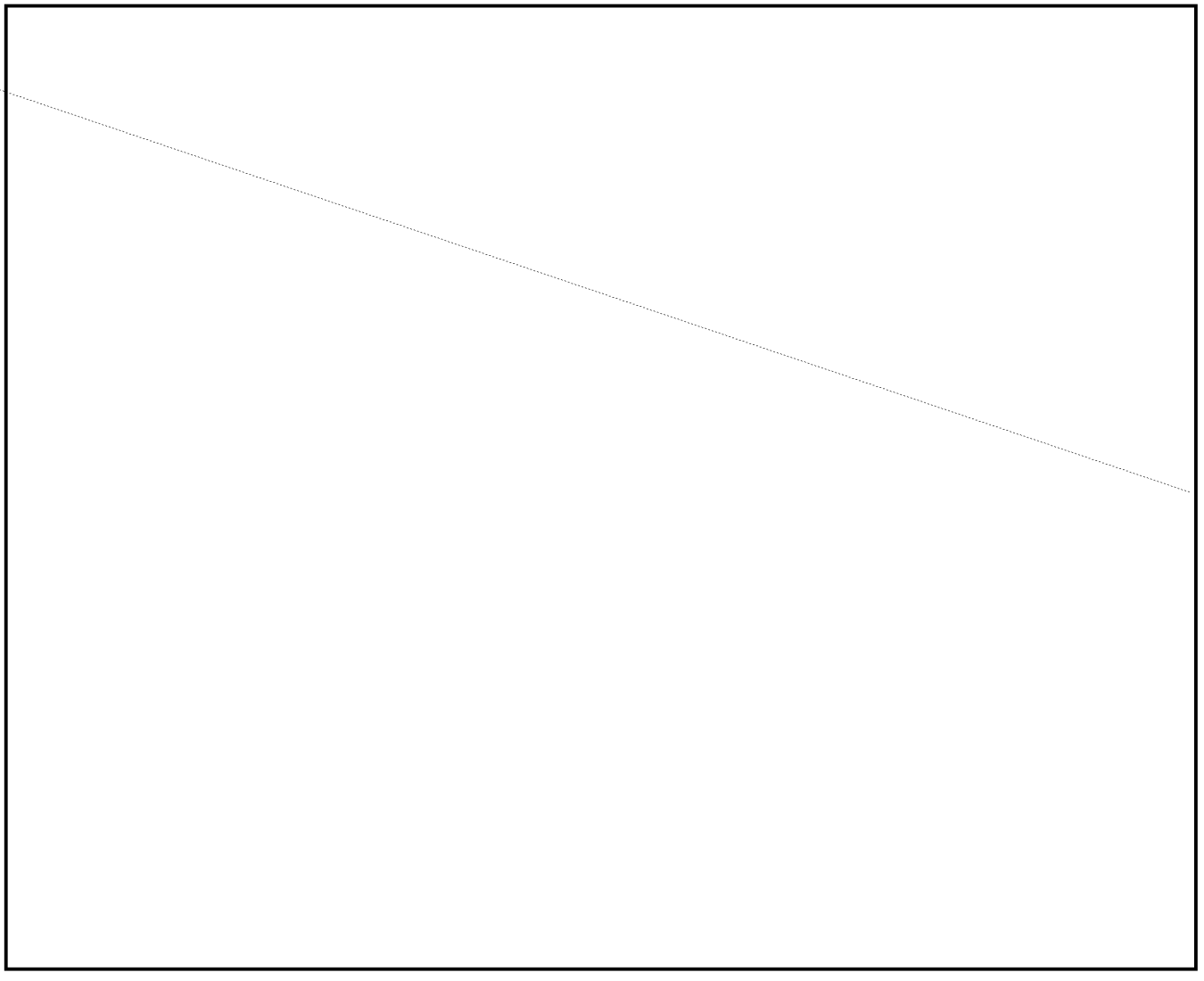
5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

(S)



(S)

6. **DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE**

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would

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7. **DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE**

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. **A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED**

WITT, continuously conducts

WITT routinely conducts

WITT assessed

ITTU/WITT intends to

in areas

9. **ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION**

(U) See paragraph (5) above for facts supporting the use of other then full and open competition.

CELL/OTD 024925 CELLSITE-18447

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

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(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Contracting Officer's Technical Representative (Date)

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Supervisory Contracting Officer (Date)

_____

, FBI Chief Contracting Officer (Date)

_____

Office of General Counsel (Date)

Approved By: _____

, Competition Advocate (Date)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 04-15-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-15-2038

~~SECRET~~//NOFORN/20360131

(U) Subject: Requisition [redacted] Security Addendum

(U) Summary: This addendum further expands on the referenced Requisition with regards to non-advertisement of requirements and sole source justification for [redacted]

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(S) [redacted]

~~SECRET~~//NOFORN/20360131

CELL/OTD 024928

CELLSITE-18450

(S)

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January 31, 2011

[redacted]
Chief Security Officer
Operational Technology Division

~~Derived From: FBI NSISCG 20090601~~
~~Declassify On: January 31, 2036~~

CELL/OTD 024929

CELLSITE-18451

DATE: 04-15-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-15-2038

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

STATEMENT OF NEED

PROJECT/ACTIVITY: [ ] Contract

PROJECT/ACTIVITY LEADER: [ ]

PURPOSE:

(U) To request authorization to initiate a new project/activity with a competitive vendor within the Tracking Technology Unit's (TTU) Wireless Intercept and Tracking Team (WITT).

THE NEED STATEMENT:

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STATEMENT OF NEED

STRATEGIC MISSION ELEMENT

(S)

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BASIS OF NEED

(S)

STATEMENT OF NEED

(S)

b1
b3
b7E

PROPOSED PROJECT/ACTIVITY SUMMARY

(S)

CELL/OTD 024932

CELLSITE-18454

STATEMENT OF NEED

(S)

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b7E

SPECIAL CONSIDERATIONS/CONSTRAINTS

(U) Program technical risks are mitigated by securing an alternative solution provider, fostering competition among qualified vendors to provide the optimal solution, use of commercial and government controlled interface standards, implementation of commercially available sub-components and utilization of pre-existing FBI technology. The [redacted] contract will define, integrate and extend Commercial Off the Shelf (COTS) and Government Off the Shelf (GOTS) [redacted] By basing the program on previously developed and tested [redacted] significant risk has been removed.

(S)

CELL/OTD 024933

CELLSITE-18455

STATEMENT OF NEED

APPROVAL

Prepared by:
(Project Leader)
[redacted] _____ _____
Printed Name Signature Date

Concurred by:
(Quantico Contracts Unit Chief)
[redacted] _____ _____
Printed Name Signature Date

b6
b7C

Approved by:
(TTU Unit Chief)
[redacted] _____ _____
Printed Name Signature Date

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 04-15-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-15-2038

Justification for Other than Full and Open Competition
In Accordance With 41 U.S.C. 253 (c)(1)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The Federal Bureau of Investigation's (FBI) Quantico Contracts Unit (QCU) has prepared this Justification for Other Than Full and Open Competition in response to a requirement from the Operational Technology Division (OTD), [redacted] Tracking Technology Unit (TTU), for the establishment of a delivery order for [redacted] [redacted]

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2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(U) The proposed Firm-Fixed Price delivery order has a total estimated value of [redacted]

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(S) [redacted]

(U) The purchase order will be Firm-Fixed Priced with an estimated value of [redacted] Requisition [redacted] in the amount of [redacted] is being used to fund this acquisition.

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) This contract action is authorized by 41 U.S.C. 253(c)(1), as set forth in the Federal Acquisition Regulation (FAR) 6.302-1, "Only one responsible source and no other supplies or services will satisfy agency requirements.

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

(S) [redacted]

(S)

6. **DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE**

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b7E

(U) This requirement will be posted on Federal Business Opportunities, therefore any company that is an authorized reseller of the requested items will have an opportunity to submit a quote.

7. **DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE**

(U) The Contracting Officer will ensure that the anticipated cost to the Government will be fair and reasonable. Techniques may include an analysis of propose direct costs, audit or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, comparison of proposed rates to published rates, and rigorous negotiation.

8. **A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED**

(S)

9. **ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION**

(S)

10. **A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION**

(U) No companies have expressed interest in writing in regards to this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

b6
b7C

(U) The FBI will continue to scan the market to identify potential sources on subsequent acquisitions.

12. SIGNATURES

TECHNICAL REPRESENTATIVE CERTIFICATION

(U) As Technical Representative of the requiring office, I have reviewed the data provided in support of the Justification and Approval to Procure Using Other Than Full and Open Competition. I certify that the data is accurate and complete to the best of my knowledge and belief.

[redacted]
Contracting Officer's
Technical Representative

_____
Date

APPROVED BY:

As the Contracting Officer of Record, I hereby certify, to the best of my knowledge, that the information contained herein is accurate and complete.

[redacted]
Contracting Officer

_____
Date

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 04-15-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-15-2038

~~SECRET~~

Justification for Other than Full and Open Competition In Accordance With 41 U.S.C. 253 (c)(1)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The Federal Bureau of Investigation's (FBI) Quantico Contracts Unit (QCU) has prepared this Justification for Other Than Full and Open Competition in response to a requirement from the Operational Technology Division (OTD), [redacted] Tracking Technology Unit (TTU), for the establishment of a delivery order for [redacted]

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b7E

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(U) The proposed Firm-Fixed Price delivery order has a total estimated value of [redacted]

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(S) [redacted]

(U) The purchase order will be Firm-Fixed Priced with an estimated value of [redacted] Requisition [redacted] in the amount of [redacted] is being used to fund this acquisition.

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) This contract action is authorized by 41 U.S.C. 253(c)(1), as set forth in the Federal Acquisition Regulation (FAR) 6.302-1, "Only one responsible source and no other supplies or services will satisfy agency requirements.

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

(S) [redacted]

~~SECRET~~

b1
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b7E

(S)

6. **DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE**

(U) This requirement will be posted on Federal Business Opportunities, therefore any company that is an authorized reseller of the requested items will have an opportunity to submit a quote.

7. **DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE**

(U) The Contracting Officer will ensure that the anticipated cost to the Government will be fair and reasonable. Techniques may include an analysis of propose direct costs, audit or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, comparison of proposed rates to published rates, and rigorous negotiation.

8. **A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED**

(S)

9. **ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION**

(S)

10. **A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION**

(U) No companies have expressed interest in writing in regards to this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will continue to scan the market to identify potential sources on subsequent acquisitions.

12. SIGNATURES

TECHNICAL REPRESENTATIVE CERTIFICATION

b6
b7C

(U) As Technical Representative of the requiring office, I have reviewed the data provided in support of the Justification and Approval to Procure Using Other Than Full and Open Competition. I certify that the data is accurate and complete to the best of my knowledge and belief.

[redacted]
Contracting Officer's
Technical Representative

Date

APPROVED BY:

As the Contracting Officer of Record, I hereby certify, to the best of my knowledge, that the information contained herein is accurate and complete.

[redacted]
Contracting Officer

Date

CELL/OTD 024995

CELLSITE-18517

(Rev. 05-01-2008)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 04-15-2013
CLASSIFIED BY NSICG J76J18I80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-15-2038

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 02/18/2010

To: Finance **Attn:** [redacted]

From: Operational Technology
[redacted] / TTU
Contact: [redacted]

b6
b7C

Approved By: [redacted]

Drafted By: [redacted]

(U) **Case ID #:** ~~(S)~~ 268-HQ-1068430 (Pending)

Title: (U) [redacted]

Synopsis: (U) To provide background on the intended sole source funding action to purchase additional and upgrade existing [redacted]

~~**Derived From :** FBI NSISCG-20080301~~
~~**Declassify On:** 20350218~~

(U) **Enclosure(s):** ~~(S)~~ Justification for Other than Full and Open Competition

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[redacted]

~~SECRET~~

CELL-OTD 02496

CELLSITE-18518

To: Finance From: Operational Technology
(U) Re: ~~(S)~~ 268-HQ-1068430, 02/25/2010

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(S)

(U) Funding for requisition number [redacted] is available through the TTU base budget, [redacted] in the amount of [redacted] Contracting Officers are responsible for ensuring that [redacted]

~~SECRET~~

To: Finance From: Operational Technology
(U) Re: ~~(S)~~ 268-HQ-1068430, 02/25/2010

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

(U) It is requested that the Quantico Contracts Unit (OCU) process requisition number [redacted] in the amount of [redacted] to [redacted]

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CC: [redacted] - (ENCL)

~~SECRET~~

CELL/OTD 024998

CELLSITE-18520

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-15-2013 BY NSICG J76J18T80

Statement of Need
To accompany Requisition [ ]

[ ] b3 b5 b6 b7C b7E

[ ]

Contracting Officers are responsible for ensuring that

[ ]

[ ]
Tracking Technology Unit

SELLSITE 02459

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-15-2013 BY NSICG J76J18T80

Statement of Need
To accompany Requisition [redacted]

[redacted]

b3
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[redacted]

Contracting Officers are responsible for ensuring that

[redacted]

[redacted]
Tracking Technology Unit

CELL/OTD 025000

(Rev. 01-31-2003)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-15-2013 BY NSICG J76J18T80

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 11/04/2008

To: Criminal Investigative **Attn:**

Finance **Attn:**

From: Operational Technology Division
[redacted]TTU/OT-FBI-E
Contact: [redacted]

b6
b7C

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: The Quantico Contracts Unit (QCU) is requested to exercise option year four of contract [redacted]

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Enclosure(s): FD-369 [redacted] in the amount of [redacted] ASU Checklist.

Details: [redacted] Wireless Intercept and Tracking Team (WITT) supports the Bureau's [redacted]

[redacted]

[redacted]

CELL/OTD 025001

Contracting Officers are responsible for ensuring that

[redacted] b3 b7E

CELL-OTD 025002

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 11/04/2008

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

Quantico Contracts Unit (QCU) is requested to exercise option year four of contract [redacted]

Funding of [redacted] for this request is available using budget item [redacted] Subobject classifications [redacted]

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Set Lead 2: (Action)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

Criminal Investigative Unit is requested to approve exercise option year four of contract [redacted]

Funding of [redacted] for this request is available using budget item [redacted] Subobject classifications [redacted]

CC: [redacted]

♦♦

CELL/OTD 025005

CELLSITE-18525

(Rev. 05-01-2008)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 04-15-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c)
DECLASSIFY ON: 04-15-2038

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 11/12/2008

To: Finance **Attn:** [redacted]
Rm B239 ERF-QT

From: Operational Technology
[redacted]/TTU/OT-ERF
Contact: [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: (U) 268-HQ-1068430

Title: (U) WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: [redacted]

(S) [redacted]

~~**Derived From :** Multiple Sources~~
~~**Declassify On:** 20331112~~

(U) **Enclosure(s):** ~~(S)~~ FD-369 [redacted] in the amount of [redacted] and Statement of Work

(U) **Details:** ~~(S)~~ [redacted]

[redacted]

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~~SECRET~~

CELL-OTD 025008

CELLSITE-18526

To: Finance From: Operational Technology
Re: (U) 268-HQ-1068430, 11/12/2008

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(U) (S) WITT has determined

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~~SECRET~~

To: Finance From: Operational Technology
Re: (U) 268-HQ-1068430, 11/12/2008

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

(S) [redacted]

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b7E

CC: [redacted]

♦♦

~~SECRET~~

CELL/OTD 025010

CELLSITE-18528

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-15-2013 BY NSICG J76J18T80

STATEMENT OF NEEDS

Requisition

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Sole Source Justification:

(Rev. 05-01-2008)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-15-2013 BY NSICG J76J18I80

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY **Date:** 07/31/2009

To: Finance **Attn:**

From: Operational Technology Division
/TTU/QT-ERF-E
Contact:

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM (WITT)

Synopsis: The Quantico Contracts Unit (QCU) is requested to initiate the procurement of

Enclosure(s): ASU Checklist, FD-369 in the amount of Vendor Quote.

Details:

WITT has determined

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UNCLASSIFIED

CELL-OTD 025013

To: Finance From: Operational Technology Division
Re: 268-HQ-1068430, 07/31/2009

using budget item [redacted] Subobject classifications [redacted] and [redacted] to be applied to the contract vehicle [redacted]

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The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions. Contracting Officers are responsible for ensuring that [redacted]

CELL-OTD 025014

CELLSITE-18531

To: Finance From: Operational Technology Division
Re: 268-HQ-1068430, 07/31/2009

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

The Quantico Contracts Unit (OCU) is requested to initiate the procurement of [redacted]

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CC: [redacted]

CELL/OTD 025015

CELLSITE-18532

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-15-2013 BY NSICG J76J18T80

STATEMENT OF NEED

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Based on the cost estimate it is requested that the Tracking Technology Unit, Operational Technology Unit be approved to utilize OTD funding to support this urgent and compelling requirement to provide a

Unit Chief
Tracking Technology Unit

CELL/OTD 025016

(Rev. 05-01-2008)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-15-2013 BY NSICG J76J18T80

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 10/29/2008

To: Training **Attn:** [redacted]
Training Services Unit, QT

From: Operational Technology
[redacted]/Tracking Technology
Unit/QT-ERF
Contact: [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: The Tracking Technology Unit (TTU), Wireless Intercept and Tracking Team (WITT), request that a TR number be issued for [redacted] training to be held in FY09.

Details: The Tracking Technology Unit (TTU), Wireless Intercept and Tracking Team (WITT), request that the following [redacted]

- [redacted]

Vendor: [redacted]
Approval: DOJ approval process completed for FY09
Location: [redacted]
Amount: [redacted]

The [redacted] training courses will provide the necessary skill sets to [redacted] The training courses will be held on various dates in FY09.

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UNCLASSIFIED [redacted]

CELL/OTD 025017

CELLSITE-18534

To: Finance From: Operational Technology
Re: 268-HQ-1068430 , 10/20/2008

LEAD(s):

Set Lead 1: (Action)

TRAINING

AT QUANTICO, VA

The Delivery, Support and Logistics Unit is requested to approve the TTU/WITT training classes based on the information provided.

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CC:

♦♦

CELL-OTD 025018.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-15-2013 BY NSICG J76J18I80

STATEMENT OF NEEDS

The Tracking Technology Unit (TTU), Wireless Intercept and Tracking Team (WITT) is responsible for providing FBI field divisions with [redacted] In response to this tasking, TTU/WITT has identified and determined that an [redacted] The training courses provide [redacted]

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[redacted]
TTU/WITT Unit Chief

CELL-OTD 025019

DECLASSIFIED BY NSICG J76J18T80
ON 04-15-2013

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 4/02/2009

To: Finance **Attn:** [redacted]
Rm B239, ERF-QT (Enc)

From: Operational Technology
[redacted]/TTU/OT-ERF
Contact: [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

b3
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b6
b7C
b7E

Synopsis: To request that the Engineering Contracts Unit (ECU) initiate payment for the procurement of [redacted]

Enclosure(s): Vendor price quote, FD-369 [redacted] in the amount of [redacted]

Details: [redacted]

Consequently, TTU requests that the ECU issue payment action against the attached FD-369 to acquire the identified [redacted]

Contracting Officers are responsible for ensuring that [redacted]

CELL-OTD 025021

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 4/02/2009 b7E

CELL/OTD 025022

~~SECRET~~

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 4/02/2009

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

TTU requests that the Engineering Contracts Unit issue payment action against the attached FD-369 to acquire the identified [redacted] Funding for the amount of [redacted] is available using Budget Item [redacted] Subobject Class [redacted]

CC: [redacted]

♦♦

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CELL-OTD 025023
CELLSITE-18539

DECLASSIFIED BY NSICG J76J18T80
ON 04-15-2013

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 4/16/2009

To: Finance **Attn:** [redacted]
Rm B239, ERF-QT (Enc)

From: Operational Technology
[redacted]/TTU/OT-ERF
Contact: [redacted]

Approved By: [redacted]

Drafted By: [redacted]

b3
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b7E

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request that the Engineering Contracts Unit (ECU) initiate payment for the procurement [redacted]

Enclosure(s): Vendor price quote, FD-369 [redacted] in the amount of [redacted]

Details: The Tracking Technology Unit (TTU) has been tasked with the [redacted]

b3
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[redacted]

Consequently, TTU requests that the ECU issue payment action against the attached FD-369 to acquire the identified [redacted]

Contracting Officers are responsible for ensuring that [redacted]

CELL/OTD 025024

~~SECRET~~

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 4/16/2009

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

TTU requests that the Engineering Contracts Unit issue payment action against the attached FD-369 to acquire the identified [redacted]. Funding for the amount of [redacted] is available using Budget Item [redacted] Subobject Class [redacted]

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CC: [redacted]

♦♦

CELL/OTD 025025

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WHERE SHOWN OTHERWISE

DATE: 04-16-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-16-2038

(Rev. 05-01-2008)

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 01/26/2009

To: Finance **Attn:**

Attn:

From: Operational Technology
/TTU/OT-ERF
Contact:

Approved By:

Drafted By:

Case ID #: (U) 268-HQ-1068430

Title: (U) WIRELESS INTERCEPT AND TRACKING TEAM

(U) **Synopsis:** (~~S~~) The Finance Division is requested to procure the described equipment from

~~**Derived From :** FBI NSISCG-20080301~~
~~**Declassify On:** 20340126~~

(U) **Enclosure(s):** (~~S~~) FD-369 in the amount of vendor quote, ASU checklist and ASR form.

Details: (~~S~~)

(S)

~~SECRET~~

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CELL/OTD 025026

To: Finance From: Operational Technology
Re: (U) 268-HQ-1068430, 01/26/2009

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b7C
b7E

(S)

(U) The Contracting Officer's Technical Representative for this task is Electronics Engineer (EE) [redacted] who may be contacted at the Engineering Research Facility, Quantico, Virginia.

CELL-OTD 025 CELLSITE-18543

To: Finance From: Operational Technology
Re: (U) 268-HQ-1068430, 01/26/2009

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

(U) ~~(S)~~ The Finance Division is requested to procure the [redacted] b3 b5 b6 b7C b7E

Set Lead 2: (Action)

[redacted]

AT WASHINGTON, DC

(U) ~~(S)~~ [redacted] is requested to approve funding for the procurement of [redacted]

CC: [redacted]

♦♦

CELL/OTD 025028CELLSITE-18544

DATE: 04-16-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-16-2038

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WHERE SHOWN OTHERWISE

Security Addendum to Requisition [redacted]

(U) ~~S)~~ ~~Derived From : G-3~~
~~Declassify On: 10/10/2023~~

(S) [redacted]

b1
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b7E

[redacted]
OTD Chief Security Officer
[redacted]

CELL/OTD 025029
CELLSITE-18545

DATE: 04-16-2013
CLASSIFIED BY NSICG J76J18I80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-16-2038

~~SECRET~~

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Statement of Need
To accompany Requisition [redacted]

[redacted] Wireless Intercept and Tracking Team (WITT) is tasked with supporting the Bureau's [redacted]

[redacted]

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(S) [redacted]

(U) (~~S~~) Funding approval is therefore requested for this effort. Funding of [redacted] for this request is available under Budget Code [redacted], Sub-object Class [redacted]

(U) Contracting Officers are responsible for ensuring that [redacted]

[redacted]
Wireless Intercept and Tracking Team

~~SECRET~~ CELL/OTD 025030

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 04-16-2013
CLASSIFIED BY NSICG J76J18I80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-16-2038

~~SECRET~~

Justification for Other Than Full and Open Competition
In Accordance With 41 U.S.C. 253 (c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI), Tracking Technology Unit (TTU), Operational Technology Division (OTD). The contracting activity is the Engineering Contracts Unit (ECU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(U) The proposed acquisition strategy is to award a non-competitive contract effort fo [redacted] b1 b3 b7E

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(S) [redacted]

(U) TTU is requesting this sole source procurement with [redacted] The proposed procurement is [redacted] Requisition [redacted] in the amount of [redacted] has been submitted to fund the requirement.

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the

~~SECRET~~

number of sources from which it solicits bids or proposals.

5. **DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED**

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b7E

(S)

6. **DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE**

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would

7. **DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE**

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. **A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED**

CELL/OTD 025032
CELLSITE-18548

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

b7E

(U) [redacted] See paragraph (5) above for facts supporting the use of other then full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted], Contracting Officer's Technical Representative (Date)

b6
b7C

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Supervisory Contracting Officer (Date)

_____

, FBI Chief Contracting Officer (Date)

_____

Office of General Counsel (Date)

Approved By: _____

, Competition Advocate (Date)

CELL/OTD 025034 CELLSITE-18550

ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

DATE: 04-16-2013
CLASSIFIED BY NSICG J76J18I80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-16-2038

~~SECRET~~//20331202

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION
IN ACCORDANCE WITH 41 U.S.C. 253(c)(6)

~~Derived From: G3~~
~~Declassify On: 12/02/2033~~

1. **Identification of the agency and the contracting activity:**

(S)

2. **Nature and/or description of the action being approved:**

(S)

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b7E

3. **Description of the supplies or services (including estimated value):**

(S)

~~SECRET~~//20331202

4. **Statutory Authority:**

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

5. **Demonstration that the nature of the acquisition justifies the use of the above authority:**

(S)

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CELL/OTD 02503e

CELLSITE-18552

(S)

6. **Efforts made to ensure offers are solicited from as many potential sources as practicable, including compliance with subpart 5.2 and, if not, which exception under FAR 5.202 applies:**

(S)

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7. **Determination that the anticipated cost to the Government will be fair and reasonable:**

(U) A price analysis will be conducted by the Contracting Officer prior to award to determine that all prices are fair and reasonable.

8. **Market Survey:**

(S)

9. **Any other facts supporting the use of other than full and open competition:**

(U) See paragraph (5) above for the facts supporting the use of other than full and open competition.

10. **A listing of the sources, if any, that expressed in writing an interest in the acquisition:**

CELL-OTD 025037 CELLSITE-18553

(U) Since the procurement was not publicized pursuant to FAR 5.202(a)(1), no other commercial sources were given the opportunity to express written interest in this procurement.

11. **A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services are required:**

(U) The FBI will continue to do market surveys to identify potential sources on subsequent acquisitions. TTU has a successful record of finding and developing new contractors.

Conclusion:

(S)

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Certifications:

Technical Representative Certification:

As Technical Representative of the requiring office, I have reviewed the data provided in support of the Justification and Approval to procure using other than Full and Open Competition. I certify that the data is accurate and complete to the best of my knowledge and belief.

_____ Date

Contracting Officer's
Technical Representative (*Proposed*)

Contract Specialist Certification:

I hereby certify that the information in this justification is accurate and complete to the best of my knowledge and belief.

_____ Date

Contract Specialist
Quantico Contracts Unit

Reviewed:

Unit Chief:

_____

CELL/OTD 025038
CELLSITE-18554

[redacted]
Quantico Contracts Unit

Date

b6
b7C

CELL/OTD 025039 CELLSITE-18555

DATE: 04-16-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-16-2038

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~~SECRET~~//20340424

Security Addendum to Requisition [redacted]

(S) [redacted]

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b7E

[redacted]
OTD Chief Security Officer
[redacted]

~~Derived From: FBI NSISCG-20080303~~
~~Declassify On: 20340424~~

~~SECRET~~//20340424

DATE: 04-16-2013
CLASSIFIED BY NSICG J76J18I80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-16-2038

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Statement of Work
Federal Bureau of Investigation Requisition

[redacted]

b1
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(U) PART ONE

(U) ~~(S)~~ **SUMMARY.**

(S) [redacted]

(U) PART TWO

(U) Deliverables

(U) 1. ~~(S)~~ [redacted]

- (S) [redacted]

CELL-OTD 025041

CELLSITE-18557

(S)

(U) 2. (S)

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(S)

(U) 3. (S)

(S)

CELL/OTD 025042

CELLSITE-18558

(S) [redacted]

b1
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(U) 4. ~~(S)~~ **Monthly Status Reporting**

- (S) [redacted]
-

(U) 4. ~~(S)~~ **Testing, Verification, and Demonstration**

- (S) [redacted]
-
-
-
-

(U) 5. ~~(S)~~ **Operational Deployment**

- (S) [redacted]

6. (U) Other Details

- (S) [redacted]

CELL/OTD 025043

CELLSITE-18559

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DATE: 04-16-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-16-2038

~~SECRET~~

Justification for Other Than Full and Open Competition
In Accordance With 41 U.S.C. 253 (c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI), Tracking Technology Unit (TTU), Operational Technology Division (OTD). The contracting activity is the Engineering Contracts Unit (ECU).

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b7E

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(U) The proposed acquisition strategy is to award a non-competitive contract effort fo

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(S)

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory

CELL/OTD 025044 CELLSITE-18560

authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

(S)

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b7E

6. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would

7. DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED

[redacted] b1 b3 b7E

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

(U[redacted] See paragraph (5) above for facts supporting the use of other then full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Contracting Officer's Technical Representative (Date)

b6
b7C

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Supervisory Contracting Officer (Date)

_____

, FBI Chief Contracting Officer (Date)

_____

Office of General Counsel (Date)

Approved By: _____

, Competition Advocate (Date)

CELL/OTD 025047

CELLSITE-18563

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 04-16-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-16-2038

~~SECRET~~

Justification for Other Than Full and Open Competition In Accordance With 41 U.S.C. 253 (c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI), Tracking Technology Unit (TTU), Operational Technology Division (OTD). The contracting activity is the Engineering Contracts Unit (ECU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(U) The proposed acquisition strategy is to award a non-competitive contract effort for

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(S)

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4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure

5. **DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED**

(S)

6. **DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE**

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would

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7. **DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE**

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. **A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED**

CELL/OTD 025047 CELLSITE-18565

[redacted]

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9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

(U) [redacted] See paragraph (5) above for facts supporting the use of other then full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

CELL-OTD 025050 CELLSITE-18566

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

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b7C

[redacted] Contracting Officer's Technical Representative (Date)

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Supervisory Contracting Officer (Date)

_____

, FBI Chief Contracting Officer (Date)

_____

Office of General Counsel (Date)

Approved By: _____

, Competition Advocate (Date)

CELL/OTD 02506-4 CELLSITE-18567

(Rev. 05-01-2008)

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DATE 04-16-2013 BY NSICG J76J18T80

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 2/23/2008

To: Finance **Attn:**

From: Operational Technology Division
TTU/OT-ERF-E
Contact:

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Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: The Quantico Contracts Unit (QCU) is requested to initiate the procurement of

Enclosure(s): ASU Checklist, FD-369 in the amount of Vendor Quote.

Details:

WITT has determined

WITT has seen

UNCLASSIFIED

To: Finance From: Operational Technology Division
Re: 268-HQ-1068430, 2/13/2008

The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Technician (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions. Contracting Officers are responsible for ensuring that [redacted]

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CELL/OTD 025053

CELLSITE-18569

To: Finance From: Operational Technology Division
Re: 268-HQ-1068430, 2/13/2008

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

The Quantico Contracts Unit (OCU) is requested to initiate the procurement of [redacted] Funding of [redacted] for this request is available using budget item [redacted] Subobject classifications [redacted]

b3
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b7E

CC: [redacted]

CELL-OTD 025054

CELLSITE-18570

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 04-16-2013
CLASSIFIED BY NSICG J76J18I80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-16-2038

~~SECRET~~

Justification for Other Than Full and Open Competition
In Accordance With 41 U.S.C. 253 (c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI), Tracking Technology Unit (TTU), Operational Technology Division (OTD). The contracting activity is the Engineering Contracts Unit (ECU).

b1
b3
b7E

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(U) The proposed acquisition strategy is to award a non-competitive contract effort for

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(S)

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure

5. **DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED**

(S)

b1
b3
b7E

6. **DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE**

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would

7. **DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE**

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. **A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED**

CELL/OTD 025056

CELLSITE-18572

[redacted]

b3
b7E

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

(U) [redacted] See paragraph (5) above for facts supporting the use of other then full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

CELL-OTD 025057
CELLSITE-18573

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Contracting Officer's Technical Representative (Date)

b6
b7C

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Supervisory Contracting Officer (Date)

_____

, FBI Chief Contracting Officer (Date)

_____

Office of General Counsel (Date)

Approved By: _____

, Competition Advocate (Date)

CELL-OTD 025058 CELLSITE-18574

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-16-2013 BY NSICG J76J18I80

Statement of Need to Accompany Requisition

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b7E

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-16-2013 BY NSICG J76J18I80

Statement of Need
To accompany Requisition [redacted]

[redacted] Wireless Intercept and Tracking Team (WITT) supports the Bureau's [redacted]

[redacted]

[redacted]

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b7E

Contracting Officers are responsible for ensuring that

[redacted]

[redacted]
Unit Chief

CELL/OTD 025063

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-16-2013 BY NSICG J76J18T80

Statement of Need to Accompany
Requisition

b3
b7E

Sole Source Justification:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-16-2013 BY NSICG J76J18T80

(Rev. 05-01-2008)

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 10/15/2008

To: All Field Offices

From: Operational Technology
[redacted]/TTU/ERF
Contact: [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: Tracking Technology Unit (TTU), Wireless Intercept and Tracking Team (WITT) training [redacted] b3 b6 b7C b7E

Details: Tracking Technology Unit (TTU), Wireless Intercept and Tracking Team (WITT) will be offering [redacted] training at [redacted] in FY09. The schedule is as follows:

[redacted] requests anyone wanting to attend any of the classes must send their request to [redacted]. The request has to include three dates (one preferred and two alternate dates) that they would like to attend along with complete contact information, i.e. office numbers, cell numbers, and email addresses. A schedule of the classes will be generated and sent out to every attendee. After the schedule is made it is mandatory for each person to sign up through [redacted] If anyone fails to sign up then that person will be replaced with someone else. It is the attendees responsibility to find an alternate and contact [redacted] if they can not attend the class in

UNCLASSIFIED

CELL/OTD 025065
CELLSITE-18578

To: All Field Offices From: Operational Technology
Re: 268-HQ-1068430, 10/15/2008

which they are scheduled to attend. That person will then be taken off the schedule for FY09 [redacted] training classes with the exception of an "emergency" situation. b3 b7E

CELL/OTD 025066
CELESITE-18579

To: All Field Offices From: Operational Technology
Re: 268-HQ-1068430, 10/15/2008

LEAD(s):

Set Lead 1: (Action)

ALL RECEIVING OFFICES

WITT requests anyone wanting to attend any of the classes please send their request to [redacted] b3 b6 b7C b7E

CC: [redacted]

♦♦

CELL/OTD 025067
CELLSITE-18580

(Rev. 05-01-2008)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-16-2013 BY NSICG J76J18I80

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 11/05/2008

To: Finance **Attn:**

Criminal Investigative **Attn:**
Attn:

From: Operational Technology Division
/TTU/OT-ERF-E
Contact:

Approved By:

Drafted By:

b3
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b7C
b7E

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: The Quantico Contracts Unit (QCU) is requested to initiate the procurement of

Enclosure(s): ASU Checklist, FD-369 in the amount of Vendor Quote.

Details:

b3
b5
b7E

WITT has determined

WITT has seen the need

UNCLASSIFIED

CELL/OTD 025068

CELLSITE-18581

To: Finance From: Operational Technology Division
Re: 268-HQ-1068430, 11/05/2008

[redacted]

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The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Technician (ET) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions. Contracting Officers are responsible for ensuring that [redacted]

[redacted]

CELL/OTD 025069
CELLSITE-18582

To: Finance From: Operational Technology Division
Re: 268-HQ-1068430, 11/05/2008

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

The Quantico Contracts Unit (QCU) is requested to initiate the procurement of [redacted] Funding of [redacted] for this request is available using budget items [redacted] and [redacted] Subobject classifications [redacted]

b3
b6
b7C
b7E

Set Lead 2: (Action)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

The Criminal Investigative Division is requested to approve the procurement of [redacted] Funding of [redacted] for this request is available using budget items [redacted] and [redacted] Subobject classifications [redacted]

Set Lead 3: (Action)

[redacted]

AT WASHINGTON DC

The [redacted] is requested to approve the procurement of [redacted] Funding of [redacted] for this request is available using budget items [redacted] and [redacted] Subobject classifications [redacted]

CC: [redacted]

CELL/OTD 025070
CELLSITE-18583

(Rev. 05-01-2008)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-16-2013 BY NSICG J76J18T80

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 11/05/2008

To: Finance **Attn:**

From: Operational Technology Division
/TTU/QT-ERF-E
Contact:

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

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b7E

Synopsis: The Quantico Contracts Unit (QCU) is requested to initiate the procurement of

Enclosure(s): ASU Checklist, FD-369 in the amount of Vendor Quote.

Details:

TTU/WITT has determined

WITT has seen the need

UNCLASSIFIED

CELL-OTD 025071

To: Finance From: Operational Technology Division
Re: 268-HQ-1068430, 2/13/2008

The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Technician (ET) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions. Contracting Officers are responsible for ensuring that [redacted]

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b7C

CELL/OTD 025072
CELLSITE-18585

To: Finance From: Operational Technology Division
Re: 268-HQ-1068430, 2/13/2008

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

The Quantico Contracts Unit (QCU) is requested to initiate the procurement of [redacted]. Funding of [redacted] for this request is available using budget item [redacted] Subobject classifications [redacted]

b3
b6
b7C
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CC: [redacted]

CELL/OTD 025073
CELLSITE-18586

DECLASSIFIED BY NSICG J76J18T80
ON 04-16-2013

(Rev. 05-01-2008)

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 10/09/2008

To: Criminal Investigative **Attn:**

Finance **Attn:**

From: Operational Technology
/TTU/ERF
Contact:

Approved By:

Drafted By:

Case ID #: (U) 268-HQ-1068430

Title: (U) WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request that the Tracking Technology Unit's Wireless Intercept and Tracking Team (WITT) provide training for the

Enclosure(s): FD-369 in the amount of Vendor price quote,

Details: Wireless Intercept and Tracking Team (WITT) is tasked

Additionally, WITT provides

WITT has identified the need

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UNCLASSIFIED

CELL/OTD 025074
CELLSITE-18587

To: Criminal Investigative From: Operational Technology
Re: (U) 268-HQ-1068430, 10/02/2008

The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Technician (ET) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions. Contracting Officers are responsible for ensuring that [redacted]

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CELL/OTD 025075

CELLSITE-18588

To: Criminal Investigative From: Operational Technology
Re: (U) 268-HQ-1068430, 10/02/2008

LEAD(s):

Set Lead 1: (Action)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

The Criminal Investigative Division is requested to approve the procurement training for [redacted] Funding for amount of [redacted] is specified on the attached FD-369, requisition [redacted]

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Lead 2: (Action)

FINANCE

AT PSFO, DC

The Finance Division is requested to approve the procurement training for the [redacted] Funding for amount of [redacted] is specified on the attached FD-369, requisition [redacted]

CC: [redacted]

♦♦

CELL-OTD 025076
CELLSITE-18589

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 04-16-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-16-2038

~~SECRET~~

Justification for Other Than Full and Open Competition
In Accordance With 41 U.S.C. 253 (c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI), Tracking Technology Unit Unit (TTU), Operational Technology Division (OTD). The contracting activity is the Engineering Contracts Unit (ECU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(S)

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b7E

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(S)

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE

CELL/OTD · 025078

CELLSITE-18590

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

(U) See paragraph (5) above for facts supporting the use of other then full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

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11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

Contracting Officer's Technical Representative (Date)

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Supervisory Contracting Officer (Date)

CELL/OTD 025080 CELLSITE-18592

_____

, FBI Chief Contracting Officer (Date)

_____

Office of General Counsel (Date)

Approved By: _____

, Competition Advocate (Date)

CELL/OTD 025081
CELLSITE-18593

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

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(U) [redacted] See paragraph (5) above for facts supporting the use of other then full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Contracting Officer's Technical Representative (Date)

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Supervisory Contracting Officer (Date)

_____

, FBI Chief Contracting Officer (Date)

_____

Office of General Counsel (Date)

Approved By: _____

, Competition Advocate (Date)

CELL/OTD 025085 CELLSITE-18596

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-16-2013 BY NSICG J76J18T80

Statement of Need to Accompany
Requisition

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ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

DATE: 04-16-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c)
DECLASSIFY ON: 04-16-2038

(Rev. 05-01-2008)

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY **Date:** 10/02/2008

To: Criminal Investigative **Attn:**

Finance **Attn:**

From: Operational Technology
/TTU/QT-ERF
Contact:

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Approved By:

Drafted By:

Case ID #: (U) 268-HQ-1068430

Title: (U) WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis:

(S)

~~Derived From : G-3~~
~~Declassify On: 20331002~~

(U) **Enclosure(s):** ~~(S)~~ FD-369 in the amount of
and Memorandum of Understanding (MOU).

(U) **Details:** ~~(S)~~

Wireless Intercept and Tracking
Team (WITT) utilizes

~~SECRET~~

CELL/OTD 025087

CELLSITE-18598

To: Criminal Investigative From: Operational Technology
Re: (U) 268-HQ-1068430, 10/02/2008

(S)

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(U) The Contracting Officer's Technical Representative for this task is Electronics Engineer (EE [redacted] who may be contacted at the Engineering Research Facility, Quantico, Virginia.

CELL/OTD 025089

CELL/OTD 025088

CELLSITE-18599

To: Criminal Investigative From: Operational Technology
Re: (U) 268-HQ-1068430, 10/02/2008

LEAD(s):

Set Lead 1: (Action)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

(S) [redacted]

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b7E

Set Lead 2: (Action)

FINANCE

AT PSFO, DC

(S) [redacted]

CC: [redacted]

♦♦

CELL/OTD 025090
CELLSITE-18600

~~SECRET~~

DECLASSIFIED BY NSICG J76J18I80
ON 04-16-2013

U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No.

ERF Bldg 27958-A

[redacted]

October 2, 2008

Attention: Finance Department

Dear To Whom It May Concern:

Subject: [redacted]

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[redacted]

Funds are to be allocated as below:

- [redacted]

Specific technical details shall be handled by the FBI COTR, who can be reached at the following:

Attn: [redacted]
ERF Bldg. [redacted]
Quantico, Va 22135
PH: [redacted]

Sincerely,

[redacted]
PM, Tracking Technology Unit

~~SECRET~~

CELL-OTD 025091

CELLSITE-18601

(Rev. 05-01-2008)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 04-16-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c)
DECLASSIFY ON: 04-16-2038

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY **Date:** 12/30/2008

To: Finance **Attn:**

From: Operational Technology Division
/TTU/OT-ERF
Contact:

Approved By:

Drafted By:

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Case ID #: (U) 268-HQ-1068430

Title: (U) WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis:

(S)

~~**Derived From :** NSISCG 20080303~~
~~**Declassify On:** 20331230~~

(U) **Enclosure(s):** ~~(S)~~ FD-369 in the amount of and Memorandum of Understanding (MOU).

(U) **Details:** ~~(S)~~

~~SECRET~~

CELL/OTD 025092
CELLSITE-18602

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To: Operational Technology From: Operational Technology
Re: (U) 268-HQ-1068430, 12/30/2008

(S)

(U) The Contracting Officer's Technical Representative for this task is Electronics Engineer (EE) [redacted] who may be contacted at the Engineering Research Facility, Quantico, Virginia.

CELL/OTD 025093
CELLSITE-18603

To: Operational Technology From: Operational Technology
Re: (U) 268-HQ-1068430, 12/30/2008

LEAD(s):

Set Lead 1: (Action)

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FINANCE

AT PSFO, DC

(S)

CC:

♦♦

CELL/OTD 02509 CELLSITE-18604

DECLASSIFIED BY NSICG J76J18T80
ON 04-16-2013

U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No.

[redacted]

December 30, 2008

Attention: Finance Department

Dear To Whom It May Concern:

Subject: [redacted]

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b7C
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[redacted]

[redacted]

Funds are to be allocated as below:

- [redacted]

[redacted]

Specific technical details shall be handled by the FBI COTR, who can be reached at the following:

Attn: [redacted]
ERF Bldg. [redacted]
Quantico, Va 22135
PH: [redacted]

Sincerely,

[redacted]
PM, Tracking Technology Unit

CELL/OTD 025095 CELLSITE-18605

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 04-16-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-16-2038

U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No.

[redacted]
Quantico, Va 22135

[redacted]
November 12, 2008

Attention: Finance Department

Dear: To Whom It May Concern

Subject: [redacted]

[redacted]

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b7C
b7E

Funds are to be allocated as below:

- [redacted]

[redacted]

(S)

~~SECRET~~

CELL/OTD 025096

CELLSITE-18606

- (S)

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b7E

Subtask 2 (Allocation

- (S)

Subtask 3 (Allocation

- (S)

Specific technical details shall be handled by the FBI COTR, who can be reached at the following:

Attn:
ERF Bldg.
Quantico, Va 22135
PH:

CELL/OTD 025097
CELLSITE-18607

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 04-16-2013
CLASSIFIED BY NSICG J76J18I80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-16-2038

U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No.

[redacted]
Quantico, Va 22135

[redacted]
December 02, 2008

Attention: [redacted]

POC: [redacted]
Phon
Fax:

b1
b3
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b6
b7C
b7E

Subject: STATEMENT OF WORK

[redacted]

(S) **Program:** [redacted]
POC:
Value:

Funds are to be allocated as below:

(S) • [redacted]

Background

(S) [redacted]

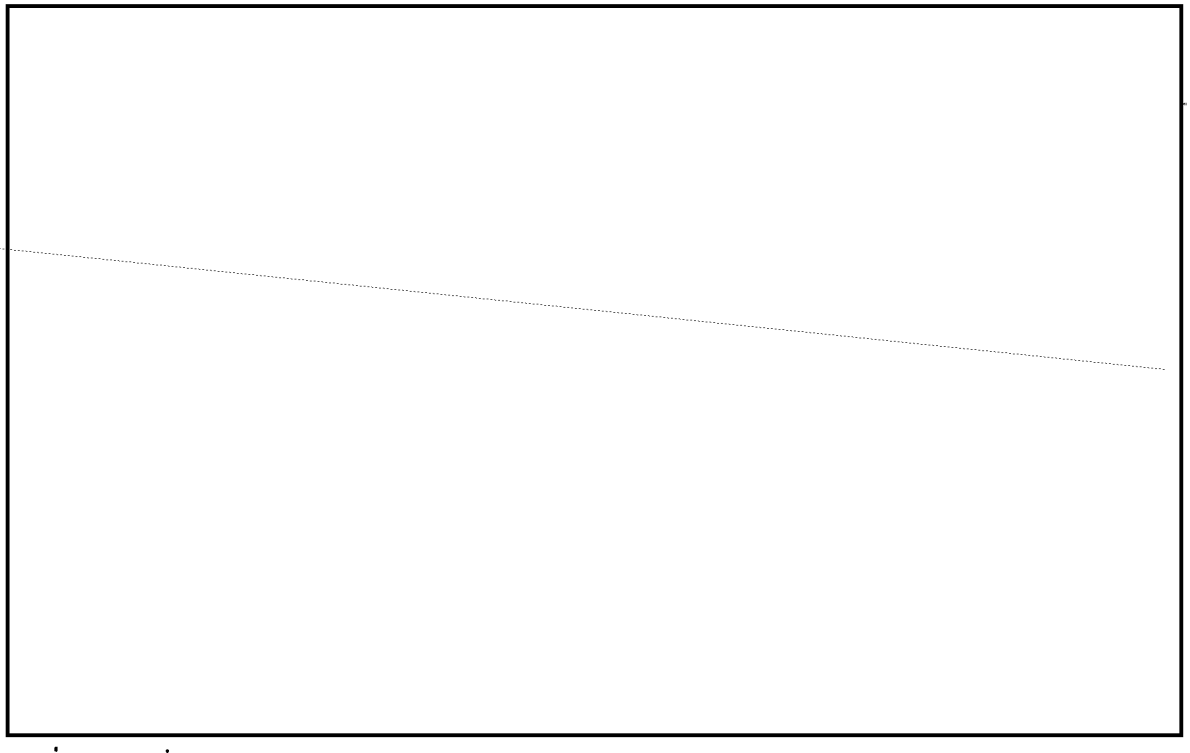
Deliverables

Specifically, the vendor shall:

2.

(S) [redacted]

(S)



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8.

Other Requirements

- During final completion of prototypes, the FBI shall be made available prototypes to further provide feedback for optimal development purposes.

- Vendors shall provide at a minimum, monthly status reporting, in the form of verbal feedback as well as written.

Any other questions or specific technical detail questions should be directed towards the FBI COTR, who can be reached at the following:

Attn:
ERF Bldg.
Quantico, Va 22135
PH:

CELL-OTD 025099
CELLSITE-18609

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ATTACHED TO REQUISITION
STATEMENT OF NEEDS

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The attached documentation supports the purchase of

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REASON: 1.4 (c,g)
DECLASSIFY ON: 04-16-2038

(Rev. 05-01-2008)

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 10/16/2008

To: Finance **Attn:**

Attn:

From: Operational Technology Division
ATU/QT-ERF
Contact:

b1
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b7E

Approved By:

Drafted By:

Case ID #: (U) 268-HQ-1068430

Title: (U) WIRELESS INTERCEPT AND TRACKING TEAM

(U) **Synopsis:** (~~S~~) To request contract action to initiate the proposed research.

~~**Derived From :** Multiple Sources~~
~~**Declassify On:** 20331016~~

(U) **Enclosure(s):** (~~S~~) FD-369 in the amount of
Memorandum of Understanding (MOU) and Statement of Work (SOW)

(U) **Details:** (~~S~~) Wireless Intercept and Tracking Team (WITT)

(S)

~~SECRET~~

CELL/OTD 025101

To: Finance From: Operational Technology Division
Re: (U) 268-HQ-1068430, 10/16/2008

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b7E

(S)

(U) (X) Sole Source Justification

(S)

CELL/OTD 025102

CELLSITE-18612

To: Finance From: Operational Technology Division
Re: (U) 268-HQ-1068430, 10/16/2008

(S) [redacted] b1 b3 b6 b7C b7E

(U) (S) Further details and the nature of the sole source justification have been described further in the attachment entitled "Justification for Other Than Full and Open Competition" for this procurement.

(U) [redacted] (S) For informational purposes, the vendor [redacted] is CCR listed.

(U) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

CELL/OTD 025103

CELLSITE-18613

To: Finance From: Operational Technology Division
Re: (U) 268-HQ-1068430, 10/16/2008

LEAD(s):

Set Lead 1: (Action)

PSFO

AT WASHINGTON, DC

(U) ~~(S)~~ The Finance Division, Engineering Contracts Unit, is requested to initiate procurement action.

Set Lead 2: (Action)

[redacted]

AT WASHINGTON, DC

(U) ~~(S)~~ [redacted] is requested to approve the critical procurement action.

b6
b7C
b7E

CC: [redacted]

♦♦

CELL/OTD 025104
CELLSITE-18614

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WHERE SHOWN OTHERWISE

DATE: 04-16-2013
CLASSIFIED BY NSICG J76J18I80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-16-2038

(Rev. 01-31-2003)

~~SECRET~~//20330321

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 03/21/2008

To: Finance **Attn:**
Attn:

From: Operational Technology
TTU/OT-ERF
Contact:

Approved By:

Drafted By:

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b7E

Case ID #: (U) 268-HQ-1068430 (Pending)

Title: (U) WIRELESS INTERCEPT AND TRACKING TEAM

(U) **Synopsis:** ~~(S)~~ To request contract action to initiate the proposed research.

(U) ~~(S)~~ ~~**Derived From : Multiple Sources**~~
~~**Declassify On: 03/21/2033**~~

Enclosure(s): (U) Vendor Price Quote, FD369 in the amount of CCR Vendor Information, proposal and proposed estimated project plan.

Details: (U) Wireless Intercept and Tracking Team (WITT)

(S)

~~SECRET~~//20330312

CELL/OTD 025105

CELLSITE-18615

b1
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(S)

(S) Sole Source Justification

(S)

CELL/OTD 025106

CELLSITE-18616

To: ?? From: Operational Technology Division
Re: (U) 268-HQ-1068430, 03/21/2008

b3
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b7C
b7E

(U) (~~S~~) Further details and the nature of the sole source justification have been described further in the attachment entitled "Justification for Other Than Full and Open Competition" for this procurement.

(U) (~~S~~) For informational purposes, the vendor [redacted] is CCR listed.

(U) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

[redacted]

CELL/OTD 025107
CELLSITE-18617

To: ?? From: Operational Technology Division
Re: (U) 268-HQ-1068430, 03/21/2008

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

(U) (S) The Finance Division, Engineering Contracts Unit, is requested to initiate procurement action for the services as identified on the attached FD-369.

b3
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Set Lead 2: (Action)

[redacted]

AT WASHINGTON, DC

(U) (S) [redacted] is requested to approve funding for the procurement action for the services as identified on the attached FD-369.

CC: [redacted]

♦♦

[redacted]

CELL/OTD 025108 CELLSITE-18618

(Rev. 05-01-2008)

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DATE 04-16-2013 BY NSICG J76J18T80

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 02/13/2009

To: Finance **Attn:**

From: Operational Technolgoy Division
/TTU
Contact:

b3
b5
b6
b7C
b7E

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: The Tracking Technology Unit (TTU) requests that the Engineering Contracts Unit (ECU) modify existing contract

Details:

UNCLASSIFIED

CELL/OTD 025109
CELLSITE-18619

To: Finance From: Operational Technolgoy Division
Re: 268-HQ-1068430, 02/13/2009

[redacted]

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Contracting Officers are responsible for ensuring that

[redacted]

CELL/OTD 025110

CELLSITE-18620

To: Finance From: Operational Technolgoy Division
Re: 268-HQ-1068430, 02/13/2009

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

The Quantico Contracts Unit (QCU) is requested to initiate the procurement for [redacted] FY 2009 in support of the Bureau's [redacted] Funding of [redacted] for this request is available using budget items [redacted] Subobject classifications [redacted]

b3
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CC: [redacted]

♦♦

CELL/OTD 025111
CELLSITE-18621

ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

DATE: 04-16-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-16-2038

~~SECRET~~//20330612

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION IN ACCORDANCE WITH 41 U.S.C. 253(c)(6)

1. **Identification of the agency and the contracting activity:**

(S)

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b7E

2. **Nature and/or description of the action being approved:**

(S)

3. **Description of the supplies or services (including estimated value):**

(S)

~~Derived From: G3~~
~~Declassify On: 6/12/2033~~

4. **Statutory Authority:**

(U) This procurement action is authorized by 41 U.S.C. 253(c)(6), as set forth in Federal Acquisition Regulation (FAR) Part 6.302-6.

~~SECRET~~//20330612

CELL/OTD 025112
CELLSITE-18622

5. **Demonstration that the nature of the acquisition justifies the use of the above authority:**

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(S)

6. **Efforts made to ensure offers are solicited from as many potential sources as practicable, including compliance with subpart 5.2 and, if not, which exception under FAR 5.202 applies:**

(S)

(U) Full and open competition of this procurement could provide adversaries of the FBI with insight into areas of interest to the FBI.

no advertisement will be made.

7. **Determination that the anticipated cost to the Government will be fair and reasonable:**

(U) A price analysis will be conducted by the Contracting Officer prior to award to determine that all prices are fair and reasonable.

8. **Market Survey:**

9. **Any other facts supporting the use of other than ful and open**

CELL-OTD 025113

CELLSITE-18623

competition:

(U) See paragraph (5) above for the facts supporting the use of other than full and open competition.

10. **A listing of the sources, if any, that expressed in writing an interest in the acquisition:**

(U) Since the procurement was not publicized pursuant to FAR 5.202(a)(1), no other commercial sources were given the opportunity to express written interest in this procurement.

11. **A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services are required:**

(U) The FBI will continue to do market surveys to identify potential sources on subsequent acquisitions. TTU has a successful record of finding and developing new contractors.

Conclusion:

(S) [redacted] b1 b3 b6 b7C b7E

Certifications:

Technical Representative Certification:

As Technical Representative of the requiring office, I have reviewed the data provided in support of the Justification and Approval to procure using other than Full and Open Competition. I certify that the data is accurate and complete to the best of my knowledge and belief.

[redacted] Date

Contracting Officer's
Technical Representative (*Proposed*)

Contract Specialist Certification:

I hereby certify that the information in this justification is accurate and complete to the best of my knowledge and belief.

Date

CELL/OTD 025114
CELLSITE-18624

Contract Specialist
Quantico Contracts Unit

Reviewed:

Unit Chief:

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[redacted] Date
Quantico Contracts Unit

CELL/OTD 025115
CELLSITE-18625

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DATE 04-16-2013 BY NSICG J76J18T80

Statement of Need (Critical Need)
Requisition [redacted]

The Tracking Technology Unit (TTU), Wireless Intercept and Tracking Team (WITT), is responsible for the development, deployment, and support of investigative technologies and tools that provide [redacted] WITT supports these efforts through its Wireless Intercept and Tracking Team (WITT), [redacted]

b3
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TTU/WITT projects that the increase in investigative case work that requires this technology, and request that this requisition [redacted] be funded on a critical needs basis.

CELL/OTD 025116

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DATE 04-16-2013 BY NSICG J76J18T80

Statement of Need to Accompany
Requisition

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DATE 04-16-2013 BY NSICG J76J18T80

Statement of Need to Accompany
Requisition [ ]

[ ]

b3
b7E

CELL/OTD 025118

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DATE 04-16-2013 BY NSICG J76J18T80

Statement of Need to Accompany
Requisition

b3
b7E

CELL/OTD 025119

CELLSITE-18629

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DATE 04-16-2013 BY NSICG J76J18T80

Statement of Need to Accompany Requisition

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b7E

CELL/OTD 025120

(Rev. 05-01-2008)

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DATE 04-16-2013 BY NSICG J76J18T80

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 4/16/2009

To: Finance **Attn:**

From: Operational Technology Division
/TTU/QT-ERF-E
Contact:

Approved By:

Drafted By:

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b7E

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: The Quantico Contracts Unit (QCU) is requested to initiate the procurement of

Enclosure(s): ASU Checklist, FD-369 in the amount of Vendor Quote.

Details:

The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Technician (ET) and can be contacted at the Engineering Research Facility, located in

CELL/OTD 025121

CELLSITE-18631

To: Finance From: Operational Technology Division
Re: 268-HQ-1068430, 4/16/2009

Quantico, Virginia, for any questions. Contracting Officers are responsible for ensuring that [redacted]

b3
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CELL/OTD 025122 CELLSITE-18632

To: Finance From: Operational Technology Division
Re: 268-HQ-1068430, 4/16/2009

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

The Quantico Contracts Unit (QCU) is requested to initiate the procurement of [redacted] Funding of [redacted] for this request is available using budget item [redacted] Subobject classifications [redacted]

b3
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CC: [redacted]

CELL/OTD 025CELLSITE-18633

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DATE 04-16-2013 BY NSICG J76J18T80

(Rev. 05-01-2008)

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 12/02/2008

To: Training **Attn:** [redacted]
Training Services Unit, QT

From: Operational Technology
[redacted]/TTU/QT-ERF
Contact: [redacted]

Approved By: [redacted]

Drafted By: [redacted]

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Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: The Tracking Technology Unit (TTU), Wireless Intercept and Tracking Team (WITT), request that a [redacted]

Details: The Tracking Technology Unit (TTU), Wireless Intercept and Tracking Team (WITT), request that the following [redacted]

- [redacted]

Vendor: [redacted]
Approval [redacted]
Location [redacted]
Amount: [redacted]

[redacted]

UNCLASSIFIED [redacted]

CELL/OTD 025125

To: Finance From: Operational Technology
Re: 268-HQ-1068430 , 12/02/2008

LEAD(s):

Set Lead 1: (Action)

TRAINING

AT QUANTICO, VA

The Delivery, Support and Logistics Unit is requested to approve the TTU/WITT training classes based on the information provided.

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CC:

[redacted]

♦♦

CELL/OTD 025126CELLSITE-18635

ALL INFORMATION CONTAINED
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DATE 04-16-2013 BY NSICG J76J18I80

STATEMENT OF NEEDS

The Tracking Technology Unit (TTU), Wireless Intercept and Tracking Team (WITT) [redacted]

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[redacted]

TTU/WITT Unit Chief

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-16-2013 BY NSICG J76J18T80

STATEMENT OF NEED

The Tracking Technology Unit / Wireless Intercept and Tracking Team (TTU/WITT) [redacted] b3 b6 b7C b7E

[redacted]

[redacted]

The Tracking Technologies Unit, Wireless Intercept and Tracking Team requests [redacted]

[redacted]

[redacted]

Wireless Intercept and Tracking Team

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DATE 04-16-2013 BY NSICG J76J18I80

STATEMENT OF NEED

[redacted]

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The Tracking Technology Unit [redacted]

[redacted]

Field office personnel working with the WITT [redacted]

[redacted]

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DATE 04-16-2013 BY NSICG J76J18T80

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY **Date:** 11/14/2008

To: Finance **Attn:**
Attn:

From: Operational Technology
/TTU/OT-ERF
Contact:

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request procurement of

Enclosure(s): FD-369 in the amount of
Vendor Quote, IT Acquisition form

Details:

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[redacted]

[redacted]

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Contracting Officers are responsible for ensuring that

[redacted]

CELL-OTD 025131
CELLSITE-18640

To: Finance From: Operational Technology
Re: 268-HQ-1068430 , 11/14/2008

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

The Engineering Contracts Unit is requested to procure

[redacted]

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Set Lead 2: (Action)

[redacted]

AT WASHINGTON, DC

[redacted] is requested to approve funding for the procurement of [redacted]

CC: [redacted]

♦♦

CELL/OTD 025132 CELLSITE-18641

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DATE: 04-16-2013
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REASON: 1.4 (c,g)
DECLASSIFY ON: 04-16-2038

(Rev. 05-01-2008)

~~SECRET~~//20331202

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 12/03/2008

To: Finance **Attn:** [redacted]

From: Operational Technology Division
[redacted]TTU/OT-ERF
Contact: [redacted]

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Approved By: [redacted]

Drafted By: [redacted]

Case ID #: (U) 268-HQ-1068430

(U) **Title:** ~~(S)~~ WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: [redacted]

(S) [redacted]

~~**Derived From:** Multiple Sources~~
~~**Declassify On:** 20331202~~

(U) **Enclosure(s):** ~~(S)~~ Statement of Work and FD369 [redacted].

(U) **Details:** ~~(S)~~ [redacted] Wireless Intercept and Tracking Team (WITT) [redacted]

[redacted]

(S) [redacted]

~~SECRET~~//20331202

To: Finance From: Operational Technology Division
Re: (U) 268-HQ-1068430, 12/03/2008

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(S)

(U) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

CELL/OTD 025134 CELLSITE-18643

To: Finance From: Operational Technology Division
Re: (U) 268-HQ-1068430, 12/03/2008

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

(S) [redacted]

b1
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b7E

CC: [redacted]

♦♦

CELL/OTD 025135

CELLSITE-18644

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DATE: 04-16-2013
CLASSIFIED BY NSICG J76J18I80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-16-2038

~~SECRET~~

Justification for Other Than Full and Open Competition
In Accordance With 41 U.S.C. 253 (c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI), Tracking Technology Unit (TTU), Operational Technology Division (OTD). The contracting activity is the Engineering Contracts Unit (ECU).

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2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(U) ~~(X)~~

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(S)

~~SECRET~~

~~Derived From: FBI NSISCG 20090615~~
~~Declassify On: 20350228~~

(S)

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4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(S)

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

(U) X

(S)

6. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE

~~Derived From: FBI NSISCG - 20090615~~
Declassify On: 20350228

CELL-OTD 025137 CELLSITE-18646

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would [redacted]

[redacted]

7. DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED

[redacted]

b3
b7E

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

(U) [redacted] See paragraph (5) above for facts supporting the use of other then full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate and in the best interests of the government.

~~Derived From: FBI NSISCG - 20090615~~
~~Declassify On: 20350228~~

~~SECRET~~

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[ ] Contracting Officer's Technical Representative (Date)

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

xxxx, Contracting Officer (Date)

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b7C

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[ ] Supervisory Contracting Officer (Date)

, FBI Chief Contracting Officer (Date)

Office of General Counsel (Date)

Approved By:

, Competition Advocate (Date)

~~SECRET~~

~~Derived From: FBI NSISCG - 20090615~~
~~Declassify On: 20350228~~

CELL/OTD 025139

CELLSITE-18648

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 04-16-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-16-2038

(U) Subject: Requisition Security Addendum

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(S)

CELL/OTD 025140

(S)

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February 28, 2010

[redacted]
Chief Security Officer
Investigative Technology Division

~~Derived From: FBI NSISCG 20090601~~
~~Declassify On: February 28, 2035~~

CELL/OTD 025141 CELLSITE-18650

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 04-16-2013
CLASSIFIED BY NSICG J76J18I80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-16-2038

(U) Subject: Requisition [redacted] Security Addendum

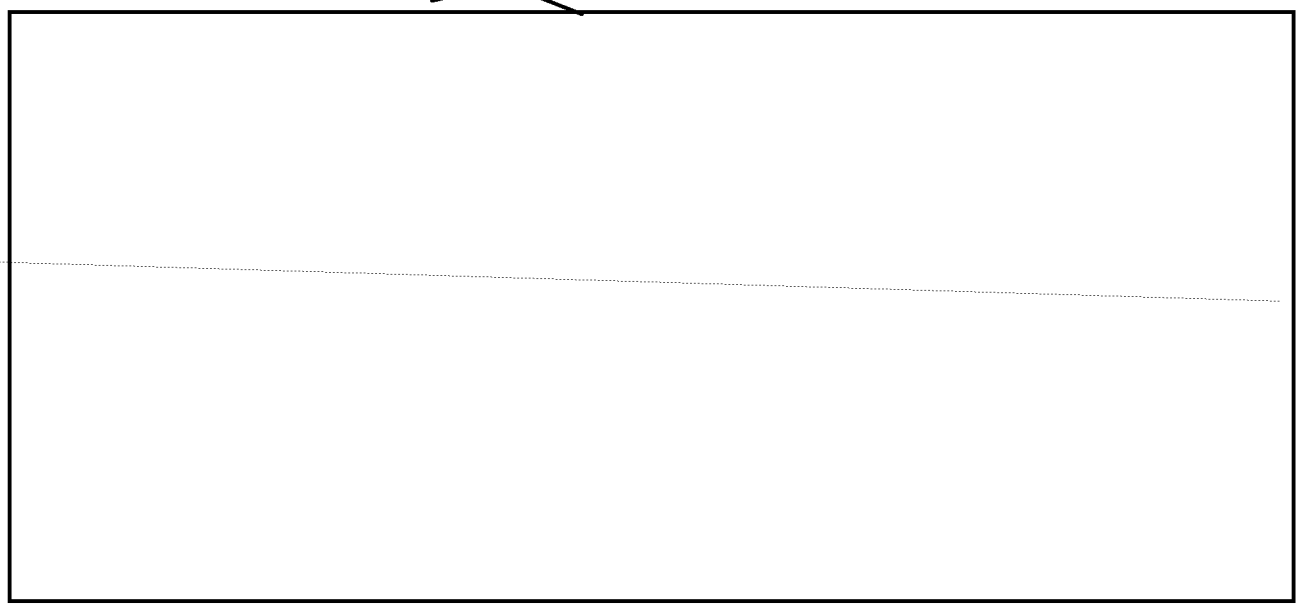
b1
b3
b7E

(S) [redacted]

(U) [redacted]

(S) [redacted]

CELL/OTD 025142CELLSITE-18651



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(S)

December 24, 2009

[redacted]
Chief Security Officer
Investigative Technology Division

~~Derived From: FBI NSISCG 20090601~~
~~Declassify On: December 24, 2034~~

CELL/OTD 025143 CELLSITE-18652

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DATE: 04-17-2013
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REASON: 1.4 (c,g)
DECLASSIFY ON: 04-17-2038

~~SECRET~~//20341224

(U) Subject: Requisition [ ] Security Addendum

(S) [redacted]

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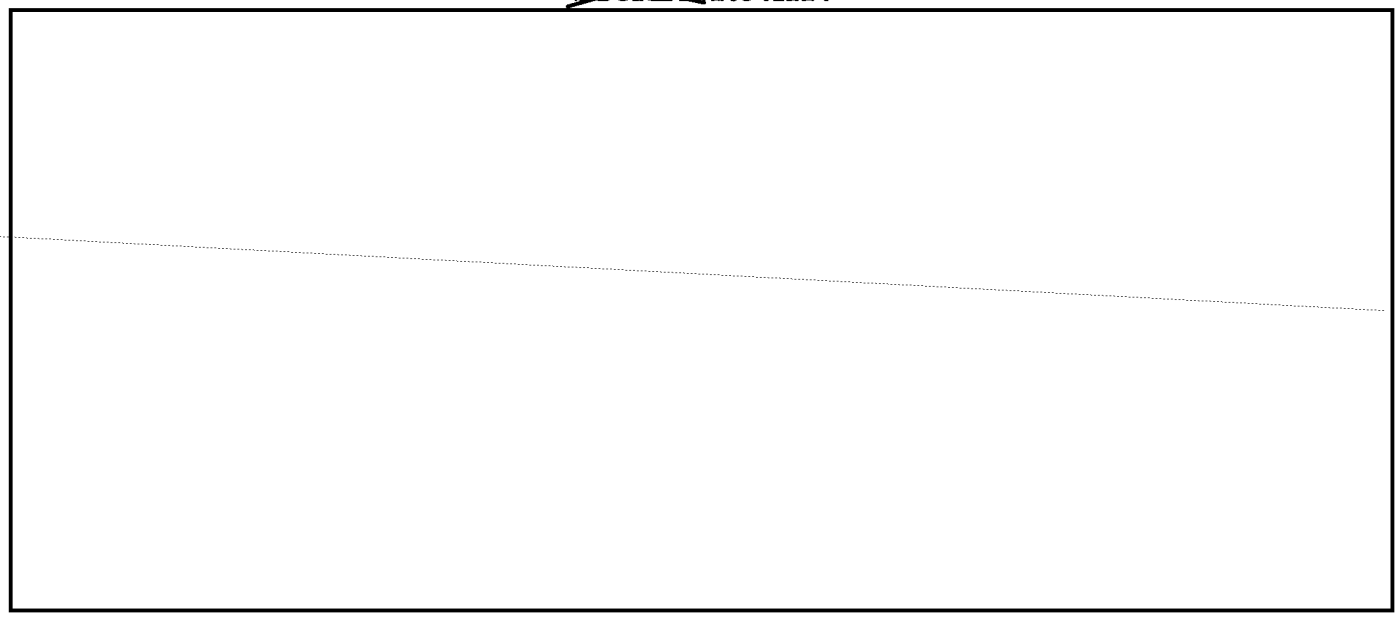
(U) [redacted]

(S) [redacted]

~~SECRET~~//20341224



(S)

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December 24, 2009

[redacted]
Chief Security Officer
Investigative Technology Division

~~Derived From: FBI NSISCG 20090601~~
~~Declassify On: December 24, 2034~~

CELLSITE-18654
CELL/OTD 025145

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DATE: 04-17-2013
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REASON: 1.4 (c,g)
DECLASSIFY ON: 04-17-2038

(Rev. 05-01-2008)

~~SECRET~~//NOFORN/20350331

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY **Date:** 03/31/2010

To: Finance **Attn:**

From: Operational Technology
/TTU/OT-ERF
Contact:

Approved By:

Drafted By:

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Case ID #: (U) 268-HQ-1068430

Title: (U) WIRELESS INTERCEPT AND TRACKING TEAM

(U) **Synopsis:** ~~(S~~//NF) The Finance Division is requested to initiate procurement action in the amount of for the purchase of

~~**Derived From :** FBI NSISCG 20090615~~
~~**Declassify On:** 20350331~~

(U) **Enclosure(s):** ~~(S~~//NF) FD-369 in the amount of Vendor Quote, and Justification for Other Than Full and Open Competition (JFOC).

(U) **Details:** ~~(S~~//NF)

~~SECRET~~//NOFORN/20350331

CELL/OTD 025146 CELLSITE-18655

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To: Finance From: Operational Technology
Re: (U) 268-HQ-1068430, 03/31/2010

(S)

(U) (~~S~~//NF) Sole Source Justification

(S)

(U) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) and can be contacted at the FBI Engineering Research Facility (ERF), located in Quantico, Virginia.

(U) Contracting Officers are responsible for ensuring that

CELL-OTD CELLSITE-18656
025147

To: Finance From: Operational Technology
Re: (U) 268-HQ-1068430, 03/31/2010

LEAD(s):

Set Lead 1: (Info)

FINANCE

AT PSFO, DC

FOR INFORMATION ONLY

b6
b7C

CC:

♦♦

CELL/OTD 025148 CELLSITE-18657

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DATE: 04-17-2013
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REASON: 1.4 (c,g)
DECLASSIFY ON: 04-17-2038

(Rev. 05-01-2008)

~~SECRET~~//NOFORN/20350325

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 03/25/2010

To: Finance **Attn:** [redacted]

From: Operational Technology Division
[redacted]/Tracking Technology Unit
Contact: [redacted]

Approved By: [redacted]

Drafted By: [redacted]

(U) **Case ID #:** ~~(S//NF)~~ 268-HQ-1068430

(U) **Title:** ~~(S//NF)~~ [redacted]

Synopsis: ~~(S//NF)~~ To request finance division initiate
(S) contractual action for [redacted]

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~~**Derived From:** FBI NSISCG-20090615~~
~~**Declassify On:** 20350325~~

(U) **Enclosure(s):** ~~(S//NF)~~ Statement of Work and FD369 [redacted]

Details: ~~(S//NF)~~ TTU intends to satisfy a critical mission
(S) [redacted]

~~(S//NF)~~ It is requested that the Engineering Contracts Unit
initiate contractual action to [redacted]
(S) [redacted]

(U) ~~(U)~~ The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and

~~SECRET~~//NORFORN/20350325

CELL-OTD 025161

To: Finance From: Operational Technology Division
(U) Re: (~~S~~//NF) 268-HQ-1068430, 03/25/2010

can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

(U) Contracting Officers are responsible for ensuring that [redacted]

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

(~~S~~//NF) The Finance Division, Engineering Contracts Unit, is requested to modify FBI contract [redacted]

(S) [redacted] as specified on the attached statement of work (SOW). Funding is specified on the attached FD-369 [redacted] for this effort.

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CELL-OTD 025162

CELLSITE-18664

DECLASSIFIED BY NSICG J76J18T80
ON 04-17-2013

(Rev. 05-01-2008)

~~SECRET~~//NOFORN/20350406

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 04/06/2010

To: Finance **Attn:**

From: Operational Technology Division
/Tracking Technology Unit
Contact:

b1
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b7C
b7E

Approved By:

Drafted By:

(U) **Case ID #:** (~~S~~//NF) 268-HQ-1068430

(U) **Title:** (~~S~~//NF) WIRELESS INTERCEPT AND TRACKING TEAM

(U) **Synopsis:** (~~S~~//NF) To request finance division initiate a contract modification action for

~~**Derived From:** FBI NSISCG-20090615~~
~~**Declassify On:** 20350406~~

(U) **Enclosure(s):** (~~S~~//NF) FD369

(U) **Details:** (~~S~~//NF)

(U) (~~S~~//NF)

~~SECRET~~//NORFORN/20350406

CELL-OTD 025163

To: Finance From: Operational Technology Division
(U) Re: (~~S~~/NF) 268-HQ-1068430, 04/06/2010

[redacted]

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(U) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

(U) Contracting Officers are responsible for ensuring that [redacted]

CELL-OTD 025164

CELLSITE-18666

To: Finance From: Operational Technology Division
(U) Re: ~~(S~~//NF) 268-HQ-1068430, 04/06/2010

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

FOR INFORMATION ONLY

CC: [redacted]

b6
b7C

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CELL/OTD 025165

CELLSITE-18667

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DATE: 04-17-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-17-2038

Justification for Other Than Full and Open Competition In Accordance With 41 U.S.C. 253 (c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI), Tracking Technology Unit (TTU), Operational Technology Division (OTD). The contracting activity is the Finance Division, Engineering Contracts Unit (ECU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

[redacted] b1 b3 b7E

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(U) [redacted]

(S) [redacted]

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

(S)

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6. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information).

CELL-OTD 025167 CELLSITE-18669

[redacted]

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7. DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED

[redacted]

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

(U) [redacted] See paragraph (5) above for facts supporting the use of other then full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is

CELL/OTD 025168

CELLSITE-18670

permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Contracting Officer's Technical Representative (Date)

b6
b7C

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Supervisory Contracting Officer (Date)

_____

, FBI Chief Contracting Officer (Date)

_____

Office of General Counsel (Date)

Approved By: _____

, Competition Advocate (Date)

CELL/OTD 025169
CELLSITE-18671

(Rev. 05-01-2008)

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DATE: 04-17-2013
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REASON: 1.4 (c,g)
DECLASSIFY ON: 04-17-2038

~~SECRET~~//NOFORN

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 03/25/2010

To: Finance **Attn:**

From: Operational Technology Division
/Tracking Technology Unit

Contact:

Approved By:

Drafted By:

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b7E

(U) **Case ID #:** (~~S~~//NF) 268-HQ-1068430

(S) **Title:**

Synopsis:

(S)

~~Derived From : FBI NSISCG-20090615~~
~~Declassify On: 20350325~~

(U) **Enclosure(s):** (~~S~~//NF) Statement of Work.

(U) **Details:** (~~S~~//NF)

~~SECRET~~//NOFORN

CELL/OTD 025170 CELLSITE-18672

To: Finance From: Operational Technology Division
(U) Re: (~~S~~/NF) 268-HQ-1068430, 03/25/2010

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(S)

CELL/OTD 025171
CELLSITE-18673

To: Finance From: Operational Technology Division
(U) Re: ~~(S)~~//NF) 268-HQ-1068430, 03/25/2010

(S) [redacted]

b1
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(U) ~~(S)~~//NF) Sole Source Justification

(S) [redacted]

(U) ~~(S)~~//NF) Further details and the nature of the sole source justification have been described in the attachment entitled "Justification for Other than Full and Open Competition" for this procurement.

(U) ~~(S)~~//NF) For informational purposes, the vendor [redacted]

(U) Contracting Officers are responsible for ensuring that [redacted]

CELL/OTD 025172
CELLSITE-18674

To: Finance From: Operational Technology Division
(U) Re: ~~(S)~~//NF) 268-HQ-1068430, 03/25/2010

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

(S) [redacted] b1 b3 b6 b7C b7E

CC: [redacted]

♦♦

CELL/OTD 025173
CELLSITE-18675

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DATE: 04-17-2013
CLASSIFIED BY NSICG J76J18I80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-17-2038

~~SECRET~~//NOFORN

Justification for Other Than Full and Open Competition In Accordance With 41 U.S.C. 253 (c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI), Tracking Technology Unit (TTU), Operational Technology Division (OTD). The contracting activity is the Quantico Contracts Unit (QCU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(S)

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3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(S)

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(S)

~~SECRET~~//NOFORN
~~Derived From: FBI NSISCG - 20090615~~
~~Declassify On: 20350325~~

CELL/OTD 025174

(S)

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5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

(S)

CELL/OTD 025175
CELLSITE-18677

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(S)

6. **DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE**

(U) (S) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would

7. **DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE**

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. **A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED**

(U)

9. **ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION**

(U) See paragraph (5) above for facts supporting the use of other then full and open competition.

10. **A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION**

CELLSITE-18678
CELL/OTD 025176

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. b6 b7C

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Contracting Officer's Technical Representative (Date)

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Supervisory Contracting Officer (Date)

, FBI Chief Contracting Officer (Date)

Office of General Counsel (Date)

~~Derived From: FBI NSISCG - 20090615~~
~~Declassify On: 20350325~~

CELLSITE-18679

CELL-OTD 025177

Approved By: _____

, Competition Advocate (Date)

~~Derived From: FBI NSISCG - 20090615~~
~~Declassify On: 20350325~~

CELLSITE-18680

CELL/OTD 025178

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ON 04-17-2013

(Rev. 05-01-2008)

~~SECRET~~//NOFORN/20350325

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 03/25/2010

To: Finance **Attn:** [redacted]

From: Operational Technology Division
[redacted] Tracking Technology Unit
Contact: [redacted]

Approved By: [redacted]

Drafted By: [redacted]

(U) **Case ID #:** (~~S~~//NF) 268-HQ-1068430

(U) **Title:** (~~S~~//NF) [redacted]

(U) **Synopsis:** (~~S~~//NF) To request finance division initiate contract modification action for the continued development of [redacted]

Derived ~~From~~ : FBI NSISCG-20090615
Declassify On: ~~20350325~~

(U) **Enclosure(s):** (~~S~~//NF) Statement of Work and FD369 [redacted].

(U) **Details:** (~~S~~//NF) [redacted]

(U) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

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~~SECRET~~//NORFORN/20350325

CELL/OTD 025179

CELLSITE-18681

To: Finance From: Operational Technology Division
(U) Re: ~~(S~~//NF) 268-HQ-1068430, 03/25/2010

(U) Contracting Officers are responsible for ensuring that [redacted]

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[redacted]

CELL/OTD 025180
CELLSITE-18682

To: Finance From: Operational Technology Division
(U) Re: ~~(S~~//NF) 268-HQ-1068430, 03/25/2010

LEAD(s):

Set Lead 1: (Info)

FINANCE

AT WASHINGTON, DC

(U) ~~(S~~//NF) The Finance Division, Engineering Contracts Unit, is requested to modify FBI contract [redacted] b3 b6 b7C b7E

[redacted]

CC: [redacted]

♦♦

CELL/OTD 025181

CELLSITE-18683

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DATE: 04-17-2013
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REASON: 1.4 (c,g)
DECLASSIFY ON: 04-17-2038

~~SECRET~~//NOFORN/20350331

Justification for Other Than Full and Open Competition
In Accordance With 41 U.S.C. 253 (c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI), Tracking Technology Unit (TTU), Operational Technology Division (OTD). The contracting activity is the Engineering Contracts Unit (ECU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

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3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(S)

(U)

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(S)

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

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(S)

6. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would

7. DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE

(U) The contracting officer has adequate information to ensure that the cost to the government for this

acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED

[redacted]

b1
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9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

(U) [redacted] See paragraph (5) above for facts supporting the use of other then full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate and in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Contracting Officer's Technical Representative (Date)

b6
b7C

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

xxxx, Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Supervisory Contracting Officer (Date)

, FBI Chief Contracting Officer (Date)

Office of General Counsel (Date)

Approved By:

, Competition Advocate (Date)

CELL/OTD 025191
CELLSITE-18693

DATE: 04-17-2013
CLASSIFIED BY NSICG J76J18I80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-17-2038

~~SECRET~~//NOFORN/20350325

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

FBI

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(S)

~~SECRET~~//NOFORN
~~Derived From: FBI NSISCG - 20090615~~
~~Declassify On: 20350325~~

CELL/OTD 025192

DATE: 04-18-2013
CLASSIFIED BY NSICG J76J18I80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-18-2038

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JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION IN ACCORDANCE WITH 41 U.S.C. 253(c)(6)

1. **Identification of the agency and the contracting activity:**

(S) [redacted] b1 b3 b7E

2. **Nature and/or description of the action being approved:**

(S) [redacted]

3. **Description of the supplies or services (including estimated value):**

(S) [redacted]

~~Derived From: G3~~
~~Declassify On: 6/02/2033~~

4. **Statutory Authority:**

(U) This procurement action is authorized by 41 U.S.C. 253(c)(6), as set forth in Federal Acquisition Regulation (FAR) Part 6.302-6.

5. **Demonstration that the nature of the acquisition justifies the use**

~~SECRET~~

of the above authority:

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6. Efforts made to ensure offers are solicited from as many potential sources as practicable, including compliance with subpart 5.2 and, if not, which exception under FAR 5.202 applies:

(S)

7. Determination that the anticipated cost to the Government will be fair and reasonable:

(U) A price analysis will be conducted by the Contracting Officer prior to award to determine that all prices are fair and reasonable.

8. Market Survey:

(S)

9. Any other facts supporting the use of other than ful and open competition:

(U) See paragraph (5) above for the facts supporting the use of other than full and open competition.

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10. **A listing of the sources, if any, that expressed in writing an interest in the acquisition:**

(U) Since the procurement was not publicized pursuant to FAR 5.202(a)(1), no other commercial sources were given the opportunity to express written interest in this procurement.

11. **A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services are required:**

(U) The FBI will continue to do market surveys to identify potential sources on subsequent acquisitions. TTU has a successful record of finding and developing new contractors.

Conclusion:

(S)

Certifications:

Technical Representative Certification:

As Technical Representative of the requiring office, I have reviewed the data provided in support of the Justification and Approval to procure using other than Full and Open Competition. I certify that the data is accurate and complete to the best of my knowledge and belief.

Date

Contracting Officer's
Technical Representative (*Proposed*)

Contract Specialist Certification:

I hereby certify that the information in this justification is accurate and complete to the best of my knowledge and belief.

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_____ Date

Contract Specialist
Quantico Contracts Unit

Reviewed:

Unit Chief:

[redacted] _____ Date

Quantico Contracts Unit

CELL/OTD 025222 CELLSITE-18703

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DATE 04-18-2013 BY NSICG J76J18T80

Statement of Need

[redacted] Wireless Intercept and Tracking Team (WITT) is tasked with supporting the Bureau's [redacted]

[redacted]

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Funding approval is therefore requested for this effort. Funding of [redacted] for this request is available under Budget Code [redacted] Sub-object Class [redacted]

Contracting Officers are responsible for ensuring that

[redacted]

[redacted]
TTU Unit Chief

CELL/OTD 025234

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DATE: 04-18-2013
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REASON: 1.4 (c,g)
DECLASSIFY ON: 04-18-2038

~~SECRET~~

Justification for Other Than Full and Open Competition In Accordance With 41 U.S.C. 253 (c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI), Tracking Technology Unit (TTU), Operational Technology Division (OTD). The contracting activity is the FBI Finance Division (FD) and Engineering Contracts Unit (ECU).

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2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(S)

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the

number of sources from which it solicits bids or proposals.

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

(S)

6. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would

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7. DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED

CELL/OTD 025242
CELLSITE-18709

provide.

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

(U) [redacted] See paragraph (5) above for facts supporting the use of other then full and open competition.

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10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

CELL/OTD 025243

CELLSITE-18710

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Contracting Officer's Technical Representative (Date)

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(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Supervisory Contracting Officer (Date)

_____

, FBI Chief Contracting Officer (Date)

_____

Office of General Counsel (Date)

Approved By: _____

, Competition Advocate (Date)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 04-18-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-18-2038

~~SECRET~~//20221009

(U) Security Addendum to Requisition [redacted] dated 10/09/2007

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(S) [redacted]

[redacted]
OTD Chief Security Officer
[redacted]

(U) ~~Derived From : G-3~~
~~Declassify On: 10/09/2022~~

~~SECRET~~//20221009

CELL/OTD 025245

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DATE: 04-18-2013
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REASON: 1.4 (c,g)
DECLASSIFY ON: 04-18-2038

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 10/09/2007

To: Finance **Attn:**

Criminal Investigative **Attn:**

From: Operational Technology Division
/TTU/OT-ERF-E
Contact:

Approved By:

Drafted By:

(U) **Case ID #:** (S) 268-HQ-1068430

Title: (U) WIRELESS INTERCEPT AND TRACKING TEAM

(U) **Synopsis:** (S) To request the purchase of the identified

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(U) (S) ~~Derived From : G-3~~
~~Declassify On: 10/09/2022~~

(U) **Enclosure(s):** (S) FD-369, Security Addendum, and Justification for Other Than Full and Open Competition.

(U) **Details:**

(U)

CELL/OTD 025248

CELLSITE-18713

To: Finance From: Operational Technology Division
(U) Re: ~~(S)~~ 268-HQ-1068430, 10/09/2007

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(S)

(U)

CELL/OTD 025249
CELLSITE-18714

To: Finance From: Operational Technology Division
Re: (U) ~~(S)~~ 268-HQ-1068430, 10/09/2007

(U) Contracting Officers are responsible for ensuring that [redacted] b3 b7E

[redacted]

CELL/OTD 025250
CELLSITE-18715

To: Finance From: Operational Technology Division
(U) Re: ~~(S)~~ 268-HQ-1068430, 10/09/2007

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PFSO, DC

(U) ~~(S)~~ That Finance Division process the attached requisition [redacted] in the amount of [redacted] for equipment from the [redacted]

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Set Lead 2: (Action)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

(U) ~~(S)~~ The Criminal Investigative Division requested to approve the allocation of [redacted] for equipment from the [redacted] for funding of requisition [redacted]

CC: [redacted]

♦♦

CELL/OTD 025251
CELLSITE-18716

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DATE: 04-18-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-18-2038

(Rev. 01-31-2003)

~~SECRET~~//20330321

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 03/21/2008

To: Finance **Attn:**

From: Operational Technology Division
ERF
Contact:

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Approved By:

Drafted By:

Case ID #: (U) 268-HQ-1068430 (Pending)

Title: (U) WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis:

(S)

(U) ~~(S)~~ ~~Derived From : G-3~~
~~Declassify On: 03/21/2033~~

Enclosure(s): (U) Vendor Price Quote No. FD369 in the amount of CCR Vendor Information.

Details: (U) Wireless Intercept and Tracking Team (WITT)

(S)

~~SECRET~~//20330312

CELL-OTD 025254

To: ?? From: Operational Technology Division
Re: (U) 268-HQ-1068430, 03/21/2008

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(U) ~~(S)~~ Sole Source Justification

(S)

(U) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE)

CELL/OTD 02!

CELL/OTD 025256

CELLSITE-18718

To: ?? From: Operational Technology Division
Re: (U) 268-HQ-1068430, 03/21/2008

[redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions. b3 b6 b7C b7E

To: ?? From: Operational Technology Division
Re: (U) 268-HQ-1068430, 03/21/2008

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

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(S)

[redacted]

CC: [redacted]

♦♦

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DATE: 04-18-2013
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REASON: 1.4 (c,g)
DECLASSIFY ON: 04-18-2038

~~SECRET~~

Justification for Other Than Full and Open Competition In Accordance With 41 U.S.C. 253 (c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI), Tracking Technology Unit Unit (TTU), Operational Technology Division (OTD). The contracting activity is the Engineering Contracts Unit (ECU).

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2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(S)

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(S)

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

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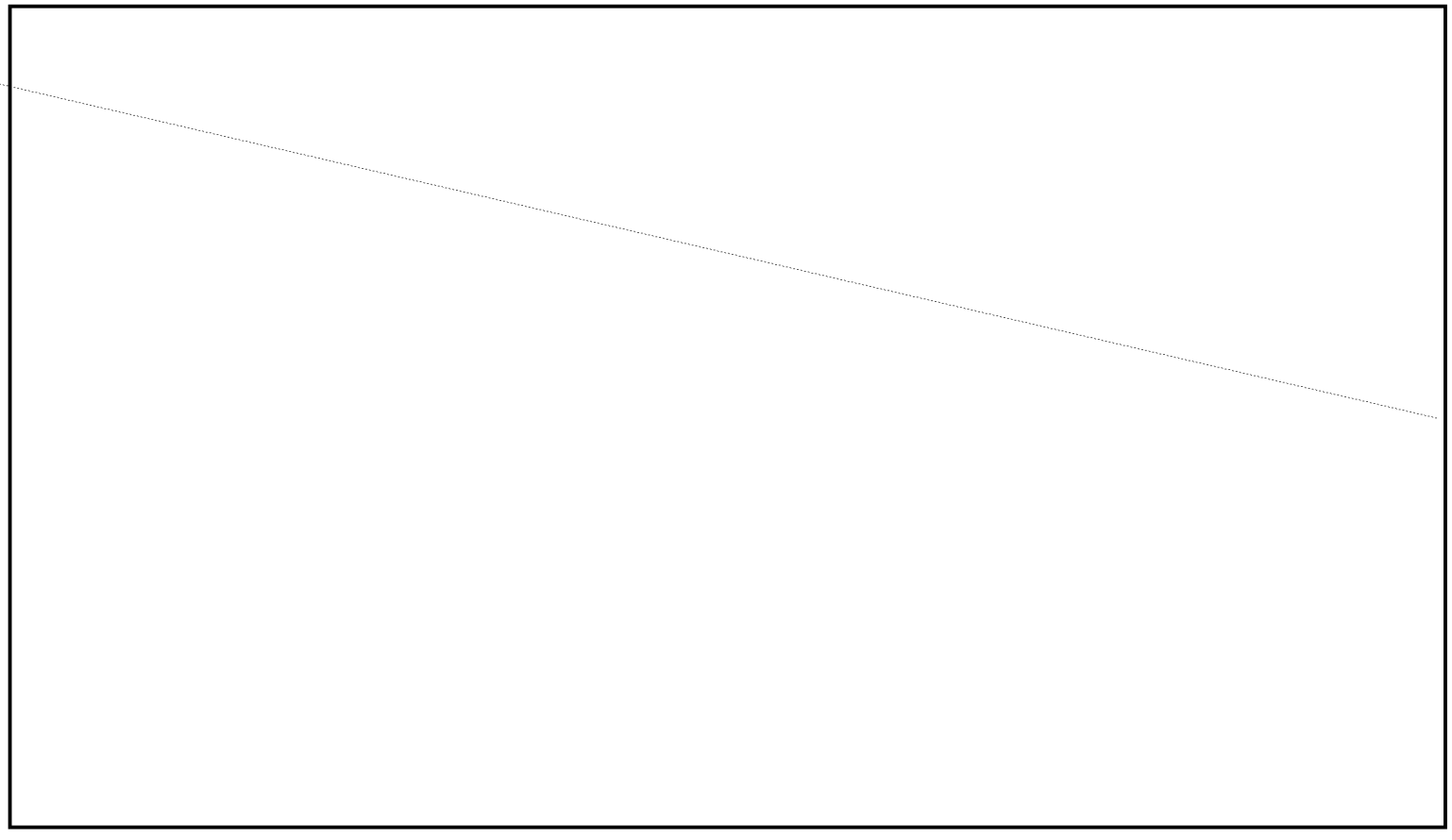

6. **DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE**

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would

7. **DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE**

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. **A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED**

(S) [redacted] b1 b3 b7E

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

(U) [redacted] See paragraph (5) above for facts supporting the use of other then full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

~~SECRET~~

[redacted] Contracting Officer's Technical Representative (Date)

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b7C

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Supervisory Contracting Officer (Date)

_____

, FBI Chief Contracting Officer (Date)

_____

Office of General Counsel (Date)

Approved By: _____

, Competition Advocate (Date)

~~SECRET~~

CELL/OTD 025262

CELLSITE-18724

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DATE: 04-18-2013
CLASSIFIED BY NSICG J76J18I80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-18-2038

~~SECRET~~//20330321

Sole Source Justification

To accompany Requisition [ ]

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~~SECRET~~//20330321

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DATE: 04-18-2013
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REASON: 1.4 (c,g)
DECLASSIFY ON: 04-18-2038

~~SECRET~~//20330321

Statement of Need
To accompany Requisition [ ]

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[ ] Wireless Intercept and Tracking Team (WITT) [ ]

(S)

[ ]
Wireless Intercept and Tracking Team

~~SECRET~~//20330321

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-18-2013 BY NSICG J76J18I80

IT Acquisition Form

Section 7 Attachment

Requirements Analysis

[redacted] b3 b7E

The Wireless Intercept and Tracking Team (WITT), in support [redacted]

[redacted] WITT has identified an essential and critical need for upgrades as specified in requisition [redacted]

Analysis of Alternatives

[redacted]

Section 508 Statement

[redacted] Wireless Intercept and Tracking Team conducted an evaluation of the systems and have submitted the following comments regarding compliance of Section 508 requirements.

[redacted]

Subpart B -- Technical Standards

[redacted]

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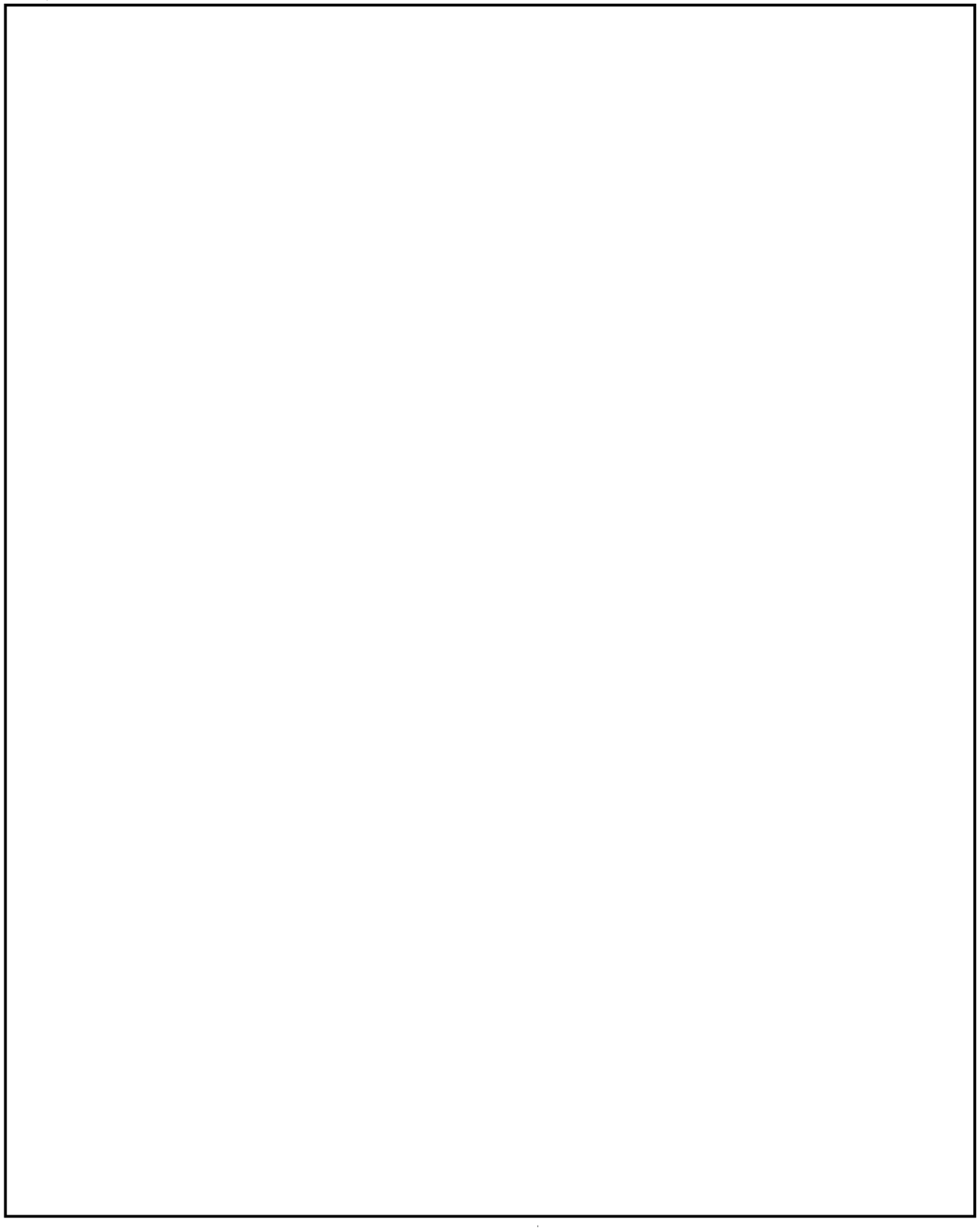

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Subpart C – Functional Performance Criteria

Subpart D – Information, Documentation, and Support

(a) Documentation is offered in hardcopy (paper) as well as softcopy (CD) at no additional charge.
(b) End users are instructed in the product features, visually or through instruction verbally at request, at no additional charge.
(c) Support services accommodate the communication needs of end-users with disabilities.

System Security Plan

A System Security Plan has been completed and in place for use of the [redacted] EC dated 06/30/2004 from Security Division has been attached to requisition package [redacted] An update to the System Security Plan is being amended to include the [redacted]

Sole Source Justification

[redacted]

Independent Government Cost Estimate

[redacted] WITT has submitted a quotation from the vendor, which details the cost of this procurement. Pricing has been negotiated and specified on GSA contract [redacted] and has been deemed fair and reasonable, and comparable with other procurements of this nature.

Life Cycle Cost Estimate

[redacted] WITT estimates this [redacted] WITT [redacted]

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Earned Value Management Plan

[redacted] WITT continuously ensures planning, scheduling, and budget monitoring through its program management efforts. [redacted] WITT [redacted] Detailed reports can be generated providing management the proper information to plan future procurements and deployments as the need arises.

Privacy Impact Assessment

The Office of General Council has been contacted and has reviewed the request for a Privacy Impact Assessment (PIA). [redacted] WITT has [redacted]

Risk Assessment

[redacted] WITT has identified through research and development efforts that [redacted] The manufacturer [redacted] Sufficient funding is also in place for this procurement, and as well as plans for the maintenance over the full lifecycle of these products. Refer to acquisition planning form [redacted] for specific estimates and distribution of costs.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-18-2013 BY NSICG J76J18T80

IT Acquisition Form

Section 7 Attachment

Requirements Analysis

[redacted]

The Wireless Intercept and Tracking Team (WITT), in support [redacted]

[redacted]

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[redacted] WITT has identified an essential and critical need for upgrades as specified in requisition [redacted]

Analysis of Alternatives

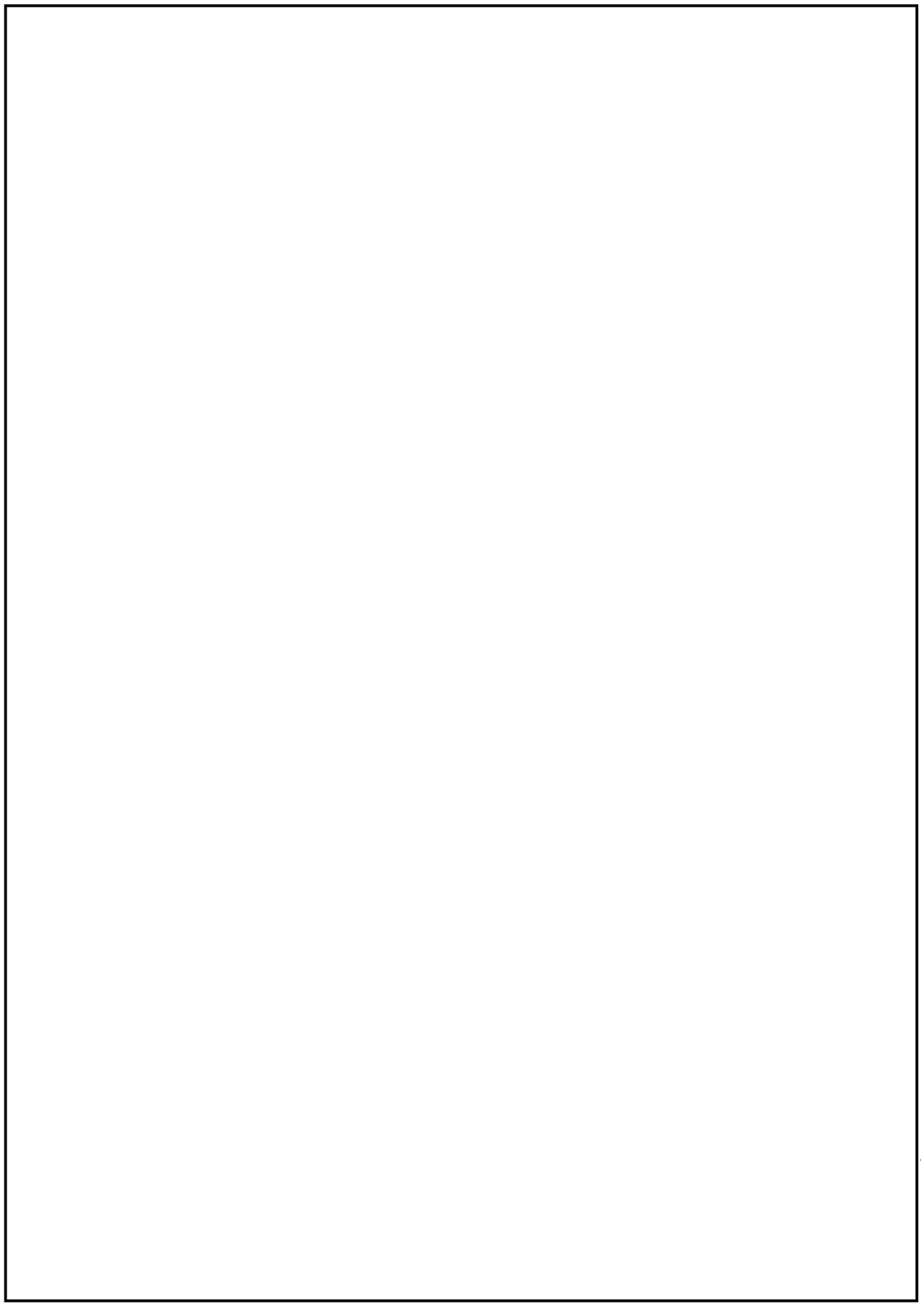
[redacted]

Section 508 Statement

[redacted] Wireless Intercept and Tracking Team conducted an evaluation of the systems and have submitted the following comments regarding compliance of Section 508 requirements.

[redacted]

Subpart B -- Technical Standards



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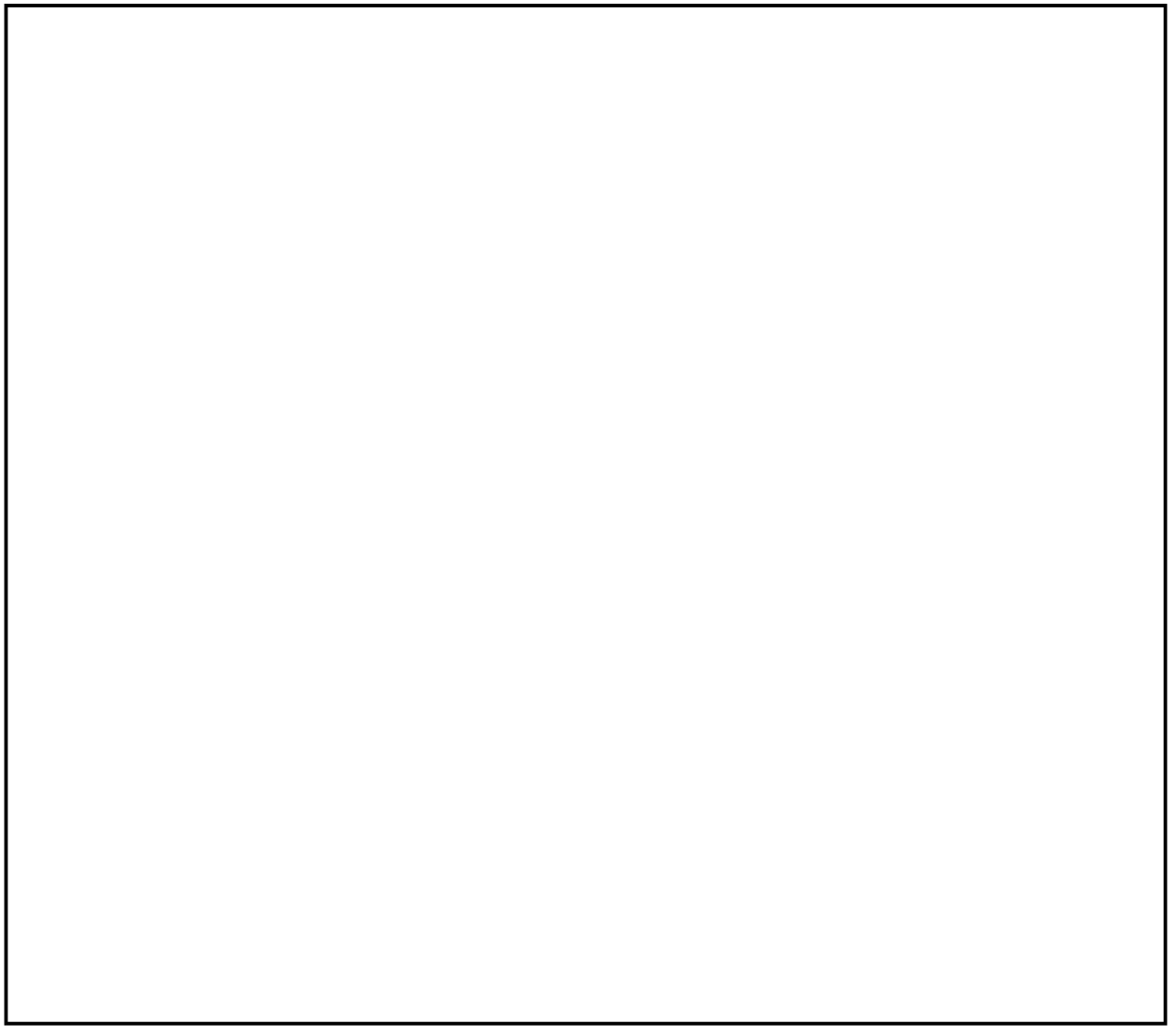
Subpart C – Functional Performance Criteria



Subpart D – Information, Documentation, and Support

(a) Documentation is offered in hardcopy (paper) as well as softcopy (CD) at no additional charge.
(b) End users are instructed in the product features, visually or through instruction verbally at request, at no additional charge.
(c) Support services accommodate the communication needs of end-users with disabilities.

CELL/OTD 025275

System Security Plan

A System Security Plan has been completed and in place for use of [redacted] EC dated 01/3/2008 from Security Division has been attached to requisition package [redacted] An update to the System Security Plan is being amended to include [redacted]

Sole Source Justification

[redacted]

Independent Government Cost Estimate

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[redacted] has, in the past, procured multiple systems of this type from the vendor, and pricing information has normally been negotiated and available on GSA contrac[redacted]

The current amount as indicated on requisition [redacted] and described on the attached FD-369 has been deemed fair and reasonable, and comparable with other procurements of this nature.

The upgrades requested have not been placed on the current GSA schedule, although the cost of the total procurement and independent government estimate has been allocated for this procurement.

Life Cycle Cost Estimate

[redacted] WITT [redacted] WITT shall [redacted]

Earned Value Management Plan

[redacted] WITT continuously ensures planning, scheduling, and budget monitoring through its program management efforts. [redacted] WITT [redacted] Detailed reports can be generated providing management the proper information to plan future procurements and deployments as the need arises.

Privacy Impact Assessment

The Office of General Council has been contacted and has reviewed the request for a Privacy Impact Assessment (PIA). [redacted] WITT has [redacted]

CELL/OTD 025276

CELLSITE-18734

Risk Assessment

WITT has identified through research and development efforts that The manufacturer Sufficient funding is also in place for this procurement, and as well as plans for the maintenance over the full lifecycle of these products.

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b7E

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 04-18-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-18-2038

~~SECRET~~

Justification for Other Than Full and Open Competition In Accordance With 41 U.S.C. 253 (c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI), Tracking Technology Unit (TTU), Operational Technology Division (OTD). The contracting activity is the Engineering Contracts Unit (ECU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

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3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(S)

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

~~SECRET~~

5. **DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED**

(S)

6. **DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE**

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would

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7. **DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE**

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. **A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED**

9. **ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN**

COMPETITION

(U) [redacted] See paragraph (5) above for facts supporting the use of other then full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

[redacted]

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11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

~~SECRET~~

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Contracting Officer's Technical Representative (Date)

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b7C

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Supervisory Contracting Officer (Date)

_____

, FBI Chief Contracting Officer (Date)

_____

Office of General Counsel (Date)

Approved By: _____

, Competition Advocate (Date)

~~SECRET~~

CELL/OTD 025287

CELLSITE-18739

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-18-2013 BY NSICG J76J18T80

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY **Date:** 1/03/2008

To: Finance **Attn:**

Attn:

From: Operational Technology
TTU/ERF
Contact:

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request procurement of

Enclosure(s): Justification for Other Than Full and Open Competition, IT Acquisition form, Notification of the Approval to Operate (ATO) dated 06/30/2004, and FD369 in the amount of

Details:

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CELL/OTD 025290

CELLSITE-18740

[redacted]

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b5
b7E

Sole Source Justification

[redacted]

Contracting Officers are responsible for ensuring that

[redacted]

CELL/OTD 025291

CELLSITE-18741

To: Finance From: Operational Technology
Re: 268-HQ-1068430 , 1/3/2008

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

The Engineering Contracts Unit is requested to procure [redacted] Funding is available as specified on the attached form FD-369, Requisition [redacted].

b3
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Set Lead 2: (Action)

[redacted]

AT WASHINGTON, DC

[redacted] is requested to approve funding for the procurement of [redacted]. Funding is available as specified on the attached form FD-369, Requisition [redacted]

CC: [redacted]

♦♦

CELL/OTD 025292

CELLSITE-18742

(Rev. 01-31-2003)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-18-2013 BY NSICG J76J18T80

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY **Date:** 3/18/2008

To: Finance **Attn:**

Criminal Investigative **Attn:**

From: Operational Technology
TTU/OT-ERF
Contact:

b3
b6
b7C
b7E

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request procurement of

Enclosure(s): FD-369 in the amount of
Vendor Quote,

Details:

Wireless Intercept
and Tracking Team (WITT) supports FBI

WITT has historically

CELL/OTD 025295

[redacted]

[redacted]

b3
b7E

Contracting Officers are responsible for ensuring that

[redacted]

CELL/OTD 025296

[redacted]

To: Finance From: Operational Technology
Re: 268-HQ-1068430 , 3/18/2008

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

The Engineering Contracts Unit is requested to [redacted] Funding is available as specified on the attached form FD-369, Requisition [redacted]

b3
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Set Lead 2: (Action)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

[redacted] is requested to approve funding for [redacted] Funding is available as specified on the attached form FD-369, Requisition [redacted]

CC: [redacted]

♦♦

CELL/OTD 025297 [redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-18-2013 BY NSICG J76J18T80

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 1/14/2008

To: Finance **Attn:**

Criminal Investigative **Attn:**

From: Operational Technology
/TTU/ERF
Contact:

Approved By:

Drafted By:

b3
b6
b7C
b7E

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request the procurement of

Enclosure(s): FD-369 in the amount of
Vendor price quote,

Details:

WITT has determined

CELL/OTD 025298

[redacted] b3 b6 b7C b7E

The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Technician (ET) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions. Contracting Officers are responsible for ensuring that [redacted]

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 1/14/2008

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

The Engineering Contracts Unit is requested to initiate the procurement of [redacted] Funding for amount of [redacted] is available using Budget Item [redacted] and Subobject Class [redacted]

b3
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Set Lead 2: (Action)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

[redacted] is requested to approve the procurement [redacted] Funding for amount of [redacted] is available using Budget Item [redacted] and Subobject Class [redacted]

CC: [redacted]

♦♦

CELL-OTD 3 02300 [redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-18-2013 BY NSICG J76J18T80

Statement of Need
To accompany Requisition

The Tracking Technology Unit's Wireless Intercept and Tracking Team (WITT)

WITT provides this

WITT has identified the need

WITT

Funding approval is therefore requested for this effort. The for this request is available under Budget Code Sub-object Class

WITT

b3
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b7C
b7E

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-16-2013 BY NSICG J76J18T80

(Rev. 06-04-2007)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 03/18/2008

To: Finance **Attn:**

Criminal Investigative **Attn:**

From: Operational Technology
/TTU/OT-ERF
Contact:

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request the procurement of Wireless Intercept and Tracking Team (WITT).

Enclosure(s): FD-369 in the amount of Vendor Quote,

Details:

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CELL/OTD 025312

CELLSITE-18750

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 03/18/2008

The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Technician (ET) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions. Contracting Officers are responsible for ensuring that [redacted]

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[redacted]

[redacted]

CELL/OTD 025313

CELLSITE-18751

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 03/18/2008

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

The Quantico Contracts Unit is requested to initiate the procurement of [redacted] Funding in the amount of [redacted] is available using Budget Item [redacted] Subobject Class [redacted]

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Set Lead 2: (Action)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

The Criminal Investigative Division is requested to approve the procurement of [redacted] Funding in the amount of [redacted] is available using Budget Item [redacted] Subobject Class [redacted]

CC: [redacted]

♦♦

[redacted]

CELL/OTD 025314

CELLSITE-18752

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 04-18-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c)
DECLASSIFY ON: 04-18-2038

(Rev. 01-31-2003)

~~SECRET~~//20221130

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY **Date:** 11/30/2007

To: Finance **Attn:**

Attn:

Criminal Investigative **Attn:**

From: Operational Technology Division
TTU/QT-ERF-E
Contact:

b1
b3
b5
b6
b7C
b7E

Approved By:

Drafted By:

Case ID #: (U) 268-HQ-1068430

Title: (U) WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis:

(S)

(U) ~~(S)~~ ~~Derived From : G-3~~
~~Declassify On: 11/30/2022~~

(U) **Enclosure(s):** ~~(S)~~ FD-369 (E005648) in the amount of
and Memorandum of Understanding (MOU).

(U) **Details:** ~~(S)~~

~~SECRET~~//20221130

CELL/OTD 025317

CELLSITE-18755

To: Finance From: Operational Technology Division
Re: (U) 268-HQ-1068430, 11/30/2007

[redacted] b3 b5 b6 b7C b7E

(U) (S) The Tracking Technology Unit (TTU) [redacted]

[redacted]

(U) [redacted]

(U) Contracting Officers are responsible for ensuring [redacted]

(U) The Contracting Officer Technical Representative (COTR) for this task is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia.

CELL/OTD 025318

CELLSITE-18756

To: Finance From: Operational Technology Division
Re: (U) 268-HQ-1068430, 11/30/2007

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

(S) [redacted] b1 b3 b6 b7C b7E

Set Lead 2: (Action)

[redacted]

AT WASHINGTON, DC

(S) [redacted]

Set Lead 3: (Action)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

(S) [redacted]

CC: [redacted]

♦♦

(Rev. 06-04-2007)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-18-2013 BY NSICG J76J18T80

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 03/18/2008

To: Finance **Attn:**

Criminal Investigative **Attn:**
Attn:

From: Operational Technology
TTU/OT-ERF
Contact:

Approved By:

Drafted By:

b3
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b7C
b7E

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request the procurement of Wireless Intercept and Tracking Team (WITT).

Enclosure(s): FD-369 in the amount of Vendor Quote,

Details:

CELL/OTD 025320

CELLSITE-18758

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 03/18/2008

Funding for the amount of [redacted] is available using Budget Items [redacted] Subobject Code [redacted]

The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Technician (ET) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions. Contracting Officers are responsible for ensuring that [redacted]

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[redacted]

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 03/18/2008

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

The Quantico Contracts Unit is requested to initiate the procurement of [redacted] Funding for the amount of [redacted] is available using Budget Items [redacted] Subobject Code [redacted] b3 b6 b7C b7E

Set Lead 2: (Action)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

The Criminal Investigative Division is requested to approve the procurement of [redacted] Funding for the amount of [redacted] is available using Budget Items [redacted] Subobject Code [redacted]

Set Lead 3: (Action)

[redacted]

AT WASHINGTON, DC

[redacted] is requested to approve the procurement of [redacted] Funding for the amount of [redacted] is available using Budget Items [redacted] Subobject Code [redacted]

CC: [redacted]

[redacted]

CELL/OTD 025322

CELLSITE-18760

(Rev. 01-31-2003)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-18-2013 BY NSICG J76J18T80

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY **Date:** 3/18/2008

To: Finance **Attn:**

Criminal Investigative **Attn:**

From: Operational Technology
TTU/OT-ERF
Contact:

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b7E

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request procurement of

Enclosure(s): FD-369 in the amount of
Vendor Quote,

Details:

CELL/OTD 025323

CELLSITE-18761

[redacted]

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Contracting Officers are responsible for ensuring that

[redacted]

[redacted]

CELL/OTD 025324

CELLSITE-18762

To: Finance From: Operational Technology
Re: 268-HQ-1068430 , 3/18/2008

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT PSFO, DC

The Engineering Contracts Unit is requested to [redacted] Funding is available as specified on the attached form FD-369, Requisition [redacted]

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Set Lead 2: (Action)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

[redacted] is requested to approve funding for [redacted] Funding is available as specified on the attached form FD-369, Requisition [redacted]

CC: [redacted]

♦♦

[redacted]

CELL/OTD 025325

CELLSITE-18763

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 04-18-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-18-2038

(Rev. 01-31-2003)

~~SECRET~~//20330312

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 03/12/2008

To: Finance **Attn:** [redacted]

From: Operational Technology Division
[redacted]/QT-ERF
Contact: [redacted]

Approved By: [redacted]

Drafted By: [redacted]

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b7E

Case ID #: (U) 268-HQ-1068430 (Pending)

Title: (U) WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: (S) [redacted]

(U) ~~(S)~~ ~~Derived From : G-3~~
~~Declassify On: 03/12/2033~~

Enclosure(s): (U) Vendor Price Quote, FD369 [redacted] in the amount of [redacted] CCR Vendor Information.

Details: (S) [redacted]

~~SECRET~~//20330312 [redacted]

CELL/OTD 025327

CELLSITE-18764

To: ?? From: Operational Technology Division
Re: (U) 268-HQ-1068430, 03/12/2008

(S) [redacted]

(U) (~~S~~) Sole Source Justification

[redacted]

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(S) [redacted]

(U) (~~S~~) For informational purposes, the vendor [redacted] is CCR listed. The procurement of this system can be done unclassified, although the reasons for a non-competitive bid, and non-advertisement have been described on the attached JFOC.

(U) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

To: ?? From: Operational Technology Division
Re: (U) 268-HQ-1068430, 03/12/2008

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

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(S)

CC:

♦♦

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~//20330312

DATE: 04-18-2013
CLASSIFIED BY NSICG J76J18I80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-18-2038

Critical Needs Statement

(U) (X) The Operational Technology Division (OTD), [redacted] Tracking Technology Unit (TTU), is responsible [redacted]

[redacted] Wireless Intercept and Tracking Team (WITT) [redacted]

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(S) [redacted]

(U) [redacted]

OTD, Assistant Director

[redacted]

~~Derived From: G-3~~
~~Declassify On: March 12, 2033~~

~~SECRET~~//20330312

~~SECRET~~

DATE: 04-18-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-18-2038

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

IT Acquisition Form

Section 7 Attachment

Requirements Analysis

[redacted]

[redacted] The Wireless Intercept and Tracking Team (WITT)

[redacted]

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(S)

Analysis of Alternatives

[redacted]

[redacted] WITT [redacted]

[redacted]

Section 508 Statement

[redacted] Wireless Intercept and Tracking Team conducted an evaluation of the systems and have submitted the following comments regarding compliance of Section 508 requirements.

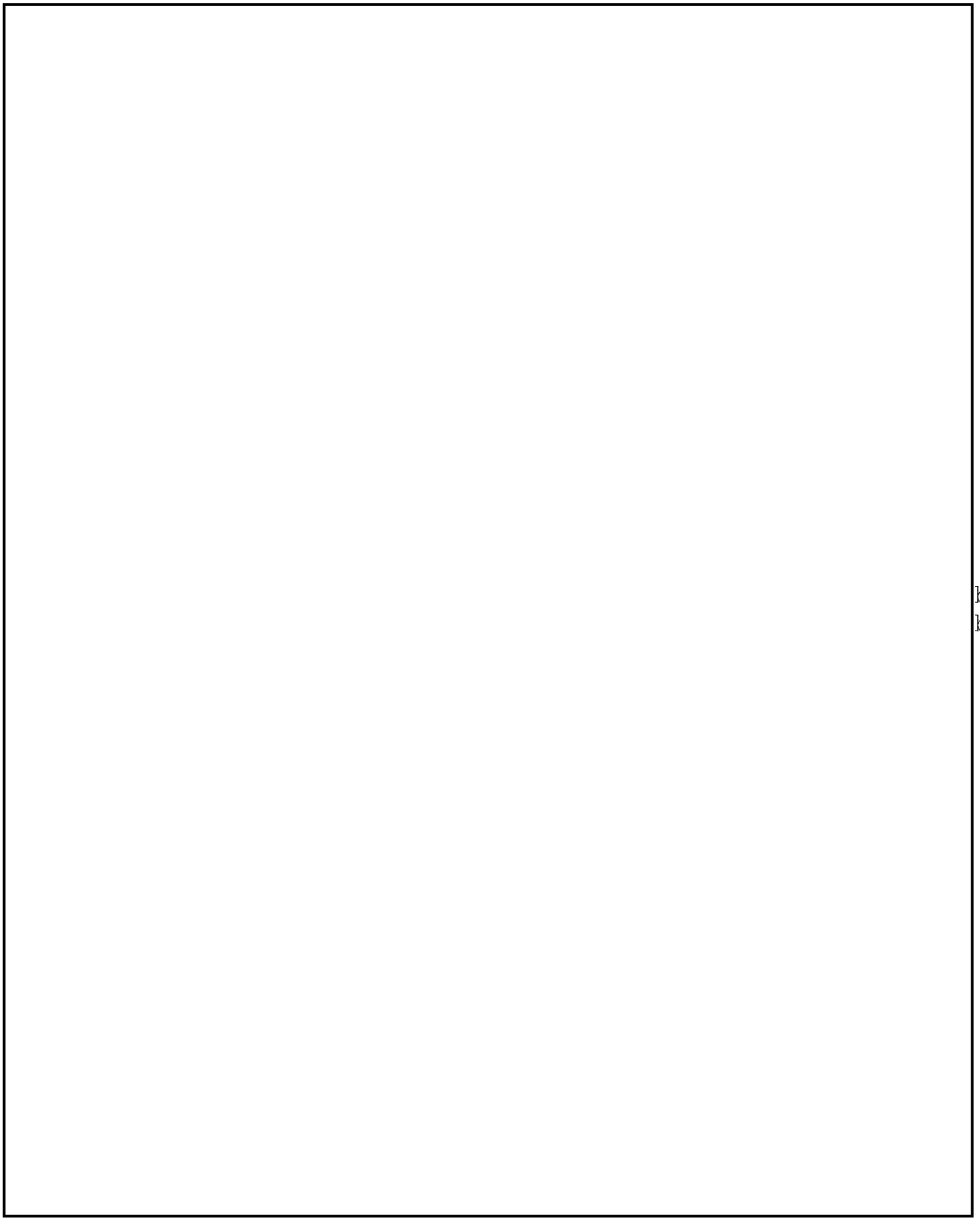
[redacted]

Subpart B -- Technical Standards

[redacted]

~~SECRET~~

CELL/OTD 025534



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b7E

[redacted]

b3
b7E

Subpart C – Functional Performance Criteria

[redacted]

Subpart D – Information, Documentation, and Support

(a) Documentation is offered in hardcopy (paper) as well as softcopy (CD) at no additional charge.
(b) End users are instructed in the product features, visually or through instruction verbally at request, at no additional charge.
(c) Support services accommodate the communication needs of end-users with disabilities.

System Security Plan

A System Security Plan has been completed and in place for use of [redacted] EC dated 06/30/2004 from Security Division has been attached to requisition package [redacted] An update to this EC has already been submitted and approved and can be obtained from the security division.

b3
b7E

Sole Source Justification

[redacted]

Independent Government Cost Estimate

TTU has submitted a quotation from the vendor, which details the cost of this procurement. Pricing has been negotiated and has been deemed fair and reasonable, and comparable with other procurements of this nature.

Life Cycle Cost Estimate

[redacted]

Earned Value Management Plan

TTU continuously ensures planning, scheduling, and budget monitoring through its program management efforts. [redacted]

Privacy Impact Assessment

The Office of General Council has been contacted and has reviewed the request for a Privacy Impact Assessment (PIA). [redacted]

Risk Assessment

TTU has identified through research and development efforts that [redacted] Sufficient funding is also in place for this procurement, and as well as plans for the maintenance over the full lifecycle of this product.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 04-18-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-18-2038

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(U) Security Addendum to EC dated 03/12/2007

(U) (S) This addendum further expands on the referenced EC with regard to sole source justification.

(S)

March 12, 2008

[redacted]
Chief Security Officer
Investigative Technology Division

~~Derived From: G-3~~
~~Declassify On: March 12, 2033~~

CELL/OTD 025338

CELLSITE-18772

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 04-18-2013
CLASSIFIED BY NSICG J76J18T80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-18-2038

~~SECRET~~

Justification for Other Than Full and Open Competition In Accordance With 41 U.S.C. 253 (c)(6)

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI), Tracking Technology Unit Unit (TTU), Operational Technology Division (OTD). The contracting activity is the Engineering Contracts Unit (ECU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(S)

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

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(S)

(U) X

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

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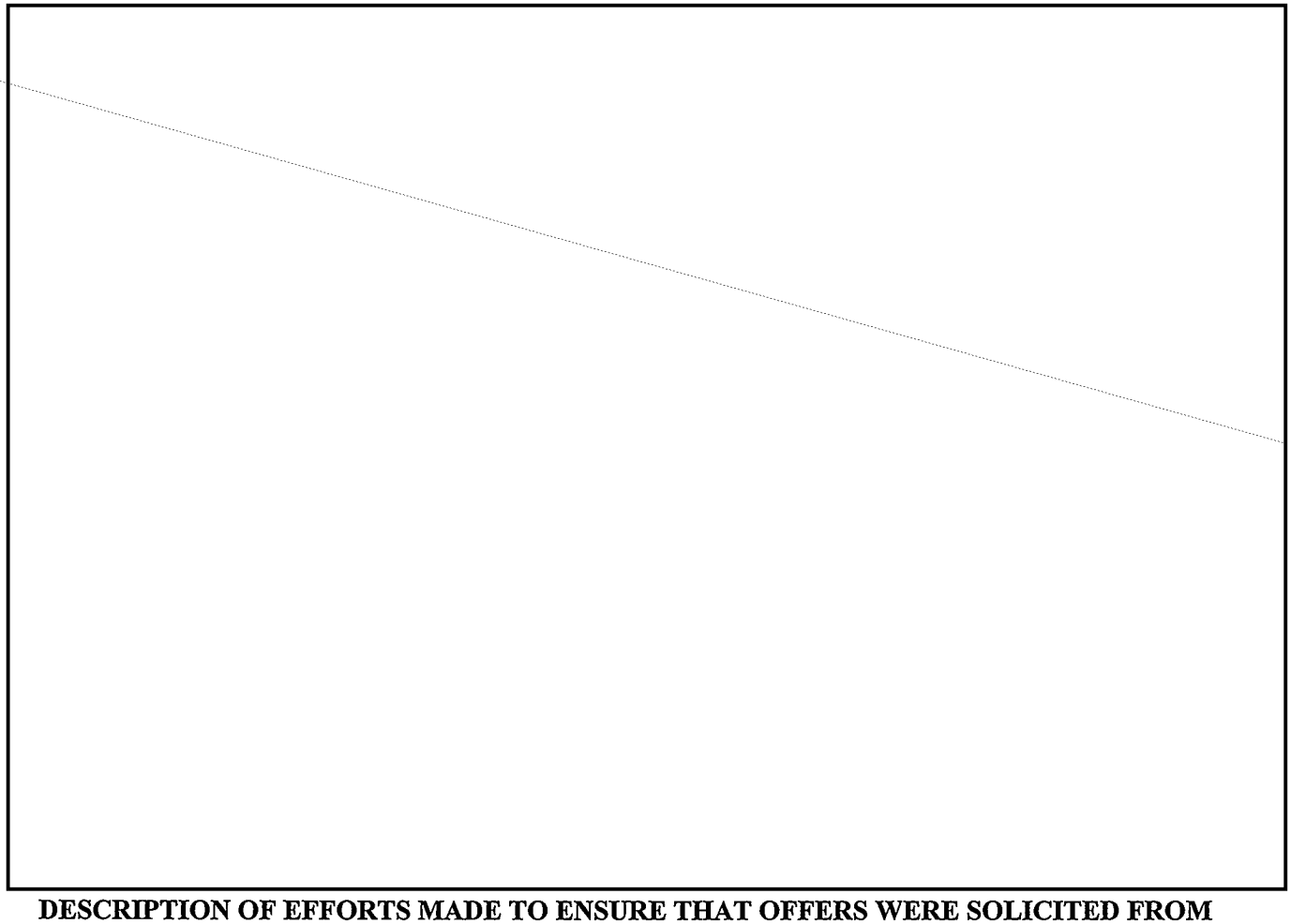
(S)



6. **DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE**

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would

7. **DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE**

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. **A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A**

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STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED

(S)

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

(U) See paragraph (5) above for facts supporting the use of other then full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Contracting Officer's Technical Representative (Date)

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(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Supervisory Contracting Officer (Date)

_____

, FBI Chief Contracting Officer (Date)

_____

Office of General Counsel (Date)

Approved By: _____

, Competition Advocate (Date)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATE: 04-18-2013
CLASSIFIED BY NSICG J76J18I80
REASON: 1.4 (c,g)
DECLASSIFY ON: 04-18-2038

~~SECRET~~//20330602

**JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION
IN ACCORDANCE WITH 41 U.S.C. 253(c)(6)**

~~Derived From: G3~~
~~Declassify On: 6/02/2033~~

1. Identification of the agency and the contracting activity:

(S)

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2. Nature and/or description of the action being approved:

(S)

3. Description of the supplies or services (including estimated value):

(S)

~~SECRET~~//20330602

4. **Statutory Authority:**

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

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5. **Demonstration that the nature of the acquisition justifies the use of the above authority:**

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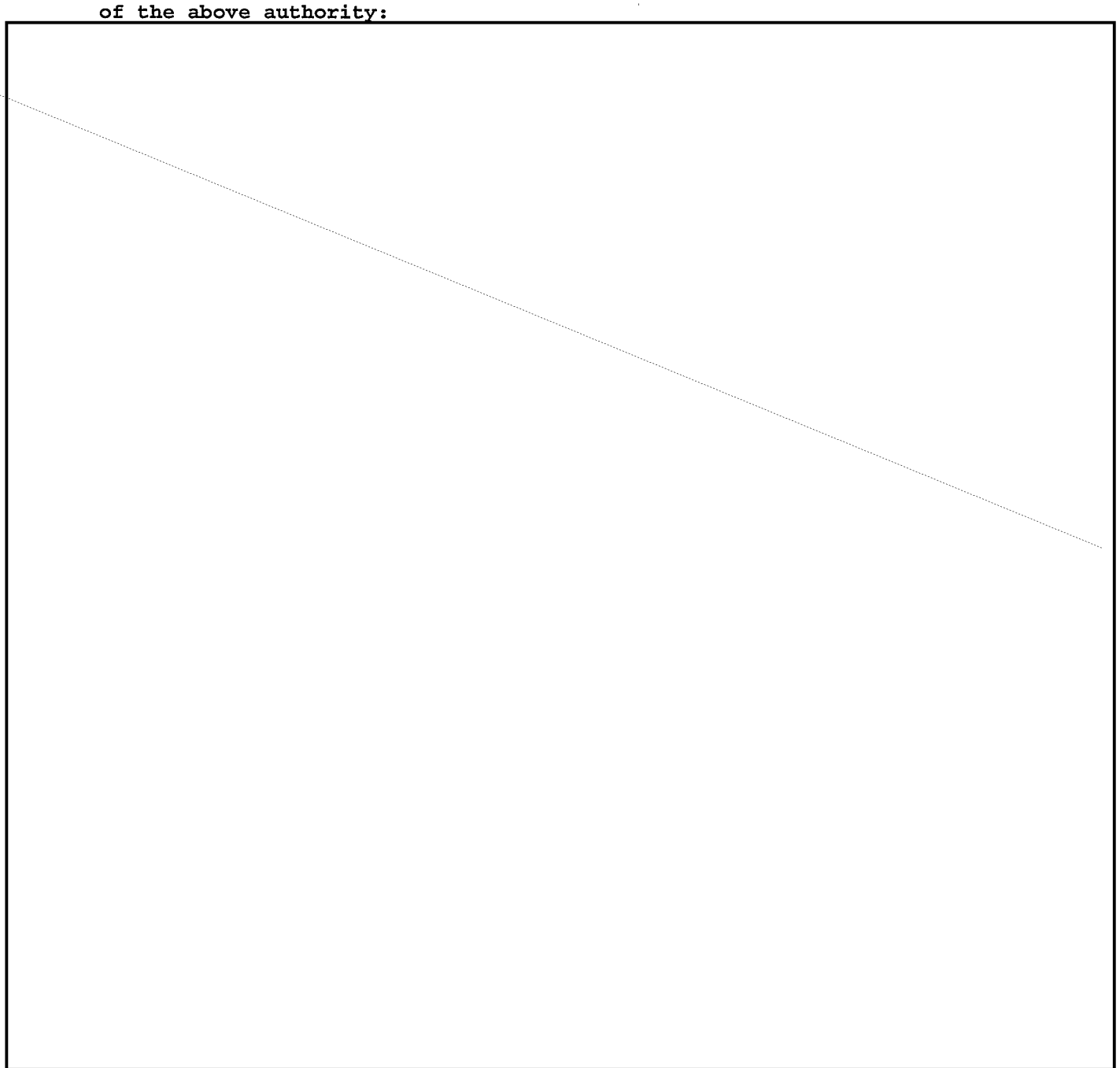

CELL/OTD 025353

CELLSITE-18784

(S)

6. **Efforts made to ensure offers are solicited from as many potential sources as practicable, including compliance with subpart 5.2 and, if not, which exception under FAR 5.202 applies:**

(S)

7. **Determination that the anticipated cost to the Government will be fair and reasonable:**

(U) A price analysis will be conducted by the Contracting Officer prior to award to determine that all prices are fair and reasonable.

8. **Market Survey:**

(S)

9. **Any other facts supporting the use of other than full and open competition:**

(U) See paragraph (5) above for the facts supporting the use of other than full and open competition.

10. **A listing of the sources, if any, that expressed in writing an interest in the acquisition:**

(U) Since the procurement was not publicized pursuant to FAR 5.202(a)(1), no other commercial sources were given the opportunity to express written interest in this procurement.

11. **A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services are required:**

(U) The FBI will continue to do market surveys to identify potential sources on subsequent acquisitions. TTU has a successful record of finding and developing new contractors.

Conclusion:

(S)

Certifications:

Technical Representative Certification:

As Technical Representative of the requiring office, I have reviewed the data provided in support of the Justification and Approval to procure using other than Full and Open Competition. I certify that the data is accurate and complete to the best of my knowledge and belief.

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Date

Contracting Officer's
Technical Representative (*Proposed*)

Contract Specialist Certification:

I hereby certify that the information in this justification is accurate and complete to the best of my knowledge and belief.

Date

Contract Specialist
Quantico Contracts Unit

Reviewed:

Unit Chief:

Date

Quantico Contracts Unit

CELL/OTD 025355

CELLSITE-18786

DATE: 04-18-2013
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REASON: 1.4 (c,g)
DECLASSIFY ON: 04-18-2038

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Statement of Work to Accompany Federal Bureau of Investigation Requisition

[redacted]

(U) PART ONE

(U) SUMMARY. The Federal Bureau of Investigation (FBI), Operational Technology Division (OTD), Tracking Technology Unit's (TTU) Wireless Intercept and Tracking Team (WITT) is

(S) [redacted] b1 b3 b7E

(U) PART TWO

[redacted]

[redacted]

meet the described criteria:

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(U) Operational Deployment

CELL/OTD 025357

CELLSITE-18788

DATE: 04-18-2013
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REASON: 1.4 (c,g)
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Statement of Work
Federal Bureau of Investigation Requisition

[redacted]

(U) PART ONE

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(U) ~~(S)~~ **SUMMARY.**

(S) [redacted]

(U) PART TWO

(U) Deliverables

(U) 1. ~~(S)~~ [redacted]

(S) [redacted]

CELL/OTD 025358

(S) [redacted] b1 b3 b7E

(U) 2. (S) [redacted]

(S) [redacted]

(U) 3. (S) **Monthly Status Reporting**

(S) [redacted]

(U) 4. (S) **Testing, Verification, and Demonstration**

(S) [redacted]

CELL/OTD 025359

(S) [redacted]

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(U) 5. (~~S~~) **Operational Deployment**

(S) [redacted]

(U) Other Details

(S) [redacted]

CELL/OTD 025360

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DATE: 04-18-2013
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REASON: 1.4 (c,g)
DECLASSIFY ON: 04-18-2038

(Rev. 01-31-2003)

~~SECRET~~//20330401

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 04/1/2008

To: Finance **Attn:**

Criminal Investigative **Attn:**

From: Operational Technology Division
/QT-ERF
Contact:

Approved By:

Drafted By:

Case ID #: (U) 268-HQ-1068430

Title: (U) WIRELESS INTERCEPT AND TRACKING TEAM

(U) **Synopsis:** (~~S~~) To request contract action to initiate the proposed research.

(U) (~~S~~) ~~Derived From : G-3~~
~~Declassify On: 04/1/2033~~

Enclosure(s): (U) Vendor Price Quote, FD369 in the amount of JFOC, CCR, Vendor Information, proposal and proposed estimated project plan.

Details:

(S)

~~SECRET~~//20330401

CELL/OTD 025361

CELLSITE-18792

To: ?? From: Operational Technology Division
Re: (U) 268-HQ-1068430, 04/1/2008

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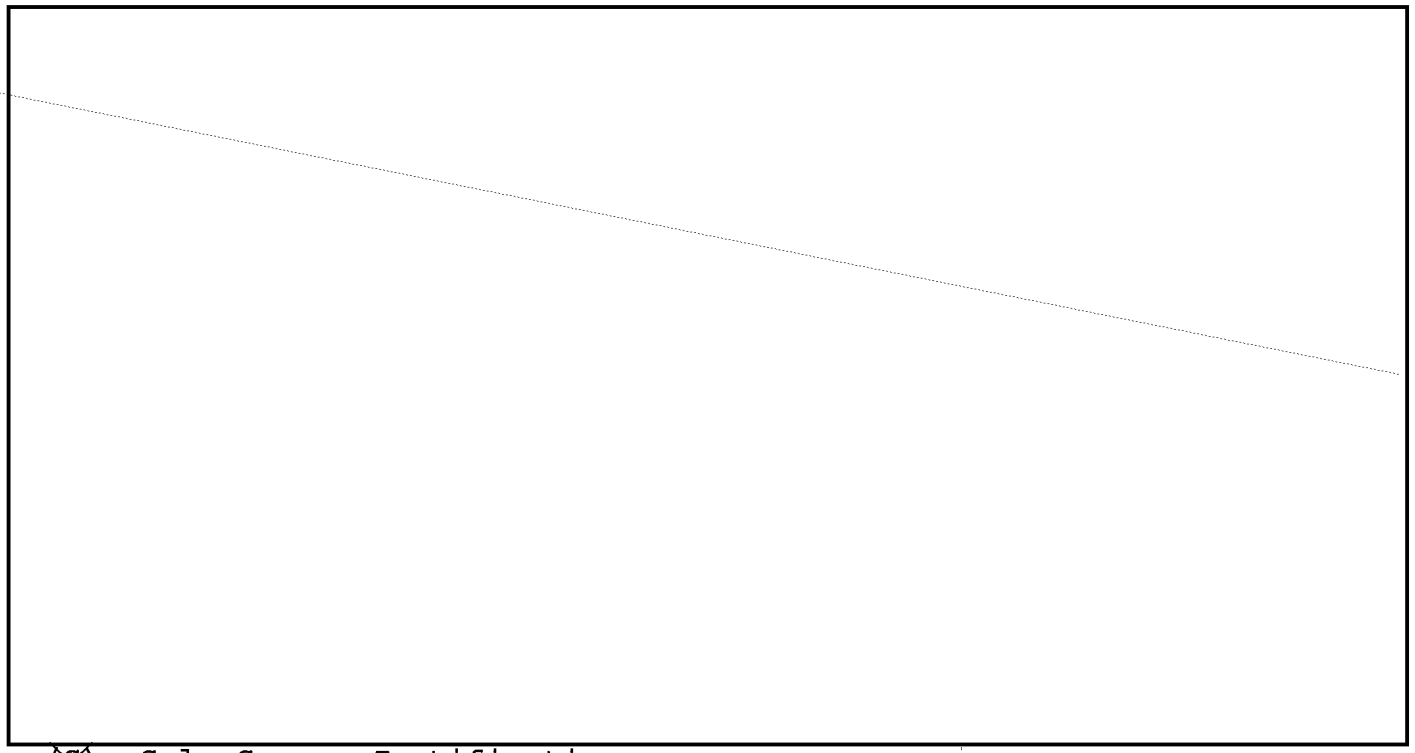
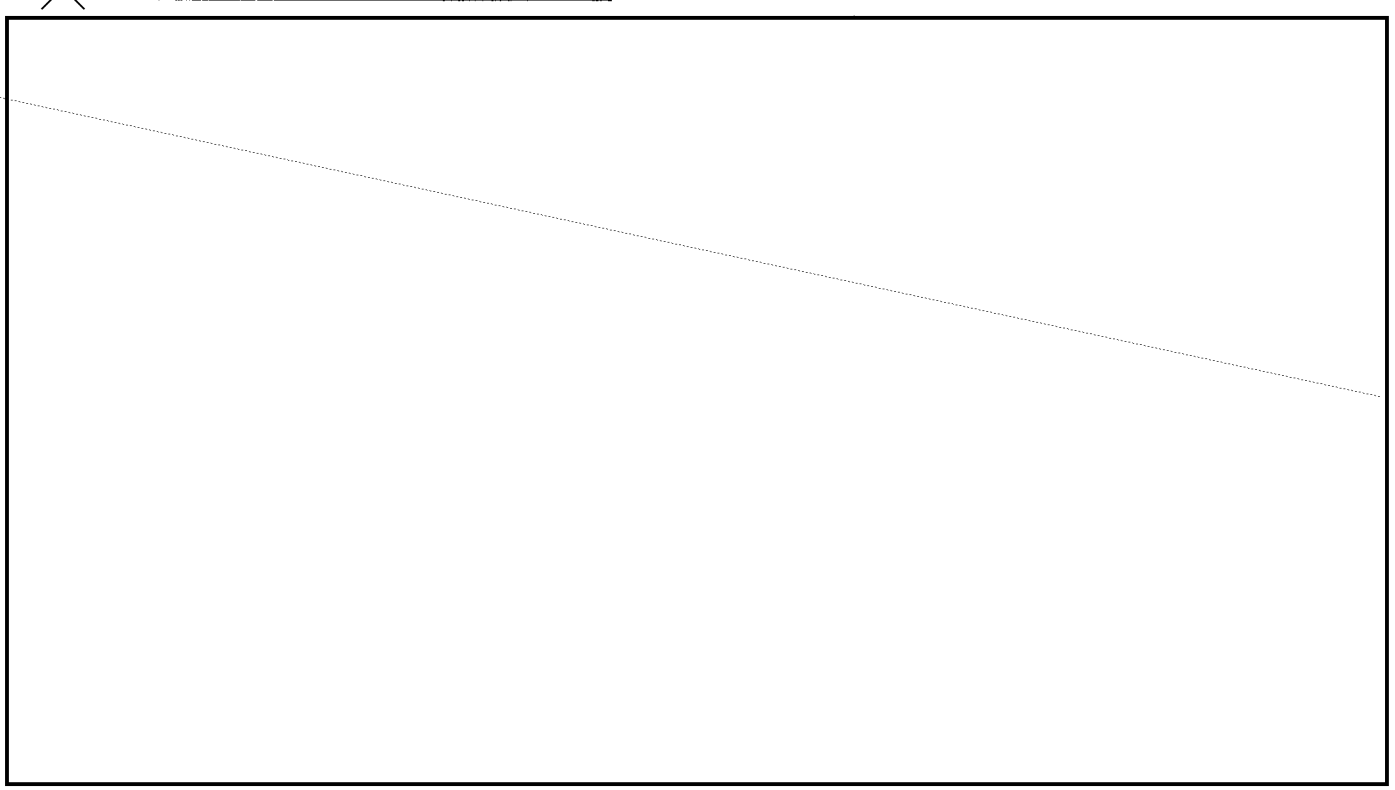


(U) ~~(S)~~ Sole Source Justification

(S)



CELL/OTD 025362

To: ?? From: Operational Technology Division
Re: (U) 268-HQ-1068430, 04/1/2008

(S)

(U)

(U) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

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LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

(U) (S) The Finance Division, Engineering Contracts Unit, is requested to initiate procurement action.

Set Lead 2: (Action)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

(U) (S) The Criminal Investigative Division is requested to approve the critical procurement action.

CC: [redacted]

♦♦

CELL/OTD 025363

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

Total Deleted Page(s) = 75
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DATE 10-20-2012 BY 65179 DMH/SIW

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

12 July 2010

[redacted]

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Subject: Contract [redacted]

Dear [redacted]

Please find enclosed a copy of the Statements of Work (SOW) for engineering services developed by the Federal Bureau of Investigation (FBI)..

The FBI is interested in obtaining a proposal for this task to be performed in accordance with the subject Contract. Contractor shall provide technical and cost proposals to support tasking as set forth in the Statement of Work.

If there are any question regarding this SOW please submit them to my office within the next five (5) business days.

It is therefore requested that your company review the enclosed SOW and if the proposed contract vehicle is appropriate, Cost-Plus Fixed Fee (CPFF), a cost and technical proposal should be submitted in accordance with the terms and conditions of the FBI's Contract no later than August 2, 2010 1:00 PM EST or sooner. Unclassified proposals maybe email to [redacted]

Should you have any questions concerning this matter, please contact me at [redacted] response may be faxed to [redacted] secure fax [redacted]

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[redacted]

Sincerely,

[redacted]

Contracting Officer

Attached: Statement of Work for [redacted] Tasking

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STATEMENT OF WORK

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-27-2012 BY 65179 DMH/STW

[redacted] Program

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[redacted] Task Order 1

1 SCOPE

1.1 *Task Overview*

This Task Order requires that the Contractor provide engineering services and operational support to the Operational Technology Division's [redacted] and [redacted] through studies, enhancements, and operational support to the [redacted]

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The FBI is the principal investigative arm of the United States Department of Justice. It is charged with gathering and reporting facts, locating witnesses, and obtaining evidence in cases involving Federal jurisdiction. The mission of the FBI's Operational Technology Division is to provide forensic services to the FBI and other law enforcement agencies and to support their ability to conduct lawfully authorized electronic surveillance. To that end, the Operational Technology Division is engaged in a number of development projects and activities that focus on developing the forensic, collection, surveillance, and tactical communications capabilities required for law enforcement to accomplish its objectives. [redacted]

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The focus of this overall effort is to provide the engineering services required to enhance the functionality of the [redacted] necessary to support specific case requirements for [redacted] The systems shall be designed, installed, and tested to assure that the configured system is operationally correct. The contractor shall support the system installation and remote troubleshooting as required. [redacted] expertise may be required.

The purpose of this SOW is to describe the tasking necessary to support the FBI's ability to [redacted] under specific legal guidelines. The task shall be achieved through engineering support to the current [redacted] platform for processing and presentation of [redacted] and the development of capabilities that are designed to meet specific case requirements.

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CELLSITE-19772

1.2 Deliverables

- Project Management Plan (See Section 2.2)
- Weekly Status Report (See Section 2.3)
- Monthly Program Review (See Section 2.3)
- System Testing Plan (See Section 2.2)
- System Demonstration at contractor facility
- Final Summary Report (See Section 2.2)

1.3 Category of Efforts

The FBI currently owns [redacted] that have been used by [redacted] in support of FBI investigations. OTD's [redacted] is also a user of the [redacted] for similar usage but different operational goals than [redacted] The FBI's goal is to field all [redacted] with the minimum capabilities provided by [redacted] as described below. [redacted] studies are intended to provide the FBI with approaches to resolving future issues through reports, prototypes, or demonstrations. This scope of work defines these three categories of effort: [redacted]

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1.3.1 Key Areas

a) [redacted] – It has been determined that the existing [redacted] systems require [redacted] The contractor shall perform the following [redacted]

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- [redacted]

b) [redacted]

[redacted] The contractor shall perform the following [redacted]

- [redacted]

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b7E

CELLSITE-19773

- [redacted]

c) [redacted] sees a number of longer term issues that require attention [redacted] In order to be mitigating the risks associated with [redacted] would require the vendor to perform studies that will help guide future efforts. The contractor shall perform the following studies: b3 b7E

- [redacted]

d) [redacted] **Requirements** – [redacted] has requirements specific to their operational use of [redacted] This would perhaps make a [redacted] or a [redacted] The contractor shall perform the following: b3 b7E

- [redacted]

2 Requirements

2.1 Security Standards and Regulations

Refer to [redacted] Statement of Work section 2.3 for guidance.

SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR. b3 b7E

2.2 Contractor Furnished Documentation

Refer to [redacted] Statement of Work sections 2.6 and 3.2 for guidance.

Project management plan shall consist of the Contractor's proposed solution to include the composition of required project team, complete task schedule, and total labor and non-labor costs for fully implementing the proposed solution.

CELLSITE-19774

2.3 Status Reporting

Refer to [redacted] Statement of Work Section 3.3 for guidance.

2.4 Formal Meetings

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Refer to [redacted] Statement of Work Section 3.4 for guidance.

2.5 Government Points of Contact

FBI Contracting Officer's Technical Representative

[redacted]
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A
Quantico, VA 22135
[redacted]

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[redacted] **Technical Point of Contact**

[redacted]

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CELLSITE-19775

Methods By Specific Court Authorities

	Intercept	Identification

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CELLSITE-19776

********** -COMM. JOURNAL- ********** DATE AUG-24-2010 ***** TIME 15:19 ********

MODE = MEMORY TRANSMISSION START=AUG-24 15:17 END=AUG-24 15:19

FILE NO.=938

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
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[redacted]

********** - - ***** - [redacted] *********

FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION
FACSIMILE COVER SHEET

PRECEDENCE

○ Immediate ○ Priority ○ Routine

CLASSIFICATION

○ Top Secret ○ Secret ○ Confidential ○ Sensitive ○ Unclassified

TO

Name of Office: [redacted]
Facsimile Number: [redacted]
Date: **08/24/2010**
Attn: [redacted]
Room:
Telephone Number: [redacted]

FROM

Name of Office: **FBI - Science and Technology Contracts Unit**
Number of Pages: (including cover) **7**
Originator's Name: [redacted]
Originator's Telephone Number: [redacted]
Originator's Facsimile Number: [redacted]
Approved:

DETAILS

Subject:
Please find the attached Request for Clarifications on [redacted] TO Proposals and Revised [redacted]

Special Handling Instructions:
Please confirm receipt of the modification, sign the SF-30, and fax back to the number above.

Brief Description of Communication Faxed:
Thank you for your assistance and have a good day.

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DATE 10-20-2012 BY 65179 DMH/STW

FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION

FACSIMILE COVER SHEET

PRECEDENCE

○ Immediate ○ Priority ○ Routine

CLASSIFICATION

○ Top Secret ○ Secret ○ Confidential ○ Sensitive ○ Unclassified

TO

Name of Office:	Facsimile Number:	Date:
		08/24/2010
Attn:	Room:	Telephone Number:

FROM

Name of Office:	Number of Pages: (including cover)
FBI - Science and Technology Contracts Unit	**7**

Originator's Name:	Originator's Telephone Number:	Originator's Facsimile Number:

Approved:

DETAILS

Subject:

Please find the attached Request for Clarifications on [redacted] TO Proposals and Revised [redacted]

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b7E

Special Handling Instructions:

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Brief Description of Communication Faxed:

Thank you for your assistance and have a good day.

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DATE 10-20-2012 BY 65179 DMH/STW

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

24 August 2010

[redacted]

Contract: [redacted]
Subject: Request for Clarification on [redacted] Task Order Proposals

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Please review the attached questions and requests for clarifications regarding the Cost and Technical Proposals received in response to FBI's [redacted] Task Order statement of work and letter dated July 12, 2010. Please provide a response to these questions and any modifications to the originally submitted cost and technical proposals no later than 2PM EST Thursday August 26, 2010.

If I can be of further assistance with this effort you may contact me at

[redacted]

[redacted]

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Sincerely,

[redacted]
Contracting Officer

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-22-2012 BY 65179 DMH/STW

Government Questions and Requests for Clarification

Technical and Cost Proposal for the [redacted]

Proposals Dated August 6, 2010

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Paragraph	Comment
General	Throughout the proposa[redacted] refers to a number of IR&D projects that relate to the scope of work being bid. It is not clear how much of the IR&D work[redacted] is proposing as part of this effort or if they are putting it in the proposal to show experience in the area. Also, if they are going to claim ownership to the entire product being procured by the Government due to inclusion of all or part of a previous IR&D effort, it needs to be clearly defined what percentage of the full product is from their IR&D. See comment for paragraph 9.0 below.
Page 1 - 3.1.1	[redacted]
Page 3 - 3.1.5	[redacted] should disregard the column of information labeled [redacted] There is no Government requirement to [redacted]
Page 4 - 3.1.7	The requirement to interface [redacted] with [redacted] is no longer valid. This item shall be removed from the SOW. Item is hereby deleted in full.
Page 5 - 3.1.8.2	This item directly relates to and may become a duplication of effort for of items 3.1.3 and 3.1.4. Please clarify, explain, and provide full disclosure as to how these tasks are/are not a duplication of effort.
Page 7 - 3.2.2	The requirement to [redacted] is no longer valid. This item can be removed from the SOW. Item is hereby deleted in full.
Pages 11 & 12 -9.0	Items 7 & 18. [redacted] wants full rights of the result of this effort to sell as a commercial product, and therefore will potentially be provided an unfair advantage in this [redacted] Please advise if you understand and comply.
Page 13 - 9.0	Item 30. An NDA shall be required of [redacted] for this effort as previously agreed. All personnel supporting efforts under [redacted] shall be required to sign the NDA (FD-868).
Page 23 - 12.0 Subtask #4	Based on the fact that this is an unclassified requirement, hours are excessive and shall be reduced. Hours shall be substantially reduced to [redacted] for the duration of this tasking.
Page 24 – table	Product testing shall not be done [redacted] See also page 34. Contractor shall adjust cost and technical proposal accordingly. Technical guidance shall be provided by COTR for this portion of the tasking.
Page 29 – Subtask #1	Subtask #1 on page 29 shall be revised and all requirements stated in the Proposal shall be removed except for the following requirements from Section 1.3.1 from the [redacted] SOW: [redacted] from page 2. The Contractor shall revise and reduce the technical and cost proposals accordingly.

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Pages 30 & 31 – Subtasks #4, 5, 7	These tasks are related and may potentially impact each other. From task #7 it is unclear if these hours are paying for the IR&D effort or in addition. Please clarify.	
Page 31 – Subtask #9	The requirement for [redacted] support has been removed. Item is hereby deleted in full.	
Page 32 – Subtask #11	It is unclear what this task is doing. Should it be part of the I&T as identified on page 34 in the paragraph titled System Integration and Test Effort? Please clarify.	b3 b7E
Page 34 – Subtask #1	1) Page 29, Subtask 11 [redacted] and Page 24, Subtask #1 "Systems I&T" appear to be duplicative efforts. Please revise cost and technical proposals to remove the duplicative portions or explain how both testing scenarios are required. 2) The hours for this subtask appear to be excessive. [redacted] Development task. Proposed hours for [redacted]	
Page 37	The Government shall provide a current [redacted] as GFE. [redacted] may require additional components and will most likely charge for handling of the GFE. Hours proposed by the Contractor are excessive and shall be reduced. [redacted] Please advise if you understand and comply. Adjust cost proposal accordingly.	b3 b7E
Page 42	[redacted] shall identify which portion of subtask #1, page 42, is to be funded by [redacted] IRAD funding and which portions are intended to be funded by the FBI. Also please clarify and describe how [redacted] intends to incorporate [redacted]	
Page 44	The Government is unclear what is meant by the sentence [redacted] Please clarify.	b3 b4 b7E
Page 46	[redacted] is bidding [redacted] to purchase [redacted] The Government shall provide these items as GFE from make and model information provided by [redacted] Please adjust cost proposal to reflect the deletion of this item.	
Page 49	[redacted] is no longer a requirement. See comments to paragraph 3.2.2 above. Item is hereby deleted in full.	

CELLSITE-19781

********** -COMM. JOURNAL- ********** DATE AUG-25-2010 ***** TIME 13:56 ********

MODE = MEMORY TRANSMISSION START=AUG-25 13:55 END=AUG-25 13:56

FILE NO.=945

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	#	[redacted]	006/006	00:01:02

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 10-20-2012 BY 65179 DMH/SIW

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[redacted]

********** - [redacted] - ***** - [redacted] **********

FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION

FACSIMILE COVER SHEET

PRECEDENCE

○ Immediate ○ Priority ○ Routine

CLASSIFICATION

○ Top Secret ○ Secret ○ Confidential ○ Sensitive ○ Unclassified

TO

Name of Office: [redacted]

Facsimile Number: [redacted]

Date: **08/25/2010**

Attn: [redacted]

Room:

Telephone Number: [redacted]

b3
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b7E

FROM

Name of Office: **FBI - Science and Technology Contracts Unit**

Number of Pages: (including cover) **6**

Originator's Name: [redacted]

Originator's Telephone Number: [redacted]

Originator's Facsimile Number: [redacted]

Approved:

DETAILS

Subject:

Please find the attached Responses & Request for Clarifications on [redacted] TO Proposals.

b3
b7E

Special Handling Instructions:

Please confirm receipt.

Brief Description of Communication Faxed:

Thank you for your assistance and have a good day.

WARNING

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FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION

FACSIMILE COVER SHEET

PRECEDENCE

○ Immediate ○ Priority ○ Routine

CLASSIFICATION

○ Top Secret ○ Secret ○ Confidential ○ Sensitive ○ Unclassified

TO

Name of Office:	Facsimile Number:	Date:
		08/25/2010
Attn:	Room:	Telephone Number:

b3
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b7E

FROM

Name of Office:	Number of Pages: (including cover)
FBI - Science and Technology Contracts Unit	**6**

Originator's Name:	Originator's Telephone Number:	Originator's Facsimile Number:

Approved:

DETAILS

Subject:

Please find the attached Responses & Request for Clarifications on [ ] TO Proposals.

b3
b7E

Special Handling Instructions:

Please confirm receipt.

Brief Description of Communication Faxed:

Thank you for your assistance and have a good day.

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ALL INFORMATION CONTAINED
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DATE 10-20-2012 BY 65179 DMH/STW

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

25 August 2010

[redacted]

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Contract: [redacted]
Subject: Request for Clarification on [redacted] Task Order Proposals

Enclosed please find the FBI's responses to [redacted] "Conditions and Assumptions" for the [redacted] Task Order to be performed under the above Contract. Please review and respond to any questions or requests for clarifications regarding the Cost and Technical Proposals. This proposed tasking is intended as a Cost-Plus Fixed Fee requirement and as such, in accordance with the previously agreed upon terms and conditions of this contract, revise the Cost documentation to reflect a [redacted] fee structure. All Terms and Conditions under the Contract [redacted] are unchanged and binding for all subsequent actions, including this intended Tasking.

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Please provide a response to these questions and any modifications to the originally submitted cost and technical proposals no later than noon EST on Friday August 27, 2010. To reduce administrative burdens, please make necessary changes to those affected pages and provide them for replacement in original documentation.

If I can be of further assistance with this effort you may contact me at [redacted]

[redacted]

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b7C

Sincerely,

[redacted]

Contracting Officer

ALL INFORMATION CONTAINED
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DATE 10-20-2012 BY 65179 DMH/STW

[redacted] Task Order:

Responses to Conditions and Assumptions pages 11-13.

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Please note that all terms and conditions for the [redacted] Contract are in affect and negotiated and agreed upon per signatures on 9/15/09. The following conditions and assumptions were provided in the [redacted] proposal:

1. The basis for this proposal is the Base IDIQ Contract No. [redacted] and associated documents; the Sponsor's RFP dated 12 July 2010 and accompanying documents.

- The FBI concurs.

2. Proposed pricing and schedule assume full funding at award. Should incremental funding be required, the Contractor will provide a funding profile at negotiations and provide funding limitations notices per FAR 52.232-22 Limitation of funds, to ensure funding is provided in a timely fashion to support the proposed schedule.

- The FBI intends to incrementally fund this tasking. See original RFP clause included in Section I.

3. Proposed pricing assumes effort will be awarded on a single Task Order/Delivery Order under which only one CLIN per task order. If multiple CLINs are to be awarded, Contractor reserves the right to update its proposal to include additional administrative costs associated with managing multiple CLINs.

- Number of CLINs will be determined at time of award and at no additional cost to the FBI.

4. Proposed prices are exclusive of international, federal, state, local, excise, sales, gross receipts, use, business and occupation tax, and similar taxes arising from or in connection with the proposal, and such taxes, if assessed will be invoiced by the Contractor and paid by the Sponsor.

- See original contract. The federal government is tax exempt.

5. Period of Performance is 8 months which includes 7 months for program execution and 1 month to perform final task order closeout activities.

- The FBI accepts this assumption.

6. [redacted] is asserting its right to protect intellectual property (IP) in accordance with F.A.R. Clause 52.227-14 Rights in Data – General. Any IP claim will be submitted under separate cover.

- The FBI will review all claims submitted by vendor and determine IP rights on an individual basis.

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7. [redacted] requests the Sponsor incorporate into the IDIQ Terms and Conditions, Alternate II (Dec 2007) of Clause F.A.R. 52.227-14, Rights in Data- General. This clause will be applicable to this and subsequent efforts.

- The FBI concurs. This clause is incorporated via Mod 6 to [redacted] fully executed 8/23/10.

8. [redacted] will not provide documentation, specifications, drawings, source code, or prototypes, associated with our intellectual property (IRAD). As such [redacted] requires Clause H-10 and Paragraph 2.6(i) be revised or deleted with respect to [redacted] IP.

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- See original contract terms and conditions agreed upon under contract. H-10 remains as stated. Negotiations regarding IRAD funding will be addressed on a case by case basis.

9. No estimates have been included for providing Contractor team member working notes called out in Paragraph 2.6(f). Note; this is not a standard practice [redacted] will assess the cost and schedule impact if this review is required.

- The FBI concurs. If required, vendor will be advised.

10. Weekly status reports will be submitted via e-mail and shall address technical problems, risks, issues, production, technical assessments, and security items, and concerns (SOW 3.3 and 3.4.1).

- The FBI concurs.

11. This proposal assumes all customer meetings are held at the contractor's facility.

- The FBI concurs.

12. Formal meeting Agendas will be sent via email or secure fax..

- The FBI concurs.

13. At customer direction, Monthly Program Reviews may be held by telephone.

- The FBI concurs.

14. Invoices will be billed by element of cost, consistent with the contractors current invoice format. No hourly information will be on the invoices; however, this data can be incorporated into the monthly customer report.

- Hourly information shall be required and can be incorporated into the monthly customer report.

15. Production, Technical Assessments, and Security Reviews (SOW 3.4.1), when needed; will be incorporated into Weekly or Monthly Status Review.

- The FBI concurs.

16. All deliverable data submissions are considered approved if no comments are received by 10 business days after submission to the Customer. Multiple iterations for report revisions are not considered in this proposal estimate.

- See Section E.1 of the [redacted] of awarded contract [redacted], incorporated into the Contract, the FBI retains the right to 30 days for inspection and acceptance of submitted deliverables.

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17. The proposed price for the study option assumes that the option will be exercised at the same time as the base award in order for it to be completed, with the base program period of performance.

- The FBI intends to exercise Option Year 1 for the [redacted] Contract in September 2010 with same terms and conditions as agreed upon in the contract, for the 60 month period. If this statement does not address #17. Please advise.

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18. This proposal assumes [redacted] will have the right to incorporate any results of this program into its commercial products as applicable.

- [redacted] shall notify the FBI of any results, capabilities, or functionalities related to this tasking that are intended to be incorporated into commercial products.

19. This proposal assumes Pictorial System Diagrams (SOW 2.6) will be included in PDR and CDR packages and not separate deliverable.

- The FBI concurs.

20. As authorized by F.A.R. 52.232-28, [redacted] requests electronic funds transfer of payments to:

[redacted]

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- The FBI concurs. See contract awarded [redacted]

21. [redacted] has not included in its estimate of cost incurred or to be incurred any amount for termination liability costs to which [redacted] may be entitled in the event of a termination for convenience by the Government.

- See Contrac[redacted] for all terms and conditions that are applicable to this agreement.

22. [redacted] currently has a website available for government customers; this proposal assumes this existing [redacted] Web Site satisfies the Sponsor's requirement (SOW 3.10). If additional capabilities above this are required, [redacted] reserves its right to assess the impact.

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- The FBI concurs.

23. Invoicing will be monthly after [redacted] period end, the terms of which would be 100% due Net 30 subject to the FAR 52.232-25, Prompt Payment Clause.

- The FBI concurs. See contract awarded [redacted]

24. FOB Point is destination.

- The FBI concurs.

25. No warranty terms are offered.

- Warranty terms, if applicable, will be in accordance with the terms of the contract [redacted] signed 9/15/09.

26. If [redacted] products are required for this effort they are priced at the [redacted] price list value with no additional burdens.

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- The FBI concurs. However, please see Cost Proposal page 37 and 38 and adjust pricing accordingly.

27. The Consolidated Materials Listing (CML) is not auditable at proposal submission. [redacted] is continuing to firm material pricing to provide for negotiations.

- Please clarify assumption.

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28. [redacted] will monitor and assess this during performance and will notify the customer as necessary.

- The FBI concurs.

29. In support of the effort, [redacted] will be developed and provided to [redacted] who is the [redacted] developer. Actual modifications to [redacted] must be performed by [redacted] and are not priced in this proposal.

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- The [redacted] portion of this tasking has been deleted from the SOW and no services shall be required under this Tasking.

30. This task is unclassified and will be worked in a suitable environment commensurate with the security classification [redacted] assumes that no security clearances or NDA will be required.

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- The FBI agrees that work to be performed under this tasking are unclassified.
- At th[redacted] FBI meeting on 6/24/10, both parties agreed that al[redacted] employees involved with the [redacted] contract shall sign the FD-868. The classification level of this tasking does not exempt it from the need for and requirements of the NDA.

[redacted]

[redacted]

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27 August 2010

In Reply Please Refer to: [redacted]

935 Pennsylvania Ave. N.W.
JEH Bldg Room 6853
Washington, D.C. 20535

Attention: [redacted] Contracting Officer

Subject: Fact-finding Responses - [redacted] Proposal, dated 6 August 2010

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Reference: (a) [redacted] Contract No [redacted]
(b) [redacted] proposal, [redacted] dated 6 August 2010
(c) Government Questions and Requests for Clarification, dated 24 August 2010

Dear [redacted]

[redacted] through its [redacted] is submitting the attached responses to the Government's referenced c, fact-finding questions. Attached also as a result of our responses is our updated proposal price summary, with the [redacted] sections that were revised for this update.

We appreciate this opportunity to provide you with this data submittal and look forward final negotiations. For technical questions please contact [redacted] or contact the undersigned at [redacted] or [redacted]

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Very truly yours,

[redacted]

Cc: [redacted]

Enclosures:

[redacted] TE-19795

[redacted] **Proposal Update Summary Price Table (27 August 2010)**

	[redacted]		
	Development	[redacted]	Total
Cost:	[redacted]		
Fee @ 12%			
Price:			

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P. 23 12.0 Subtask 4.

[redacted] 01-01-01 Subtask #4: Security

- Hours reduced from [redacted] maintaining LOE estimating methodology as follows:

[redacted]

P. 24 Table

[redacted] 01-01-01 Travel

- Travel location changed from LA to Wash, DC.

P. 29 Subtask #1

[redacted] 01-01-54 Subtask #1: [redacted]

- Hours reduced from [redacted] as follows:

[redacted]

P. 31 Subtask #9

[redacted] 01-01-54 Subtask #9: [redacted] Support

- Subtask # 9 deleted: Hours reduced from [redacted]

P.37

1. [redacted] 01-01-07 Subtask #1: MMS Labor

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- Based on revised CML (provided) hours reduced from [redacted] as follows:

[redacted]

allocated as follows:

Manager [redacted]
Administration [redacted]
Clerical [redacted]

2. [redacted] 01-01-08 Products (Added)

- Added Products Table and Pricing

P. 46

[redacted] 01-02-07 [redacted]

- Deleted

P. 49

[redacted] 01-03 [redacted]

- - Deleted

ALL INFORMATION CONTAINED
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DATE 10-20-2012 BY 65179 DMH/STW

[redacted]

From: [redacted]
Sent: Friday, September 10, 2010 2:23 PM
To: [redacted]
Cc:
Subject: RE: Updated Cost Proposals: [redacted]

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[redacted]
I'm fine with the revisions submitted by [redacted] I would like to start the [redacted] with the award of the task. We will have to incrementally fund that project.

Thanks.
[redacted]

From: [redacted]
Sent: Friday, September 10, 2010 10:04 AM
To: [redacted]
Cc:
Subject: FW: Updated Cost Proposals: [redacted]

Hi [redacted]

Please review and evaluate the attached documents for [redacted] Let me know if you have any questions, comments, or concerns. I hope to finalize and award the Task Order on Tuesday of next week and will need your final reviews and any information you want incorporated into the contract by that time.

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Please let me know if you have any questions.

Thanks again,
[redacted]

From: [redacted]
Sent: Thursday, September 09, 2010 5:14 PM
To: [redacted]
Cc:
Subject: Updated Cost Proposals: [redacted]

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[redacted]

Here is the remaining proposal update documents to go along with the items faxed earlier today. [redacted]

[redacted]FF_Response.pdf>>
[redacted]

<<Responses to [redacted] Proposal Questions - Final.pdf>> <[redacted]Meeting Action Items - [redacted]pdf>> <[redacted]Summary Price Update_Sep 10.pdf>> [redacted]_Price Summaries[redacted]_Sep10.pdf>>

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[redacted]_Pricing Summary Changes.pdf>> [redacted]_Updates Sept 10.pdf>>

[redacted] Summary Price Update Sept. 10.pdf>> <[redacted] Price Summaries[redacted]_9-9-10.pdf>>

<<Revised [redacted] Cost Proposal.pdf>>

Regards,

[redacted]

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********** -COMM. JOURNAL- ********** DATE MAY-18-2011 ***** TIME 14:11 ********

MODE = MEMORY TRANSMISSION START=MAY-18 14:09 END=MAY-18 14:11

FILE NO.=375

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	#	[redacted]	003/003	00:01:45

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[redacted]

********** - ***** - [redacted] **********

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		1

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
Mod 3	05/18/11		

6. ISSUED BY	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE
Federal Bureau of Investigation [redacted] Room 6853 935 Pennsylvania Ave. NW Washington, DC 20535		Same as Item 6.	

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)	(X)	9A. AMENDMENT OF SOLICIATION NO.
[redacted]		9B. DATED (SEE ITEM 11)
	X	10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted]
		10B. DATED (SEE ITEM 11) 05/18/11

CODE	FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPIRATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 32.7 "Funding"

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is to provide the final increment of funding for continued engineering services in the amount of [redacted] per the originally agreed [redacted] Task Order total of [redacted] An additional [redacted] is provided to contribute towards contract close out. Services are to be performed in accordance with the SOW and Terms & Conditions of the Task Order and [redacted] Contract. [redacted] represents the previous PO for this effort with FY10 funding. POP: 5/18/11-8/15/11. Technical guidance is to come from COTR, [redacted] Invoice to COTR. Contractor exceeds funding at own risk.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
[redacted]		[redacted] Contracting Officer	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

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U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

9 June 2011

[redacted]

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Contract: [redacted]
Subject: [redacted] System Test Plan Acceptance

Good Afternoon [redacted]

Please accept this letter as the Federal Bureau of Investigation's official acceptance of the [redacted] System Test Plan documentation Revision [redacted] dated April 15, 2011.

If there are any questions please do not hesitate to contact my office.

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Sincerely,

[redacted]

Contracting Officer
Science and Technology Contracts Unit

TRANSMISSION VERIFICATION REPORT

TIME : 06/09/2011 10:27
NAME : GCU
FAX :
TEL :
SER.# : 000F6J321760

DATE,TIME	06/09 10:27
FAX NO./NAME	
DURATION	00:00:23
PAGE(S)	01
RESULT	OK
MODE	STANDARD ECM

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DATE 10-20-2012 BY 65179 DMH/STW

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

9 June 2011

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Contract:
Subject: System Test Plan Acceptance

Good Afternoon

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Please accept this letter as the Federal Bureau of Investigation's official acceptance of the System Test Plan documentation Revision dated April 15, 2011.

If there are any questions please do not hesitate to contact my office.

Sincerely,

CELLSITE-19814

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-20-2012 BY 65179 DMH/STW

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

7 June 2011

[redacted]

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b7E

Contract: [redacted]
Subject: **Responses to** [redacted]

Good Afternoon [redacted]

Please accept this letter as the Federal Bureau of Investigation's official acceptance of the following documents provided via e-mail 2 June 2011 at 5:54PM.

- [redacted] Acceptance Test Procedure, Revision A, dated 31 May 2011
- System Requirements, Revision A, dated 23 May 2011

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If there are any questions please do not hesitate to contact my office.

Sincerely

[redacted]

Contracting Officer
Science and Technology Contracts Unit

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-20-2012 BY 65179 DMH/STW

[redacted]

From: [redacted]
Sent: Tuesday, June 07, 2011 10:17 AM
To: [redacted]
Cc:
Subject: Re: [redacted] Updated Requirements and ATP

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[redacted]

I left off the System Test Plan frm the reviewed and accepted list. Please add this deliverable on your letter, along with the System Requirements and Acceptance Test Procedures.

Thanks.

[redacted]

From: [redacted]
To: [redacted]
Cc: [redacted]

Sent: Tue Jun 07 09:33:33 2011
Subject: Re: [redacted] Updated Requirements and ATP

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[redacted]

Per our conversation, I have reviewed the documents forwarded by the below email and find them acceptable as submitted.

Thanks.

[redacted]

From: [redacted]
To: [redacted]
Cc: [redacted]

Sent: Thu Jun 02 17:53:09 2011
Subject: [redacted] Updated Requirements and ATP

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Hi [redacted]

Please find attached our updated System Requirements and Acceptance Test Procedure. Please have [redacted] provide approval of these documents so that we may enter ATP as scheduled on Monday 6th June. We are all set to begin with our Test Readiness Review at 1:00PM on Monday. Look forward to seeing you then.

Have great weekend,

[redacted]

ALL INFORMATION CONTAINED
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DATE 10-20-2012 BY 65179 DMH/STW

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		1

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
Mod 3	05/18/11		

6. ISSUED BY	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE
Federal Bureau of Investigation [redacted] Room 6853 935 Pennsylvania Ave. NW Washington, DC 20535		Same as Item 6.	

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8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)	(X)	9A. AMENDMENT OF SOLICIATION NO.
[redacted]		9B. DATED (SEE ITEM 11)
	X	10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted]
		10B. DATED (SEE ITEM 11) 05/18/11

CODE	FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPIRATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
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	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 32.7 "Funding"

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is to provide the final increment of funding for continued engineering services in the amount of [redacted] per the originally agreed [redacted] Task Order total of [redacted] An additional [redacted]00 is provided to contribute towards contract close out. Services are to be performed in accordance with the SOW and Terms & Conditions of the Task Order and [redacted] Contract. [redacted] represents the previous PO for this effort with FY10 funding. POP: 5/18/11-8/15/11. Technical guidance is to come from COTR, [redacted] Invoice to COTR. Contractor exceeds funding at own risk.

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Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	15C. DATE SIGNED	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	16C. DATE SIGNED
[redacted]	5/20/11	[redacted]	5/31/11
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

CELLSITE-19817

********** -COMM. JOURNAL- ********** DATE MAY-31-2011 ***** TIME 13:50 *********

MODE = MEMORY TRANSMISSION START=MAY-31 13:50 END=MAY-31 13:50

FILE NO.=385

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	#	[redacted]	001/001	00:00:22

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-20-2012 BY 65179 DMH/STW

[redacted]

********** - - ***** - [redacted] - *********

MAY-18-2011 14:09 [redacted] .01

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		1

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
Mod 3	05/18/11		

6. ISSUED BY CODE

Federal Bureau of Investigation
[redacted] Room 6853
935 Pennsylvania Ave, NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) CODE

Same as Item 6.

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

[redacted]

(X) 9A. AMENDMENT OF SOLICITATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted]

X 10B. DATED (SEE ITEM 13) 05/18/11

CODE FACILITY CODE

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X	D. OTHER (Specify type of modification and authority) FAR 32.7 "Funding"

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14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is to provide the final increment of funding for continued engineering services in the amount of [redacted] per the originally agreed [redacted] Task Order total of [redacted] An additional [redacted] is provided to contribute towards contract close out. Services are to be performed in accordance with the SOW and Terms & Conditions of the Task Order and [redacted] Contract. [redacted] represents the previous PO for this effort with FY10 funding. POP: 5/18/11-8/15/11. Technical guidance is to come from COTR, [redacted] Invoice to COTR. Contractor exceeds funding at own risk.

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Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	15B. DATE SIGNED	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	16B. DATE SIGNED
[redacted]	5/31/11	[redacted]	5/31/11
(Signature of person authorized to sign)			

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

CELLSITE-19818

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-20-2012 BY 65179 DMH/SIW

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		1

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicble)
Mod 2	11/12/10		

6. ISSUED BY	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE
Federal Bureau of Investigation [redacted] Room 6853 935 Pennsylvania Ave. NW Washington, DC 20535		Same as Item 6.	

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)	(X)	9A. AMENDMENT OF SOLICIATION NO.
		9B. DATED (SEE ITEM 11)
	X	10A. MODIFICATION OF CONTRACT/ORDER NO.
		10B. DATED (SEE ITEM 11) 09/14/10

b3 b6 b7C b7E

CODE	FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

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	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 43.103(b) Unilateral - Administrative Change

E. IMPORTANT: Contractor ☒ is not, ☐ is required to sign this document and return _____ copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is to modify the awarded options of the [redacted] Task Order. The FBI hereby cancels the requirement for [redacted] in the [redacted] Revised proposal (9/8/10) and award (9/14/10) documentation. The revised estimated award total is now [redacted] (formerly [redacted]. Incremental funding of [redacted] provided under [redacted] with remaining [redacted] pending. All other terms and conditions remain the same. Contractor exceeds funding at own risk.

b3 b4 b7E

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)
	[redacted]

b6 b7C

15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		(Signature of Contracting Officer)	11/12/10

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

********** -COMM. JOURNAL- ********** DATE NOV-12-2010 ***** TIME 14:29 ********

MODE = MEMORY TRANSMISSION START=NOV-12 14:29 END=NOV-12 14:29

FILE NO.=109

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	#	[redacted]	002/002	00:00:29

b3 b7E

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 10-20-2012 BY 65179 DMH/STW

[redacted]

********** - ***** - [redacted] *********

FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION
FACSIMILE COVER SHEET

PRECEDENCE

○ Immediate ○ Priority ○ Routine

CLASSIFICATION

○ Top Secret ○ Secret ○ Confidential ○ Sensitive ○ Unclassified

TO

Name of Office: [redacted]
Facsimile Number: [redacted]
Date: **11/12/2010**
Attn: [redacted]
Room:
Telephone Number:

FROM

Name of Office: **FBI - Science and Technology Contracts Unit**
Number of Pages: (including cover) **2**
Originator's Name: [redacted]
Originator's Telephone Number: [redacted]
Originator's Facsimile Number: [redacted]
Approved: –

b3 b6 b7C b7E

DETAILS

Subject:
Please find attached Mod 2 to the [redacted] Task Order, PO [redacted]

Special Handling Instructions:
Please sign the attached SF-30 (Mod 30) and fax back to the number above.

Brief Description of Communication Faxed:
Thank you for your assistance and have a good day.

WARNING

Information attached to the cover sheet is U.S. Government Property. If you are not the intended recipient of this information disclosure, reproduction, distribution, or use of this information is prohibited (18.USC, § 641). Please notify the originator or local FBI Office immediately to arrange for proper disposition.

CELLSITE-19820

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-20-2012 BY 65179 DMH/STW

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		1

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicble)
Mod 3	05/18/11		

6. ISSUED BY	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE
Federal Bureau of Investigation Room 6853 935 Pennsylvania Ave. NW Washington, DC 20535		Same as Item 6.	

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

(X) 9A. AMENDMENT OF SOLICIATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO.

X

10B. DATED (SEE ITEM 11) 05/18/11

b3
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CODE | FACILITY CODE

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14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is to provide the final increment of funding for continued engineering services in the amount of [redacted] per the originally agreed [redacted] Task Order total of [redacted] An additional [redacted] is provided to contribute towards contract close out. Services are to be performed in accordance with the SOW and Terms & Conditions of the Task Order and [redacted] Contract. [redacted] represents the previous PO for this effort with FY10 funding. POP: 5/18/11-8/15/11. Technical guidance is to come from COTR, [redacted] Invoice to COTR. Contractor exceeds funding at own risk.

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Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)
	[redacted] Contracting Officer

15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-23-2012 BY 65179 DMH/STW

SF-30 AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

SF-30 PAGE 2 OF 2

Purchase Order Number:
Modification # 1
Task Order under

The purpose of this modification is to provide incremental funding in the amount of for services under the Task Order. Period of Performance: 9/14/10-9/14/11. All technical guidance to come from technical lead . Services to be performed in accordance with the sow and documents below.

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Documentation Incorporated:
The following documents are hereby incorporated into the SOW for this Task Order under

- FBI Task Order Letter, Statement of Work, and accompanying documents dated 7/12/10;
- Cost and Technical Proposals dated 8/9/10;
- FBI technical questions and requests for clarifications e-mailed 8/24/10;
- FBI Responses to Conditions and Assumptions e-mailed 8/25/10;
- Response to FBI 8/24 and 8/25 documentation dated 8/27/10;
- Revisions dated 9/9/10: Meeting Action Items – Responses to Proposal Questions, and Proposal Update Summary Price Table (8 September 2010).
- FBI Revised Responses to Conditions and Assumptions e-mailed 9/14/10;

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Award Summary:
The FBI the hereby awards this Task Order on the following estimates provided in Proposal Update Summary Price Table (8 September 2010)" under the previously agreed up on Cost-Plus Fixed Fee pricing:

- Development:
-
-

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The Total estimated cost of this Task Order is The FBI provides incremental funding through PO in the amount of

General:
Terms and conditions are those in effect under the contract. Contractor exceeds funding at own risk. Invoices to be sent to COTR.

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-20-2012 BY 65179 DMH/SIW

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		2

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicble)
Mod 1	09/14/10		

6. ISSUED BY	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE
		Same as Item 6.	

Federal Bureau of Investigation
[redacted] Room 6853
935 Pennsylvania Ave. NW
Washington, DC 20535

b6
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8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

(X) 9A. AMENDMENT OF SOLICIATION NO.

9B. DATED (SEE ITEM 11)

b3
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10A. MODIFICATION OF CONTRACT/ORDER NO.

X

10B. DATED (SEE ITEM 11)

09/14/10

CODE | FACILITY CODE

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X	D. OTHER (Specify type of modification and authority) FAR 32.7 Funding

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

See attached page for details.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
		[redacted] Contracting Officer	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

b6
b7C

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-23-2012 BY 65179 DMH/SIW

SF-30 AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

SF-30 PAGE 2 OF 2

Purchase Order Number: [redacted]
Modification # 1
[redacted] Task Order under [redacted]

The purpose of this modification is to provide incremental funding in the amount of [redacted] for services under the [redacted] Task Order. Period of Performance: 9/14/10-9/14/11. All technical guidance to come from [redacted] technical lead [redacted] Services to be performed in accordance with the sow and documents below. b3 b4 b6 b7C b7E

The following documents are hereby incorporated into the SOW for this Task Order under [redacted]

- FBI [redacted] Task Order Letter, Statement of Work, and accompanying documents dated 7/12/10;
- [redacted] Cost and Technical Proposals dated 8/9/10;
- FBI [redacted] technical questions and requests for clarifications e-mailed 8/24/10;
- FBI Responses to Conditions and Assumptions e-mailed 8/25/10;
- [redacted] Response to FBI 8/24 and 8/25 documentation dated 8/27/10;
- [redacted] Revisions dated 9/9/10; [redacted] Meeting Action Items - [redacted] Responses to Proposal Questions, and [redacted] Proposal Update Summary Price Table (8 September 2010).
- FBI Revised Responses to Conditions and Assumptions e-mailed 9/14/10;

b3 b7E

Terms and conditions are those in effect under the contract. Contractor exceeds funding at own risk. Invoices to be sent to [redacted] COTR. b6 b7C

********** -COMM. JOURNAL- ********** DATE SEP-14-2010 ***** TIME 13:37 ********

MODE = MEMORY TRANSMISSION START=SEP-14 13:36 END=SEP-14 13:37

FILE NO.=003

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	☎	[redacted]	007/007	00:01:14

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-20-2012 BY 65179 DMH/STW

[redacted]

********** - ********** - ***** - [redacted] *********

FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION
FACSIMILE COVER SHEET

PRECEDENCE

○ Immediate ○ Priority ○ Routine

CLASSIFICATION

○ Top Secret ○ Secret ○ Confidential ○ Sensitive ○ Unclassified

TO

Name of Office:	Facsimile Number:	Date:
[redacted]	[redacted]	**09/14/2010**
Attn: [redacted]	Room:	Telephone Number: [redacted]

b3
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b7C
b7E

FROM

Name of Office:		Number of Pages: (including cover)
FBI - Science and Technology Contracts Unit		7
Originator's Name: [redacted]	Originator's Telephone Number: [redacted]	Originator's Facsimile Number: [redacted]

Approved:

DETAILS

Subject:

Please find the attached PO [redacted] and SF-30 awarding [redacted] Task Order under [redacted] Please also find attached Mod 1 to [redacted] extending the POP for the [redacted]

b3
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Special Handling Instructions:

Please confirm receipt of the modification, sign the SF-30, and fax back to the number above.

Brief Description of Communication Faxed:

Thank you for your assistance and have a good day.

WARNING

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CELLSITE-19825

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-20-2012 BY 65179 DMH/SIW

[redacted]

From: [redacted]
Sent: Tuesday, September 14, 2010 11:55 AM
To: [redacted]
Subject: Update - [redacted]
Attachments: [redacted] FY10 Task Order Write Up [redacted] Revised 9-14.doc

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Hi [redacted]

I'm attaching the revised responses to Conditions & Assumptions for [redacted] – incorporating the updates we made together on 8/31/10. The handful of updates are in Blue colored text. I should have the award documentation to you for [redacted] in the next few hours.

Regarding your response to my [redacted] e-mail yesterday – I don't understand your response. Should I anticipate a revised quote for pricing for these units so I can incorporate into the contract?

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Thanks for your help,

[redacted]
Contracting Officer
Federal Bureau of Investigation
(O) [redacted]
(F)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-20-2012 BY 65179 DMH/STW

[redacted] Task Order: REVISION

Responses to Conditions and Assumptions pages 11-13.

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Please note that all terms and conditions for the [redacted] Contract are in affect and negotiated and agreed upon per signatures on 9/15/09. The following conditions and assumptions were provided in the [redacted] proposal:

1. The basis for this proposal is the Base IDIQ Contract No. [redacted] and associated documents; the Sponsor's RFP dated 12 July 2010 and accompanying documents.

- The FBI concurs.

2. Proposed pricing and schedule assume full funding at award. Should incremental funding be required, the Contractor will provide a funding profile at negotiations and provide funding limitations notices per FAR 52.232-22 Limitation of funds, to ensure funding is provided in a timely fashion to support the proposed schedule.

- The FBI intends to incrementally fund this tasking. See original RFP clause included in Section I.

3. Proposed pricing assumes effort will be awarded on a single Task Order/Delivery Order under which only one CLIN per task order. If multiple CLINs are to be awarded, Contractor reserves the right to update its proposal to include additional administrative costs associated with managing multiple CLINs.

- Number of CLINs will be determined at time of award and at no additional cost to the FBI.
- REVISION PER 8/31/10: The FBI will work with [redacted] contracts office to format funding on one PO line, if possible, for administrative and funding ease within [redacted] The FBI will also use "M" PO #s when possible for ease of tracking purposes.

4. Proposed prices are exclusive of international, federal, state, local, excise, sales, gross receipts, use, business and occupation tax, and similar taxes arising from or in connection with the proposal, and such taxes, if assessed will be invoiced by the Contractor and paid by the Sponsor.

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- See original contract. The federal government is tax exempt.
- REVISION PER 8/31/10: The FBI concurs.

5. Period of Performance is 8 months which includes 7 months for program execution and 1 month to perform final task order closeout activities.

- The FBI accepts this assumption.

6. [redacted] is asserting its right to protect intellectual property (IP) in accordance with F.A.R. Clause 52.227-14 Rights in Data – General. Any IP claim will be submitted under separate cover.

- The FBI will review all claims submitted by vendor and determine IP rights on an individual basis.
- REVISION PER 8/31/10: Please refer to final documentation under separate cover letter.

7. [redacted] requests the Sponsor incorporate into the IDIQ Terms and Conditions, Alternate II (Dec 2007) of Clause F.A.R. 52.227-14, Rights in Data- General. This clause will be applicable to this and subsequent efforts.

- The FBI concurs. This clause is incorporated via Mod 6 to [redacted] fully executed 8/23/10.
- REVISION PER 8/31/10: Please refer to final documentation under separate cover letter.

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8 [redacted] will not provide documentation, specifications, drawings, source code, or prototypes, associated with our intellectual property (IRAD). As such [redacted] requires Clause H-10 and Paragraph 2.6(i) be revised or deleted with respect to [redacted]

- See original contract terms and conditions agreed upon under contract. H-10 remains as stated. Negotiations regarding IRAD funding will be addressed on a case by case basis.

9. No estimates have been included for providing Contractor team member working notes called out in Paragraph 2.6(f). Note; this is not a standard practice [redacted] will assess the cost and schedule impact if this review is required.

- The FBI concurs. If required, vendor will be advised.

10. Weekly status reports will be submitted via e-mail and shall address technical problems, risks, issues, production, technical assessments, and security items, and concerns (SOW 3.3 and 3.4.1).

- The FBI concurs.

11. This proposal assumes all customer meetings are held at the contractor's facility.

- The FBI concurs.

12. Formal meeting Agendas will be sent via email or secure fax..

- The FBI concurs.

13. At customer direction, Monthly Program Reviews may be held by telephone.

- The FBI concurs.

14. Invoices will be billed by element of cost, consistent with the contractors current invoice format. No hourly information will be on the invoices; however, this data can be incorporated into the monthly customer report.

- Hourly information shall be required and can be incorporated into the monthly customer report.

15. Production, Technical Assessments, and Security Reviews (SOW 3.4.1), when needed; will be incorporated into Weekly or Monthly Status Review.

- The FBI concurs.

16. All deliverable data submissions are considered approved if no comments are received by 10 business days after submission to the Customer. Multiple iterations for report revisions are not considered in this proposal estimate.

- See Section E.1 of the [redacted] of awarded contract [redacted] incorporated into the Contract, the FBI retains the right to 30 days for inspection and acceptance of submitted deliverables.

17. The proposed price for the study option assumes that the option will be exercised at the same time as the base award in order for it to be completed, with the base program period of performance.

- The FBI intends to exercise Option Year 1 for the [redacted] Contract in September 2010 with same terms and conditions as agreed upon in the contract, for the 60 month period. If this statement does not address #17. Please advise.
- REVISION PER 8/31/10: Please refer to guidance from Technical Read and any revisions to SOW agreed upon under other documentation.

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18. This proposal assumes [redacted] will have the right to incorporate any results of this program into its commercial products as applicable.

- [redacted] shall notify the FBI of any results, capabilities, or functionalities related to this tasking that are intended to be incorporated into commercial products.

19. This proposal assumes Pictorial System Diagrams (SOW 2.6) will be included in PDR and CDR packages and not separate deliverable.

- The FBI concurs.

20. As authorized by F.A.R. 52.232-28 [redacted] requests electronic funds transfer of payments to:

[redacted]

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- The FBI concurs. See contract awarded [redacted]

21 [redacted] has not included in its estimate of cost incurred or to be incurred any amount for termination liability costs to which [redacted] may be entitled in the event of a termination for convenience by the Government.

- See Contract [redacted] for all terms and conditions that are applicable to this agreement.

22. [redacted] currently has a website available for government customers; this proposal assumes this existing [redacted] Web Site satisfies the Sponsor's requirement (SOW 3.10). If additional capabilities above this are required, [redacted] reserves its right to assess the impact.

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- The FBI concurs.

23. Invoicing will be monthly after [redacted] period end, the terms of which would be 100% due Net 30 subject to the FAR 52.232-25, Prompt Payment Clause.

- The FBI concurs. See contract awarded [redacted]

24. FOB Point is destination.

- The FBI concurs.

25. No warranty terms are offered.

- Warranty terms, if applicable, will be in accordance with the terms of the contract [redacted] signed 9/15/09.

26. If WPG products are required for this effort they are priced at the [redacted] price list value with no additional burdens.

- The FBI concurs. However, please see Cost Proposal page 37 and 38 and adjust pricing accordingly. b3 b7E

27. The Consolidated Materials Listing (CML) is not auditable at proposal submission. Harris is continuing to firm material pricing to provide for negotiations.

- Please clarify assumption.
- REVISION PER 8/31/10: See revised cost proposal for final documentation.

28. [redacted] Harris will monitor and assess this during performance and will notify the customer as necessary.

- The FBI concurs.

29. In support of the effort, [redacted] will be developed and provided to [redacted] who is the [redacted] developer. Actual modifications to [redacted] must be performed by [redacted] and are not priced in this proposal. b3 b7E

- The [redacted] portion of this tasking has been deleted from the SOW and no services shall be required under this Tasking.

30. This task is unclassified and will be worked in a suitable environment commensurate with the security classification. Harris assumes that no security clearances or NDA will be required.

- The FBI agrees that work to be performed under this tasking are unclassified.
- At the Harris-FBI meeting on 6/24/10, both parties agreed that all Harris employees involved with the [redacted] contract shall sign the FD-868. The classification level of this tasking does not exempt it from the need for and requirements of the NDA.

[redacted]

Memo

DATE: April 1st, 2010

TO: [redacted] COTR

FROM: [redacted]

SUBJECT: [redacted] Summary

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Description

[redacted]

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[redacted]

Release Summary

- [redacted]

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- [redacted]

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- [redacted]

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- [redacted]

[redacted]

[redacted]

[redacted]

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29 June 2010

In Reply Please Refer to: [redacted]

935 Pennsylvania Ave. N.W.
JEH Bldg Room 6853
Washington, D.C. 20535

Attention: [redacted] Contracting Officer

Subject: [redacted] IDIQ Program Action items

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Reference: (a) [redacted] IDIQ Contract No. [redacted]
(b) Program Meeting, 23 June 2010

Dear [redacted]

Harris Corporation, Government Communications Systems Division (HGCSD) through its Wireless Solutions is submitting the attached questions regarding the [redacted] Task Order 1 Statement of Work (SOW).

We appreciate this opportunity to provide you with this data submittal and look forward to your answers/clarifications. For technical questions please contact [redacted] or contact the undersigned at [redacted]

Please copy [redacted]

Very truly yours,

[redacted]

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Cc: [redacted]

Enclosures:

[redacted] TE-19832

[redacted] Task Order 1 Questions

Regarding Section "1.3.1 Key Areas" of the [redacted] SOW, the items are listed as "examples" of what should be done on the Task. In order to properly bid these activities, we are making the following assumptions. The contractor requests that you review these assumptions, verify their accuracy and provide more clarification where necessary. b3 b7E

1) We assume that the items listed in Sections 1.3.1a and 1.3.1b are the complete list of the activities that need to be completed before fielding the [redacted] system to the [redacted] Please confirm.
   a. If not, what are the additional requirements?
2) In 1.3.1b, we assume that the [redacted] bullet refers to the [redacted] would be improved to reduce the occurrences of this. Please confirm.
   a. If not, please clarify. b3 b7E
3) In 1.3.1b, please include in the SOW the complete list of the [redacted] types and their definitions. For reference, the table below is the list of the types from earlier discussions with the sponsor, along with specific assumptions that need to be verified. For each row, the Current Restriction column indicates what the legal guidelines were at the time, and the Sponsor Proposed Restrictions column indicates what the proposed new legal guidelines were moving toward. [redacted] Task Order 1 would implement the Sponsor Proposed Restrictions column given clarification of our Assumptions.

	Current Restriction	Sponsor Proposed Restrictions	Assumptions

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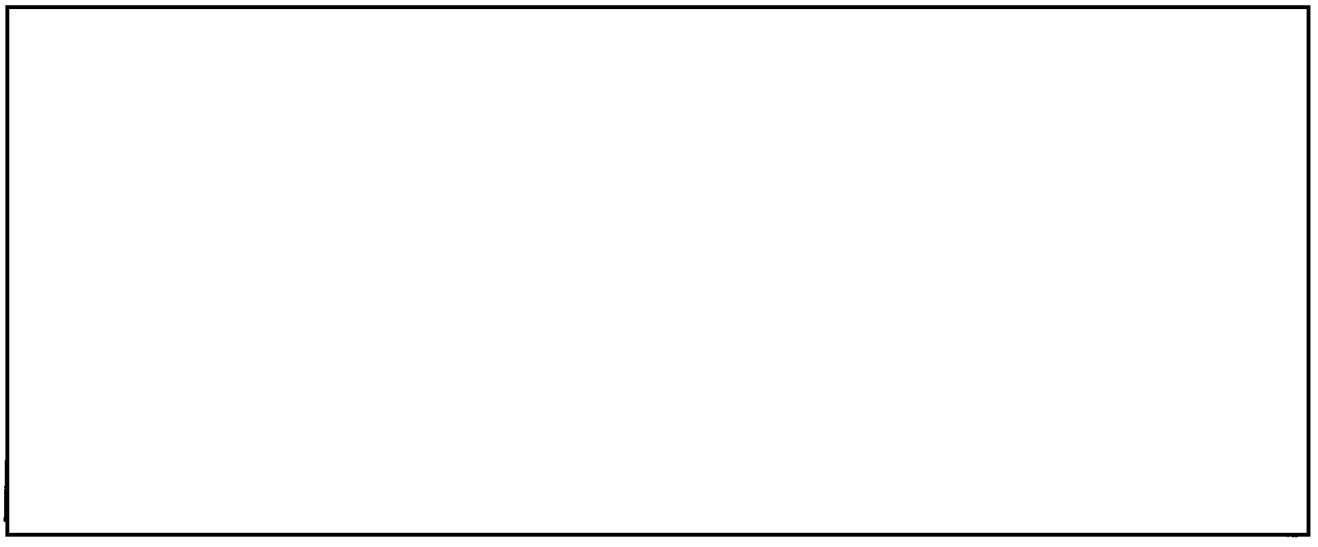

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4) We assume that the investigation efforts listed in Section 1.3.1c are not required to be completed, developed, and implemented as part of the [redacted] release that will be sent to the [redacted] Please confirm.
5) What are the priorities of the investigation efforts in Section 1.3.1c?
6) We assume that the expected output of the investigation efforts in Section 1.3.1c will be a report, prototype, or demonstration. Please confirm.
7) We assume that the [redacted] Requirements" listed in Section 1.3.1d are not required to be completed, developed, and implemented as part of the [redacted] release that will be sent to the [redacted] Please confirm.
8) What is the priority of the [redacted] Requirements" in Section 1.3.1d, and what are their priorities in relation to the investigation efforts listed in Section 1.3.1c?

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[redacted]

[redacted]

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10 June 2011

In Reply Please Refer to: [redacted]

935 Pennsylvania Ave. N.W.
JEH Bldg Room 6853
Washington, D.C. 20535

Attention: [redacted] Contracting Officer

Subject: [redacted] IDIQ – [redacted] Final Deliverables

Reference: (a [redacted] IDIQ Contract No [redacted]
(b) Purchase Order: [redacted] Task 13

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Dear [redacted]

Attached please find the items listed below:

Two unclassified CDs containing:

- [redacted]
- [redacted] Operations Manual Rev – [redacted]

Two unclassified CDs containing:

1. [redacted] System Diagram
2. Monthly Status Review (MSR) slides 16 November 2010
3. Monthly Status Review (MSR) slides 26 January 2011
4. Test Readiness Review (TRR) slides (including [redacted] Final Demonstration Slides)
5. Final Contract Review (FCR) Slides
6. System Requirements Rev B [redacted]
7. [redacted] Operations Manual Rev – [redacted]
8. System Test Plan Rev – [redacted]
9. Acceptance Test Procedure (ATP) Rev A [redacted]
10. Study Report slides
11. Tech Memo – 001 – [redacted]
12. Tech Memo – 002 – Final Technical Summary Report

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[redacted]

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For technical questions please contact [redacted] or contact the undersigned at [redacted]

Very truly yours,

[redacted]

Contracts

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[redacted]

CELLSITE-19837

STATEMENT OF WORK

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-23-2012 BY 65179 DMH/STW

[redacted] Program

[redacted] Task Order 1

1 SCOPE

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1.1 *Task Overview*

This Task Order requires that the Contractor provide engineering services and operational support to the [redacted] through studies, enhancements, and operational support to the [redacted]

The FBI is the principal investigative arm of the United States Department of Justice. It is charged with gathering and reporting facts, locating witnesses, and obtaining evidence in cases involving Federal jurisdiction. The mission of the FBI's Operational Technology Division is to provide forensic services to the FBI and other law enforcement agencies and to support their ability to conduct lawfully authorized electronic surveillance. To that end, the Operational Technology Division is engaged in a number of development projects and activities that focus on developing the forensic, collection, surveillance, and tactical communications capabilities required for law enforcement to accomplish its objectives. [redacted]

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[redacted]

CELLSITE-19856

1.2 Deliverables

- Project Management Plan (See Section 2.2)
- Weekly Status Report (See Section 2.3)
- Monthly Program Review (See Section 2.3)
- System Testing Plan (See Section 2.2)
- System Demonstration at contractor facility
- Final Summary Report (See Section 2.2)

1.3 Category of Efforts

The FBI currently owns [redacted] that have been used by [redacted] for [redacted] in support of FBI investigations. [redacted] is also a user of the [redacted] for similar usage but different operational goals than [redacted] This scope of work defines three categories of effort: [redacted]

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1.3.1 Key Areas

a) [redacted] – It has been determined that the existing [redacted] systems require [redacted] Examples of such [redacted] are listed below, however this list is not fully inclusive of items [redacted]

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- [redacted]
- [redacted]
- [redacted]

b) [redacted] Examples of the [redacted] that will be identified are provided below:

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- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]

CELLSITE-19857

c) [redacted] sees a number of longer term issues that require attention. [redacted] In order to be mitigating the risks associated with [redacted] would require the vendor to perform studies that will help guide future efforts. Examples of such studies are listed below, however this list is not fully inclusive of items that may become necessary during the course of this task: b3 b7E

- [redacted]

d) [redacted] **Requirements** – [redacted] has requirements specific to their operational use of [redacted] This would perhaps make a [redacted] or a [redacted] Examples of these requirements include, but are not limited to: b3 b7E

- [redacted]

2 Requirements

2.1 Security Standards and Regulations

Refer to [redacted] Statement of Work section 2.3 for guidance.

SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

2.2 Contractor Furnished Documentation

CELLSITE-19858

Refer to [redacted] Statement of Work sections 2.6 and 3.2 for guidance.

Project management plan shall consist of the Contractor's proposed solution to include the composition of required project team, complete task schedule, and total labor and non-labor costs for fully implementing the proposed solution.

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2.3 Status Reporting

Refer to [redacted] Statement of Work Section 3.3 for guidance

2.4 Formal Meetings

Refer to [redacted] Statement of Work Section 3.4 for guidance

2.5 Government Points of Contact

FBI Contracting Officer's Technical Representative

[redacted]
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A
Quantico, VA 22135
[redacted]

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[redacted] **Technical Representative**

[redacted]

CELLSITE-19859

[redacted] [redacted]

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14 June 2011 In Reply Please Refer to: [redacted]

935 Pennsylvania Ave. N.W.
JEH Bldg Room 6853
Washington, D.C. 20535

Attention: [redacted] Contracting Officer

Subject: [redacted] IDIQ – [redacted] ECP

Reference: (a) [redacted] IDIQ Contract No [redacted]
(b) Purchase Order: [redacted] Task 15
([redacted] TO Letter_5-23-11.pdf

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Attached: [redacted] ECP

Dear [redacted]

Please find as the attached, our proposal in response to this request. Please note that this offer is to produce a [redacted] and is valid if awarded by 21 June so as to not impact the pending [redacted] deliveries.

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For technical questions please contact [redacted] [redacted]; or contact the undersigned at [redacted]

Very truly yours,

[redacted]

[redacted]

ALL INFORMATION CONTAINED
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DATE 10-20-2012 BY 65179 DMH/STW

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE OF PAGES
	1 | 1

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicble)
Mod 5	Aug 3, 2011		

6. ISSUED BY CODE

Federal Bureau of Investigation
[redacted] Room 6853
935 Pennsylvania Ave. NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) CODE

Same as Item 6.

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

(X) 9A. AMENDMENT OF SOLICIATION NO.

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9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO.

[X] 10B. DATED (SEE ITEM 13)

05/18/2011

CODE FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

[ ] The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers [ ] is extended, [ ] is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a)By completing items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPIRATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
[ ]	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
[ ]	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
[ ]	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
[X]	D. OTHER (Specify type of modification and authority) FAR 43.103 "Unilateral"

E. IMPORTANT: Contractor [X] is not, [ ] is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is to officially incorporate the finalized cost documentation for the [redacted] ECP dated 6/28/11 and e-mailed to CO 7/7/2011. This document estimates the [redacted] to cost [redacted] No other changes are made to this Tasking or ECP..

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Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

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15A. NAME AND TITLE OF SIGNER (Type or print)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)
	[redacted] Contracting Officer

15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16C. DATE SIGNED
(Signature of person authorized to sign)		8/3/11

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

ALL INFORMATION CONTAINED
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DATE 10-20-2012 BY 65179 DMH/STW

[redacted]

From: [redacted]
Sent: Thursday, March 31, 2011 4:22 PM
To: [redacted]
Cc: [redacted]
Subject: [redacted] White Paper
Attachments: [redacted] W.Paper.pdf

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Hi Folks:

Please find attached the promised white paper regarding potential [redacted] Task. We have included non-budgetary ROMs for these [redacted] and have estimated them as standalone tasks (i.e. no assumption that any will be awarded in parallel with each other or with the existing baseline). Should there be parallel efforts we will likely have economies of scale from overlaps in common elements (PM, QA, CM, etc.). We would like to arrange a telecon next week at your convenience to discuss these [redacted] and how you would like to proceed from here.

Have a great weekend,

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[redacted]

ALL INFORMATION CONTAINED
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DATE 10-20-2012 BY 65179 DMH/STW

[redacted]

From: [redacted]
Sent: Monday, May 23, 2011 4:33 PM
To: [redacted]
Cc:
Subject: [redacted] Request

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Attachments: [redacted] example.png; [redacted] xt; [redacted] TO Letter_5-23-11.pdf

[redacted] example [redacted] (683 B... png (151 KB)... [redacted] O Le.

Good Afternoon [redacted]

Please find attached a request for engineering change proposal for [redacted] to the existing [redacted] Task order under the [redacted] Contract. Also attached are supporting documents for the [redacted] Work Statement. Please let me know if you have any questions or any documentation does not come through clearly.

Thank you,

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[redacted]
Contracting Officer
Science & Technology Contracts Unit
Federal Bureau of Investigation
HQ: (O) [redacted]
QT: (O)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-20-2012 BY 65179 DMH/SIW

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

23 May 2011

[redacted]

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Subject: [redacted] Contrac[redacted]
Request for Engineering Change Proposal [redacted]

Dear [redacted]

Please find attached the sup[redacted] :s of Work (SOW) developed by the Federal Bureau of[redacted] :d under [redacted] in September of 2010 for these reques[redacted] :o the original Task for [redacted] shall be performed in accordan[redacted] hnical and cost engineering change proposals (ECI[redacted] the SOW. Labor rates and similar costs were agreed upon[redacted] , as a result, the FBI does not anticipate an extensive Cost Pr[redacted] are required at a minimum. Additional supporting d[redacted] l in the SOW [redacted] document.

2 other docs attached in email

If there are any question re[redacted] office within the next five (5) business days. It is reques[redacted] l if the proposed contract vehicle is appropriate, Cost-Plus I[redacted] should be submitted in accordance with the terms and co[redacted], 2011 at 1:00 PM EST or sooner. Unclassified proposals shall be emailed to [redacted].

Should you have any questions concerning this matter, please contact me at the e-mail address above or [redacted]

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Sincerely,

[redacted]

Contracting Officer

Attached: Supplemental Statement of Work for [redacted] Support Graphics & Examples

[redacted] to [redacted] Tasking

This [redacted] to the original [redacted] Statement of Work is meant to define the task requested of [redacted] for the integration of the [redacted] within [redacted] currently under [redacted] under the [redacted] Contract Tasking [redacted]

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Background

[redacted]

Description of Required Changes

The integration of the [redacted] is considered a significant enhancement to the curren [redacted]

The Contractor shall utilize the latest version of the [redacted] for this [redacted] It is available at

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[redacted]

[redacted]

- [redacted]

[redacted] shall be responsible for creating the [redacted]

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[redacted]

Government Furnished Information (GFI)

As part of this Task Order enhancement documentation the Government will provide the following information:

The Government will furnish [redacted]

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The Government will also provide [redacted]

More details on [redacted] are available at: [redacted]

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Lastly, the Government will provide [redacted]

tasking and determining the approximate level of effort required to implement the changes.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-23-2012 BY 65179 DMH/STW

[redacted]

From: [redacted]
Sent: Thursday, June 23, 2011 9:15 AM
To: [redacted]
Subject: Re: Revised [redacted] ECP

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Yes please. Thanks for making this ecp possible.

[redacted]

From: [redacted]
To: [redacted]
Sent: Thu Jun 23 08:38:44 2011
Subject: FW: Revised [redacted] ECP

OK...so they're meeting us ½ way on some of the items.

- [redacted]

These changes should supposedly bring the costs down to below [redacted]

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They won't re-run the numbers for us – so I'll try to come up with a revised copy later today. Sounds like they'll get it under [redacted] Assuming once I rerun the #s, the cost estimate will be under [redacted] how would you like me to proceed?

From: [redacted]
Sent: Wednesday, June 22, 2011 4:29 PM
To: [redacted]
Subject: RE: Revised [redacted] ECP

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Hi [redacted]

We can't do anything about the [redacted] It's work on the contract and we have to charge it.
We can [redacted] but we are committed to providing you this capability.

Please provide an NTE of approximately [redacted] to get started. Once we receive this we will begin work. We will update the proposal after we received the NTE, this way we will not incur any additional proposal prep costs.

Let me know if you have any questions.

Thanks,

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[redacted]

[redacted]

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From: [redacted]
Sent: Wednesday, June 22, 2011 4:06 PM
To: [redacted]
Subject: RE: Revised [redacted] ECP

Hi [redacted]

Thank you for taking the time to talk with me this afternoon. Per our conversation here are our continued reservations with the ECP:

[redacted]

Please let me know if you have any questions. I will be in DC tomorrow and QT on Friday.

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Have a good evening,

[redacted]
Contracting Officer
Quantico Contracts Unit
Federal Bureau of Investigation
HQ: (O) [redacted]
QT: (O)

From [redacted]
Sent: Tuesday, June 21, 2011 3:42 PM
To: [redacted]
Cc:
Subject: RE: Revised [redacted] ECP

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Good Afternoon [redacted]

[redacted] were called off to a meeting so I volunteered to provide explanation for the hours given in the price summary.

Not knowing anything about the other [redacted] you referenced, we can't really comment on the similarities or differences between those efforts and the requested changes to [redacted] We can only tell you what it will cost to change the [redacted] b3 b7E

[redacted]

We've taken a closer look at the hours and believe they are a fair estimate of the work required. What follo[redacted] is the tasking for each set of hours. b3 b7E

- [redacted]

[redacted]

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HARRIS Corporation

[redacted]

From: [redacted]
Sent: Tuesday, June 21, 2011 12:03 PM
To: [redacted]
Subject: RE: Revised [redacted] ECP

Julie,

I'm in DC today if you have any questions.

Thank you,

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From:
Sent: Tuesday, June 21, 2011 11:43 AM
To:
Cc:
Subject: Revised ECP

Hi

Please let me know if you have any questions.

Thank you,

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This information is only intended for the use of the individual or entity named in this email. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or use of the contents of this information is strictly prohibited. If you have received this email in error, please notify me and delete it immediately.

********** -COMM. JOURNAL- ********** DATE JUL-05-2011 ***** TIME 10:47 ********

MODE = MEMORY TRANSMISSION START=JUL-05 10:46 END=JUL-05 10:47

FILE NO.=422

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	[redacted]	[redacted]	001/001	00:00:28

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DATE 10-20-2012 BY 65179 DMH/STW

********** - [redacted] - ***** - [redacted] **********

06/24/2011 13:14 [redacted] QOU PAGE 02/05

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
Mod 4	Jun 23, 2011		

6. ISSUED BY	CODE	7. ADMINISTERED BY (If other than item 6)	CODE
Federal Bureau of Investigation [redacted] Room 6852 935 Pennsylvania Ave. NW Washington, DC 20535		Same as Item 6.	

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)	9A. AMENDMENT OF SOLICITATION NO.
[redacted]	9B. DATED (SEE ITEM 11)
	10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted]
	10B. DATED (SEE ITEM 13) 05/18/2011
CODE FACILITY CODE	

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning ____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE
- ☐ A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
- ☐ B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation data, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
- ☐ C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
- ☒ D. OTHER (Specify type of modification and authority)
  FAR 32.7 "Funding" and 43.103 "Bilateral"

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 3 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is to provide funding for services for the [redacted] Tasking. Services are to be provided in accordance with the Terms & Conditions of the Contract, SOW, and RCP agreements. POP for [redacted] 6/23/11; original [redacted] Task is extended through 8/30/11 for consistency. Fo[redacted] Contractor shall not exceed [redacted] and does so at own risk. Technical guidance will come from [redacted] TL; invoice to COTR [redacted] The following documentation is hereby incorporated into the award of [redacted] and Contractor 1) SOW and support docs e-mailed 5/23/11 at 4:33PM; 2) RCP [redacted] doc e-mailed 6/14/11 at 5:10PM; 3) e-mail chain 6/23/11 at 3:43PM; and 4) [redacted] RCP Code 600 to be revised and agreed upon ASAP.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	15B.	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	16B. DATE SIGNED
[redacted]	6/28/11	[redacted]	7/5/11

NSN 7540-01-152-8070 Previous edition unusable

STANDARD FORM 30 (REV. 10-83) Prescribed by GSA FAR (48 CFR) 53.243

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CELLSITE-19896

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DATE 10-20-2012 BY 65179 DMH/STW

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE OF PAGES
	1 1

2. AMENDMENT/MODIFICATION NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
Mod 4	Jun 23, 2011		

6. ISSUED BY CODE

Federal Bureau of Investigation
[redacted]
Room 6853
935 Pennsylvania Ave. NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) CODE

Same as Item 6.

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

[redacted]

(X) 9A. AMENDMENT OF SOLICITATION NO.

9B. DATED (SEE ITEM 11)

(X) 10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted]

10B. DATED (SEE ITEM 13) 05/18/2011

CODE FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE

☐ A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.

☐ B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).

☐ C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:

☒ D. OTHER (Specify type of modification and authority)
FAR 32.7 "Funding" and 43.103 "Bilateral"

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

The purpose of this modification is to provide funding for services for the [redacted] Tasking. Services are to be provided in accordance with the Terms & Conditions of the Contract, SOW, and ECP agreements. POP for [redacted] is 6/10/11-8/30/11; original [redacted] Task is extended through 8/30/11 for consistency. For [redacted] Contractor shall not exceed [redacted] and does so at own risk. Technical guidance will come from [redacted] TL; invoice to COTR [redacted]. The following documentation is hereby incorporated into the award of [redacted] and Contract: 1) SOW and support docs e-mailed 5/23/11 at 4:33PM; 2) ECP [redacted] doc e-mailed 6/14/11 at 5:10PM; 3) e-mail chain 6/23/11 at 3:43PM; and 4) [redacted] ECP cost doc to be revised and agreed upon ASAP.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	15B. DATE SIGNED	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	16B. DATE SIGNED
	6/28/11	[redacted]	7/5/11

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

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b3 b4 b6 b7C b7E

RE: Revised [redacted] ECP

Professional people

[redacted]

Sent: Tuesday, June 21, 2011 3:42 PM

To: [redacted]

Cc:

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DATE 10-20-2012 BY 65179 DMH/STW

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Good Afternoon [redacted]

[redacted] were called off to a meeting so I volunteered to provide explanation for the hours given in the price summary.

Not knowing anything about the other [redacted] you referenced, we can't really comment on the similarities or differences between those efforts and the requested changes to [redacted] We can only tell you what it will cost to change the [redacted]

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[redacted]

We've taken a closer look at the hours and believe they are a fair estimate of the work required. What follows is the tasking for each set of hours.

- [redacted]
- [redacted]
- [redacted]
- [redacted]

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[redacted]

[redacted]

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From: [redacted]
Sent: Tuesday, June 21, 2011 12:03 PM
To: [redacted]
Subject: RE: Revised [redacted] ECP

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[redacted]

[redacted]

I'm in DC today if you have any questions.

Thank you,

[redacted]

From: [redacted]
Sent: Tuesday, June 21, 2011 11:43 AM
To: [redacted]
Cc: [redacted]
Subject: Revised [redacted] ECP

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Hi [redacted]

Please let me know if you have any questions.

Thank you,

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[redacted]

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Re: Revised [redacted] ECP - 6.28.11

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DATE 10-20-2012 BY 65179 DMH/STW

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Sent: Thursday, July 07, 2011 6:18 PM
To: [redacted]

[redacted] the ECP looks great [redacted]
Thanks,
[redacted]

From: [redacted]
To: [redacted]
Sent: Thu Jul 07 13:35:55 2011
Subject: FW: Revised [redacted] ECP - 6.28.11

Hi [redacted]

[redacted] Attached is their final version. Please verify your acceptance of the document and let me know if you have any questions. The PO is completed and all funding allocated against it so [redacted]

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Thanks,

[redacted]
Contracting Officer
Quantico Contracts Unit
Federal Bureau of Investigation
HQ: (O) [redacted]
QT: (O)

From: [redacted]
Sent: Thursday, July 07, 2011 1:17 PM
To: [redacted]
Cc:
Subject: Revised [redacted] ECP - 6.28.11

Hi [redacted]

I have attached the latest ECP revision that corresponds to last [redacted] PO.

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Please let me know if you need anything else.

Thanks,

[redacted]

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[redacted]

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From: [redacted]
Sent: Thursday, July 07, 2011 9:03 AM
To: [redacted]
Subject: RE: Revised [redacted] ECP

H[redacted]

[redacted]

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Thanks,

[redacted]

Contracting Officer
Quantico Contracts Unit
Federal Bureau of Investigation
HQ: (O) [redacted]
QT: (O) [redacted]

From: [redacted]
Sent: Friday, June 24, 2011 9:37 AM
To: [redacted]
Subject: RE: Revised [redacted] ECP

Hi[redacted]

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Unfortunately I cannot read the text on the attached PO. Please send a revised copy along with the SF30 as soon as possible.
Also, from what I can tell, it looks like there are two POP end dates (8/15 and 8/31/11).

Thank you!

[redacted]

From: [redacted]
Sent: Thursday, June 23, 2011 5:16 PM
To: [redacted]
Subject: RE: Revised [redacted] ECP

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Good Afternoon [redacted]

Please find the attached funding document for the [redacted] Tasking. I will finalize the

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DATE 10-22-2012 BY 65179 DMH/STW

[redacted]

From: [redacted]
Sent: Thursday, June 07, 2012 10:06 AM
To: [redacted]
Subject: Re [redacted] New Task Order under [redacted]

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[redacted] the test covers the requirements that we requested in our SOW, let's move forward. Thanks

---

From: [redacted]
To: [redacted]
Sent: Thu Jun 07 10:03:14 2012
Subject: RE: [redacted] New Task Order under [redacted]

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Hi [redacted]

Any update on the test. How are things looking? If we can finalize the evaluations in the next day or two I should be able to make the award. I received the funding document.

Thanks,
[redacted]

From: [redacted]
Sent: Tuesday, May 29, 2012 12:45 PM
To: [redacted]
Subject: Re: [redacted] New Task Order under [redacted]

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Thanks [redacted] I will take a look at it and get back to you

---

From: [redacted]
To: [redacted]
Sent: Tue May 29 12:43:02 2012
Subject: FW: [redacted] New Task Order under [redacted]

Hi [redacted]

I tried to forward this to you for your review a few times while I was on travel but I think I was unsuccessful. I apologize if this is the third time you receive this.

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Thanks,
[redacted]

From: [redacted]
Sent: Monday, May 21, 2012 7:42 AM
To: [redacted]
Subject: RE: [redacted] New Task Order under [redacted]

Here's the test.

[redacted]

[redacted]

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From: [redacted]
Sent: Thursday, May 17, 2012 2:26 PM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted] New Task Order under [redacted]

Hi [redacted]

We're still in the process of reviewing and evaluating the documentation provided. For the most part things are looking good; however, we cannot find the test requested in the TO Letter. Please identify where we can find this item or provide for our review.

Thank you,
[redacted]

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From: [redacted]
Sent: Friday, April 27, 2012 2:15 PM
To: [redacted]
Subject: RE: [redacted] New Task Order under [redacted]

Third Email with attachments

From: [redacted]
Sent: Wednesday, April 25, 2012 1:54 PM
To: [redacted]
Subject: [redacted] New Task Order under [redacted]

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Good Afternoon [redacted]

Attached, please find a Task Order Request Letter and accompanying SOW for a new task order under the [redacted] Contract. The FBI requests a technical and cost proposal in accordance with the Contract to obtain the identified services. Within the next 5 business days, please submit any questions regarding this requirement to my office, directly. Proposals are due by 1PM on 10 May 2012. E-mail submission is preferred.

Thank you for your assistance,

[redacted]
Contracting Officer
Federal Bureau of Investigation
HQ: (O) [redacted]
QT: (O) [redacted]
BB: [redacted]

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DATE 10-20-2012 BY 65179 DMH/STW

U.S. Department of Justice

Federal Bureau of Investigation

Washington, DC 20535

25 April 2012

Subject: Contract
Task Order Letter Request

Dear

Please find enclosed a copy of the Statements of Work (SOW) for developed by the Federal Bureau of Investigation (FBI). This requirement describes the The FBI intends to award this requirement as a new Task Order under the existing Contract utilizing Firm Fixed Price (FFP) provisions. The FBI is interested in obtaining a proposal for this task to be performed in accordance with the subject Contract. Contractor shall provide technical and cost proposals to support tasking as set forth in the Statement of Work. Contractor is requested to provide pricing In the future, the FBI may consider to the Contract price list.

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The award of this TO is contingent upon receipt of funding. If there are any question regarding this SOW please submit them to my office, in writing, within the next five (5) business days. It is therefore requested that your company review the enclosed SOW and if the proposed contract vehicle is appropriate, a cost and technical proposal should be submitted in accordance with the terms and conditions of the FBI's Contract no later than 10 May 2012 at 1:00 PM EST or sooner. Unclassified proposals maybe email to

Should you have any questions concerning this matter, please contact me at response may be faxed to

Contracting Officer

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Attached: Statement of Work for Tasking

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DATE 10-20-2012 BY 65179 DMH/STW

[redacted]

From: [redacted]
Sent: Wednesday, April 25, 2012 1:54 PM
To: [redacted]
Subject: New Task Order under [redacted]
Attachments: [redacted] TO 2_4-25-12 Letter to [redacted] pdf; [redacted] TO 2_4-25-12.pdf

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Good Afternoon [redacted]

Attached, please find a Task Order Request Letter and accompanying SOW for a new task order under the [redacted] Contract. The FBI requests a technical and cost proposal in accordance with the Contract to obtain the identified services. Within the next 5 business days, please submit any questions regarding this requirement to my office, directly. Proposals are due by 1PM on 10 May 2012. E-mail submission is preferred.

Thank you for your assistance,

[redacted]

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Contracting Officer
Federal Bureau of Investigation
HQ: (O) [redacted]
QT: (O) [redacted]
BB: [redacted]

[redacted]

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-22-2012 BY 65179 DMH/SIW

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		1

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicble)
Mod 7	09/16/10		

6. ISSUED BY	CODE	7. ADMINISTERED BY (If other than Item 6)	CODE
		Same as Item 6.	

Federal Bureau of Investigation
[redacted] Room 6853
935 Pennsylvania Ave. NW
Washington, DC 20535

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8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

(X) 9A. AMENDMENT OF SOLICIATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted]

X 10B. DATED (SEE ITEM 11) 09/15/09

CODE | FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

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(a) By completing items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

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CHECK ONE	
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	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 43.103(a) Bilateral

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

This mod incorporates the following: 1) Add [redacted] to the above contract. Pricing and specifications per quote [redacted] dated 9/15/10 in e-mail on 9/16/10 at 3:34PM are hereby incorporated into the contract; 2) Per FBI Security Office and Legal Council requirement, all personnel contributing to efforts under this contract shall sign the SF-868 NDA with an FBI employee as witness, preferably the COTR; 3) The following product names have been updated and shall hold all contractual weight and product/service/specification requirements as agreed upon in previous documentation, includin restrictions: [redacted]

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Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)
	[redacted] Contracting Officer

15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of person authorized to sign)		(Signature of Contracting Officer)	

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

CELLSITE-19916

********** -COMM. JOURNAL- ********** DATE SEP-16-2010 ***** TIME 16:17 ********

MODE = MEMORY TRANSMISSION START=SEP-16 16:16 END=SEP-16 16:17

FILE NO.=025

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
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DATE 10-22-2012 BY 65179 DMH/STW

[redacted]

********** - ***** - [redacted] *********

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE	PAGE	OF	PAGES
	1		1

2. AMENDMENT/MODIFICAITON NO.	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	5. PROJECT NO. (If applicable)
Mod 7	09/16/10		

6. ISSUED BY CODE

Federal Bureau of Investigation
[redacted]
Room 6853
935 Pennsylvania Ave. NW
Washington, DC 20535

7. ADMINISTERED BY (If other than Item 6) CODE

Same as Item 6.

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

[redacted]

(X) 9A. AMENDMENT OF SOLICIATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO. [redacted]

X 10B. DATED (SEE ITEM 11) 09/15/09

CODE FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE	
	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation data, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).
	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
X	D. OTHER (Specify type of modification and authority) FAR 43.103(a) Bilateral

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return 1 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

This mod incorporates the following: 1) Add [redacted] to the above contract. Pricing and specifications per quote [redacted] dated 9/15/10 in e-mail on 9/16/10 at 3:34PM are hereby incorporated into the contract; 2) Per FBI Security Office and Legal Council requirement, all personnel contributing to efforts under this contract shall sign the SF-868 NDA with an FBI employee as witness, preferably the COTR; 3) The following product names have been updated and shall hold all contractual weight and product/service/specification requirements as agreed upon in previous documentation, including restrictions: [redacted]

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)
[redacted]	Contracting Officer
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED
(Signature of person authorized to sign)	
16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
(Signature of Contracting Officer)	

NSN 7540-01-152-8070
Previous edition unusable

STANDARD FORM 30 (REV. 10-83)
Prescribed by GSA FAR (48 CFR) 53.243

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CELLSITE-19917

[redacted] price quote update.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-22-2012 BY 65179 DMH/STW

[redacted]

From: [redacted]
Sent: Thursday, September 16, 2010 3:34 PM
To: [redacted]
Cc:
Subject: [redacted] price quote update.
Attachments: [redacted].FBI.PDF

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[redacted]

Here is an update to the [redacted] quote.

<< [redacted].FBI.PDF>>

"This information is only intended for the use of the individual or entity named in this email. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or use of the contents of this information is strictly prohibited. If you have received this email in error, please notify me and delete it immediately."

[redacted]

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DATE: 12-04-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 12-04-2037

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HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

(U//FOUO) Clarification Questions/Comments to Vendor Proposal:

(S)

(S)

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CELL/OTD 017610

CELLSITE-8578

Discussions & Clarifications:

(S)

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(U//FOUO) - Please advise on the current operational state and capability of [redacted] and more importantly its ability to [redacted] b3 b7E

(S) [redacted]

(S) [redacted] b1 b3 b7E

(U//FOUO) [redacted]

(S) [redacted]

(S) [redacted]

(S) [redacted] b1 b3 b7E

(U//FOUO) - Please further explain the proposed features of [redacted]

(S) [redacted]

STATEMENT OF NEED

DATE: 12-04-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 12-04-2037

PROJECT/ACTIVITY: [ ] Contract

PROJECT/ACTIVITY LEADER: [ ]

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

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PURPOSE:

(U) To request authorization to initiate a new project/activity with a competitive vendor within the Tracking Technology Unit's (TTU) Wireless Intercept and Tracking Team (WITT).

THE NEED STATEMENT:

(S)

b1
b3
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STRATEGIC MISSION ELEMENT

[268-HQ-1068430] [February 25, 2011]

CELL-OTD CELLSITE-8587 022287

STATEMENT OF NEED

(S) X

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BASIS OF NEED

X

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(S)

X

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b7E

(S)

(S) X

STATEMENT OF NEED

(S)

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b7E

PROPOSED PROJECT/ACTIVITY SUMMARY

X

(S)

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b7E

X

(S)

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b7E

STATEMENT OF NEED

(S) [redacted] b1 b3 b7E

SPECIAL CONSIDERATIONS/CONSTRAINTS

(U) Program technical risks are mitigated by securing an alternative solution provider, fostering competition among qualified vendors to provide the optimal solution, use of commercial and government controlled interface standards, implementation of commercially available sub-components and utilization of pre-existing FBI technology. The [redacted] contract will define, integrate and extend Commercial Off the Shelf (COTS) and Government Off the Shelf (GOTS) [redacted] By basing the program on previously developed and tested [redacted] significant risk has been removed. b3 b7E

(S) [redacted] b1 b3 b7E

APPROVAL

STATEMENT OF NEED

Prepared by:
(Project Leader) [redacted] Printed Name _____ Signature _____ Date

b6
b7C

Concurred by:
(Quantico Contracts Unit Chief) [redacted] Printed Name _____ Signature _____ Date

Approved by:
(TTU Unit Chief) [redacted] Printed Name _____ Signature _____ Date

[268-HQ-1068430] [February 25, 2011]

CELLSITE-8591
CELL/OTD 022291

STATEMENT OF WORK

[redacted] Contract

b3
b7E

Task Order 3

[redacted]

1.0 (U) INTRODUCTION

(S) [redacted]

(U) 1.1 (S//NF) Project Description and Background

[redacted]

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(S)

CELL/OTD 022325
CELLSITE-8625

(S)

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b7E

CELL/OTD 022728 CELLSITE-8628

3.0 (U) Task Descriptions

(U) ~~(S//~~NF) This section describes the tasks to be completed. It is divided into five major areas:

(a

(b

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CELL/OTD CELESTE-8639

4.0 (U) Deliverables

(U) This section describes the deliverable items from the task order.

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- (U
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- (U
- (U

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4.1 Security Standards and Regulations

(U) SECURITY STATEMENT: This program, all documentation, all associations, all stated and implied requirements and all personnel must adhere to and meet security requirements. Any breech of security will result in immediate termination of the program and possible repercussions, both contractual and criminal. All dissemination of the program and contract information must be approved in writing by the COTR, to include, but not limited to, partners, technical and contract information and personnel. The contractor shall set up procedures to insulate the program procurement or parts and protection of program information as agreed upon by the COTR.

5.0 Customer Representative

– Contracting Officer

The following Bureau personnel may be contacted in performance of this work, but are not authorized to negotiate contractual issues:

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Programmatic and Technical Personnel

a – Project Manager/COTR

b Program Manager/Unit Chief

CELL/OTD CELESTE 48640

~~SECRET//NOFORN~~

DATE: 12-04-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 12-04-2037

STATEMENT OF NEED

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

REQUISITION for Goods or Service

Date: 3/16/2012

Drafted by: EE [redacted] Tracking Technology Unit [redacted]

Unit Submitting the Requisition: Tracking Technology Unit

Requisition Title [redacted]

Requisition Amount [redacted]

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b7C
b3
b7E

Justification of Need: (*Provide brief overview***):** Click here to enter text.

(S) [redacted]

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(S) [redacted]

b1
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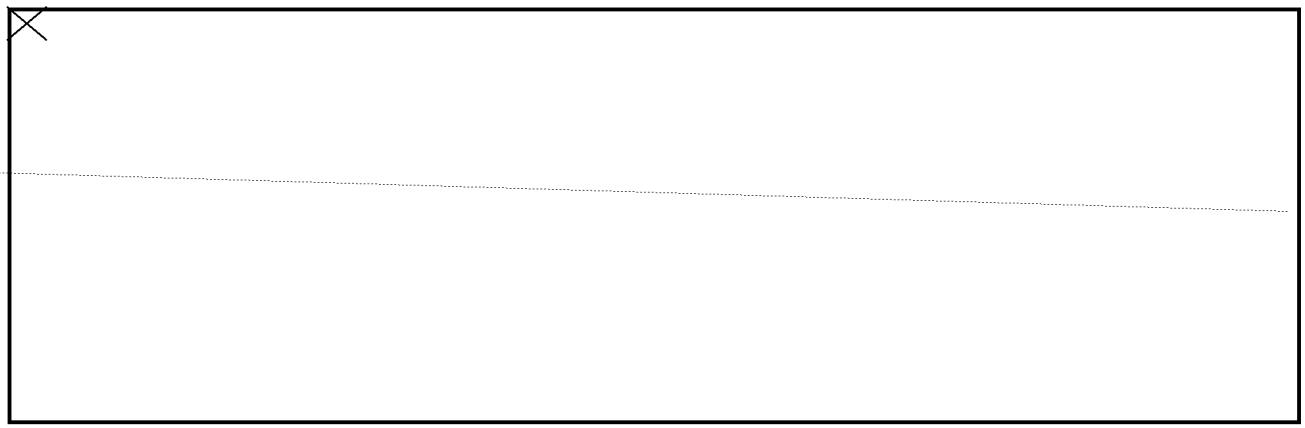
Classified By: C12W12B75
Declassify On: 20370316
Derived From: FBI NSISCG-20090615

CELL-OTD 022262

~~SECRET//NOFORN~~

CELLSITE-8740



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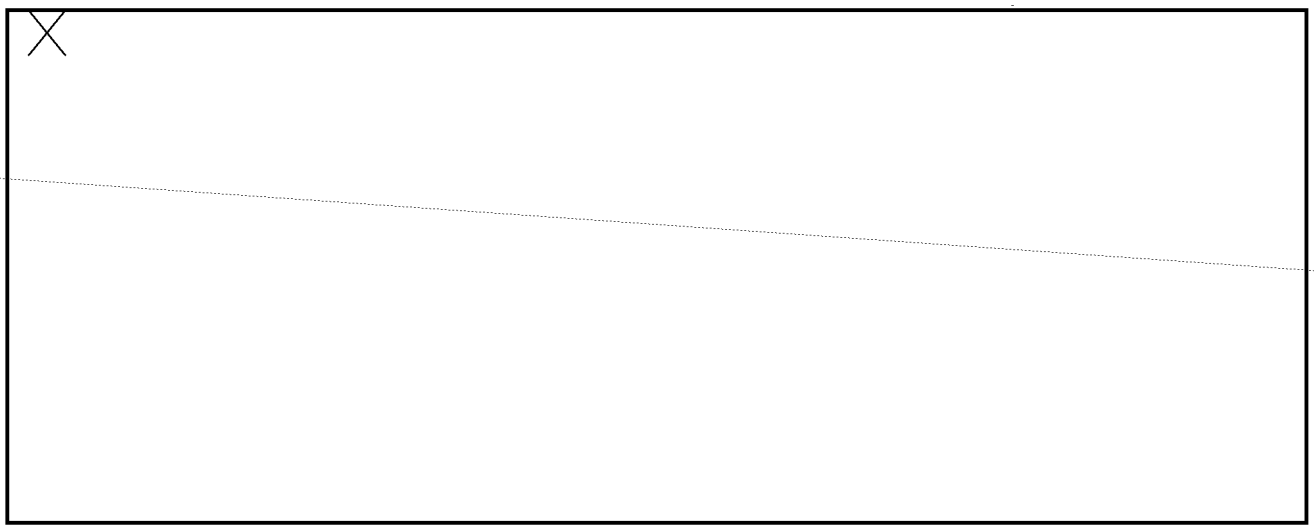
Description of Requirements: (*Provide brief description***):** Click here to enter text.



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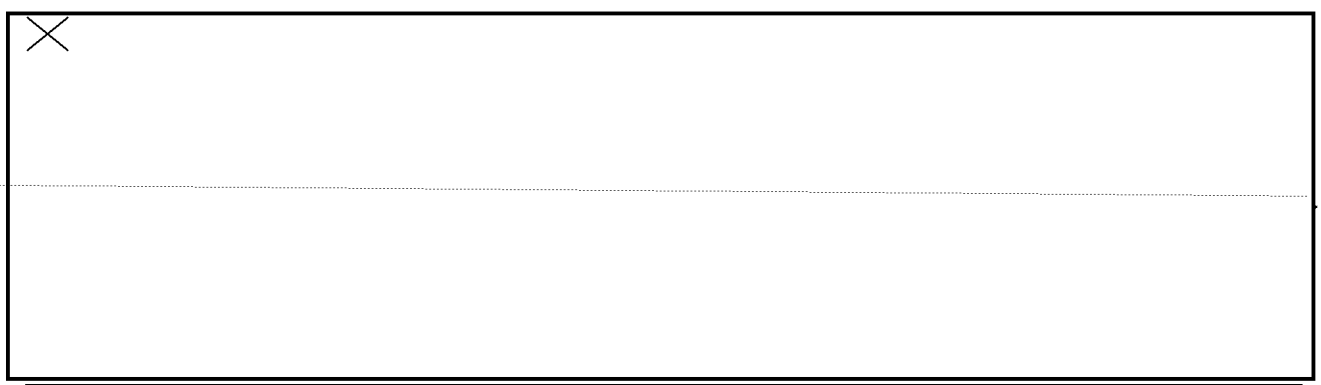

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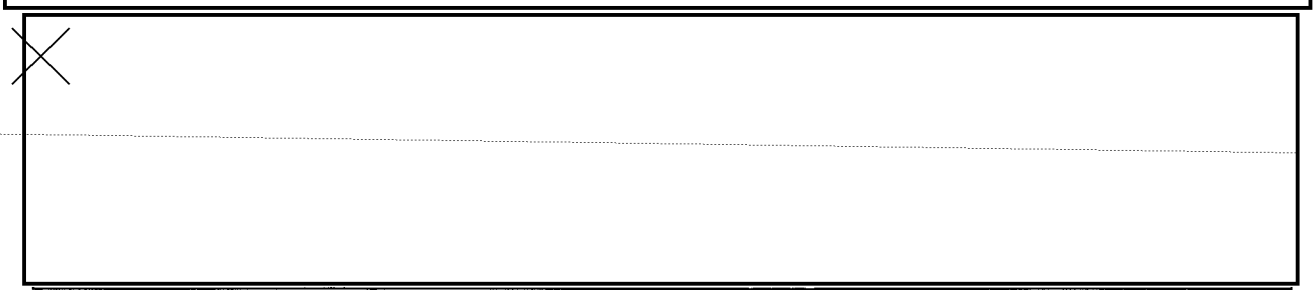

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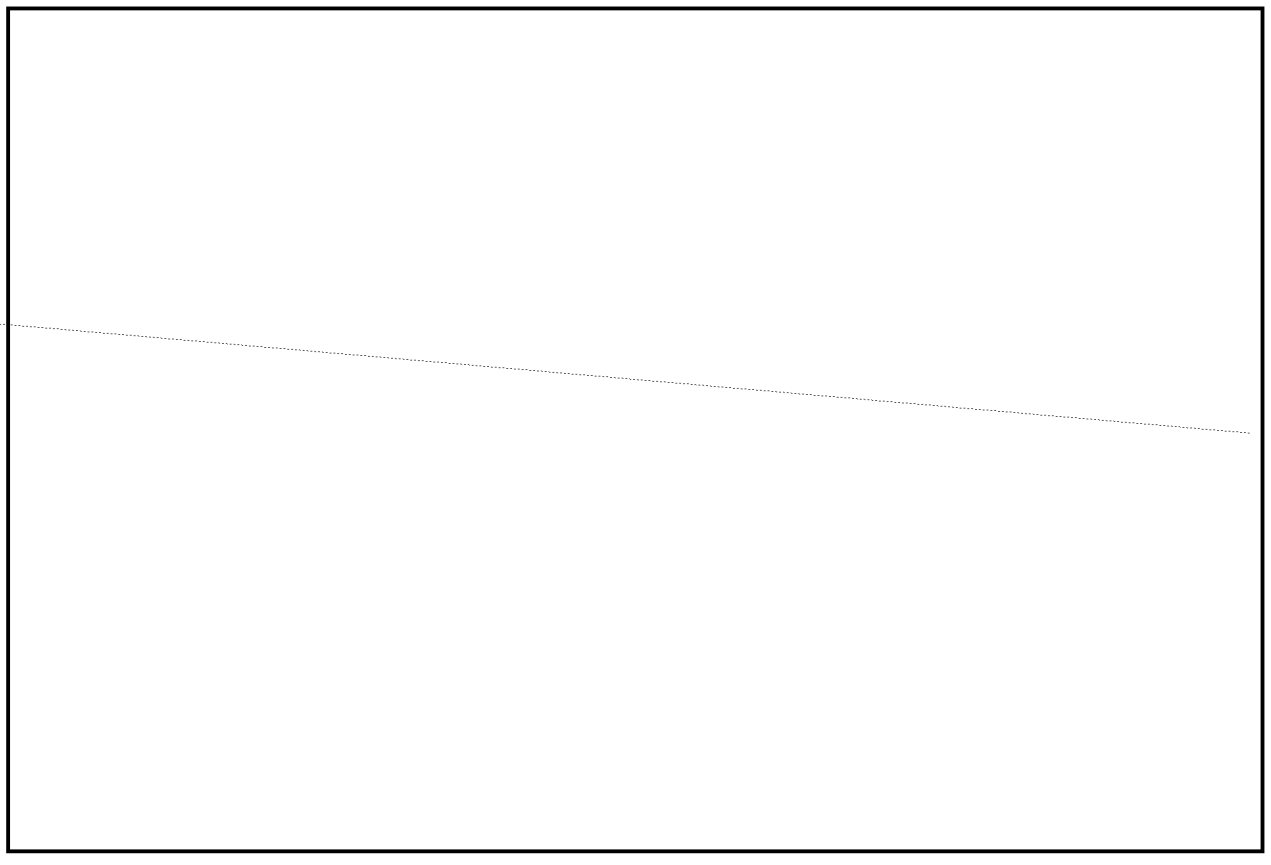
Classified By: C12W12B75
Declassify On: 20370316
Derived From: FBI NSISCG-20090615

CELL-OTD 00285

~~SECRET//NOFORN~~

~~Classified By: C12W12B75~~
~~Declassify On: 20370316~~
~~Derived From: FBI NSISCG-20090615~~
~~SECRET//NOFORN~~

CELL/OTD 022254



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Classified By: C12W12B75
Declassify On: 20370316
Derived From: FBI NSISCG-20090615

CELL-OTD 02265

DATE: 12-04-2012
CLASSIFIED BY 65179 DMH/SIW
REASON: 1.4 (C, G)
DECLASSIFY ON: 12-04-2037

STATEMENT OF NEED

PROJECT/ACTIVITY:

PROJECT/ACTIVITY LEADER:

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

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Synopsis:

(U) To request finance division initiate contractual action in the amount of This procurement action leverages the existing IDIQ contract awarded to September of 2011.

Details:

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(S)

STATEMENT OF NEED

(S)

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b7E

Strategic Mission Element

X

(S)

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b7E

STATEMENT OF NEED

APPROVAL

Prepared by: [redacted] _____
(Project Leader) Printed Name Signature Date

b6
b7C

Concurred by: [redacted] _____ _____
(Quantico Contracts Unit Chief) Printed Name Signature Date

Approved by: [redacted] _____
(TTU Unit Chief) Printed Name Signature Date

Approved by: Keith A. Bryars _____
(TTU Section Chief) Printed Name Signature Date

CELL-OTD 02225 CELLSITE-8746

DATE: 12-04-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 12-04-2037

STATEMENT OF NEED

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

REQUISITION for Goods or Service

Date: 3/20/2012

Drafted by: E[redacted] Tracking Technology Unit [redacted]

Unit Submitting the Requisition: Tracking Technology Unit

Requisition Title [redacted]

Requisition Amount [redacted]

b3
b6
b7C
b7E

Justification of Need: (*Provide brief overview***):** Click here to enter text.

(S) [redacted]

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(S) [redacted]

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Classified By: C12W12B75
Declassify On: 20370320
~~Derived~~ From: FBI NSISCG-~~20090~~615

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Description of Requirements: (*Provide brief description*): Click here to enter text.

X

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X

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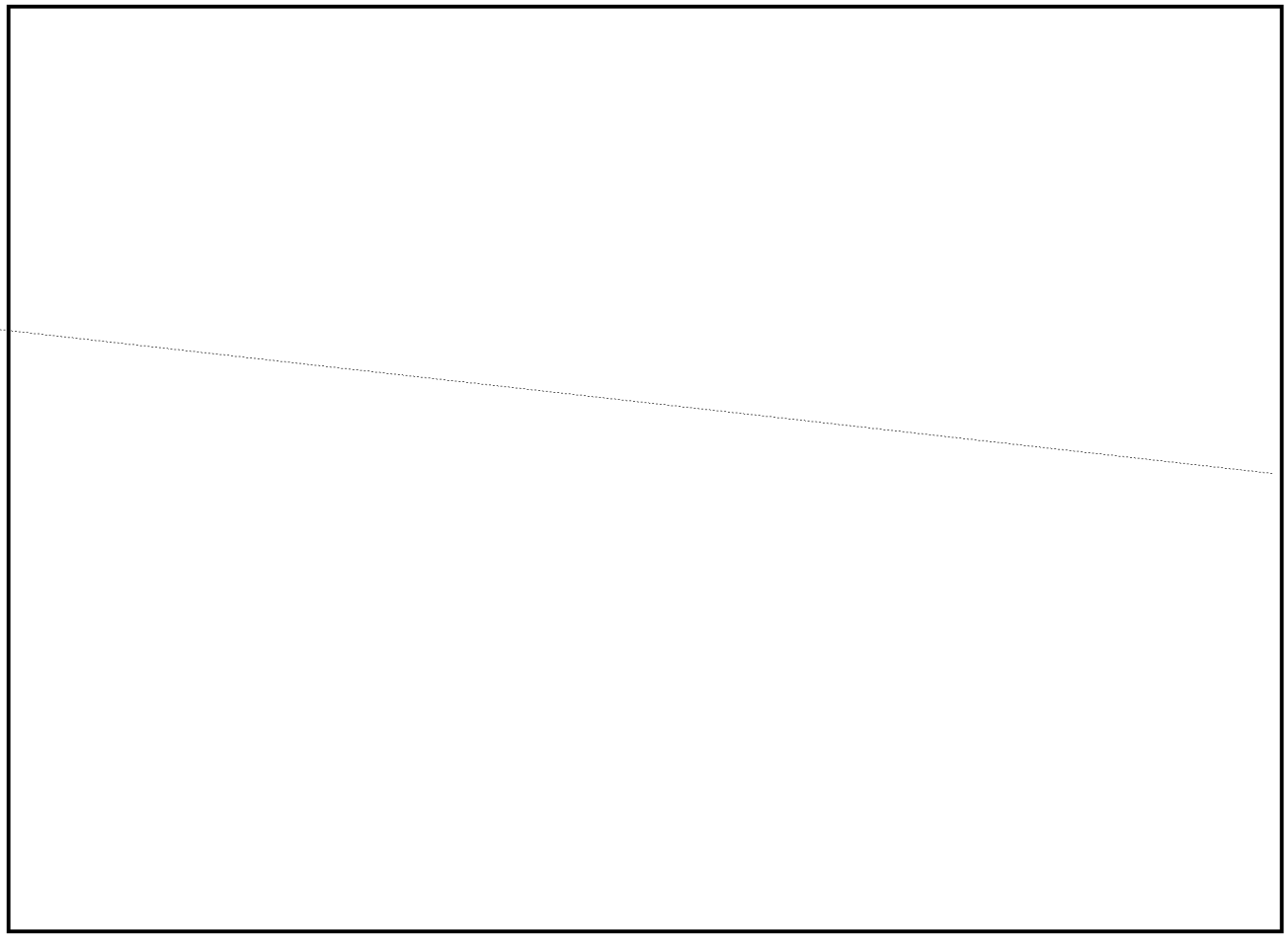
X

(S)

~~Classified By: C12W12B75~~
Declassify On: 20370320
~~Derived From: FBI NSISCG-20090615~~

(S)



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Classified By: C12W12B75
Declassify On: 20370320
Derived From: FBI NSISCG-20090615

DATE: 12-04-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 12-04-2037

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[redacted] 10-12-99)

ACQUISITION PLANNING FORM

[redacted]

FEDERAL BUREAU OF INVESTIGATION

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

*AP #*_____

1. Unit/Section/Division: Tracking Technology Unit, [redacted] Operational Technology Division

2. Acquisition Background and Objectives:

(a) X

(S) [redacted]

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b7E

(b) (U//FOUO) [redacted]

[redacted]

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b7E

(c) Cost: [redacted]

1. (U//FOUO) **Life Cycle Cost:** Equipment and life cycle costs will be incurred under individual delivery orders. To provide a general background, a procurement history of TTU [redacted]

[redacted]

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b7E

Procurement History	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	Total Cost
Equipment Procurement						
Subtotal						

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	Total Cost
Total Acquisition Cost						

(S)

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Most Likely ICGE	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	Total Cost

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b7E

2. (U//FOUO) **Application of Should-Cost:** An IGCE for each fiscal year of the contract has been included. The contract funding shall be for specific task orders as defined in the Statement of Work and for the procurement and enhancement of new hardware platforms.
3. (U//FOUO) **Capability or Performance:** Contractor costs will be directly related to the individual task orders and their specific Statement of Work. Contractor personnel have the necessary skills and experience to support these tasks.
4. (U//FOUO) **Delivery or Performance-Based Requirements:** Delivery requirements will be dependant on individual task orders and their specific Statement of Work.
5. (U//FOUO) **Trade-offs:**
6. (U//FOUO) **Risks:**

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(S)

3. Plan of Action:

a) X

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b) X

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c) (U//FOUO) **Source Selection Procedures:**

d) X

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e) X

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(S)

f) X (S)

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b7E

g) (U//FOUO) **Priorities, Allocations, and Allotments:** Not Applicable

h) (U//FOUO) **Contractor versus Government Performance:** Contract tasks will be for engineering services and purchase of equipment that are not readily available within the government.

i) (U//FOUO) **Inherently Governmental Functions:** The contractors will not be completing inherently government functions.

j) (U//FOUO) **Management Information Requirements:** The contractor's performance will be monitored by the Contract Officer Technical Representative (COTR) and reported to the Unit Chief of TTU. The program has also been entered into the OTD Program Management Office's database for tracking at the Section Chief level.

k) X (S)

l) (U//FOUO)**Test and Evaluation:**

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m) (U//FOUO) **Logistics Considerations:** Individual tasks may require logistical requirements such warranty, maintenance, upgrades and technical support of purchased items. Operational needs may require the COTR to prioritize certain tasks with

n) (U//FOUO) **Government Furnished Property:** The government may furnish property based on the needs specific task orders. This property will remain at the contractor's facilities and will be tracked by the COTR. All government furnished property will be returned to the government at the conclusion of the contract.

o) (U//FOUO) **Government Furnished Information:** The government may furnish information based on specific task orders. The

CELL-OTD 022270

information will remain at the contractor's facilities, and the information will be tracked by the COTR. No government furnished information will be published or shared with outside sources by the contractor without prior expressed written consent by the COTR and CO.

p) (U//FOUO) **Environmental and Energy Conservation Objectives:** The contract will use "Green" or energy star components whenever possible. The CO will include all required "Green" clauses in the contract.

q) X

(S) [redacted] b1 b3

r) (U//FOUO) **Contract Administration:** The technical performance of the contract will be verified by the COTR. The contract will be administered by the CO.

s) (U//FOUO) **Other Considerations:** None

CELL-OTD 022271

t) (U//FOUO) **Milestones for the Acquisition Cycle:**

Topic	**Date**
(1) Acquisition Plan Approval	_____
(2) Statement of Work	_____
(3) Specifications	_____
(4) Data Requirements	_____
(5) Completion of Acquisition Package Plan	_____
(6) Purchase Request	_____
(7) Justification and Approvals and/or Determination and Findings	_____
(8) Issuance of Synopsis	_____
(9) Issuance of Solicitation	_____
(10) Evaluations of Proposals, Audits, and Field Reports	_____
(11) Beginning and Completion of Negotiations	
(12) Contract Preparation, Review, and Clearance	_____
(13) Contract Award	_____

Prepared by and approved:

_____ _____

Technical Staff Member (date) Budget Staff Member (date)

_____ _____

Legal Review (if applicable) (date) Contracting Officer (date)

_____

Competition Advocate (Section Chief – PPMS) (date)

Reviewed & Updated/Revised: _____

_____

_____

CELL-OTD 022272

(U) The Contractor shall be expected to apply a broad base of engineers and support personnel with varying backgrounds in order to maintain the efforts under this contract. At a minimum, the Contractor shall include a copy of the job descriptions to include experience levels and formal education required for each labor category presented in the proposal.

(U) The Contractor shall appoint and designate qualified technical personnel as the primary point of contact to be responsible and accessible during normal business hours to address technical questions and inquiries from the customer relating to system configuration and equipment operations, system design capability, [redacted] and system diagnosis and troubleshooting. The qualified technical personnel shall have a broad knowledge of [redacted] of products, a strong fundamental understanding of cellular technology [redacted] and be able to provide technical resolution and recommendation to technical questions and issues raised by the customer. There may be exigent circumstance that necessitates an immediate action and response due to mission criticality at which time the customer will provide ample notification to the Contractor for availability request of the qualified technical personnel to be in the standby support position.

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b7E

(U) Services provided under each TO shall be performed in accordance with this SOW for the contract as well as contractual terms and conditions. All services and enhancements under this contract shall be conducted with all appropriate legal authority.

(U) **(S) 2.2 REQUIREMENTS**

The Contractor shall meet the system level criteria for performance as stated below:

(S) [redacted]

(S) [redacted]

(S) [redacted]

(S) [redacted]

(S) [redacted]

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b7E

CELL/OTD 022142

(S) [redacted]

(U) 2.2.7 The Contractor system shall requir[redacted]nd any advanced enhanced features under this contract to ensure such use are limited to personnel with the required authority.

(U) 2.2.8 The Contractor shall provide replacement parts and modules t[redacted] under warranty that have been identified to have failed components within a period of 3 to 5 business days. This requirement shall not predicate on the customer having spare parts or modules.

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(U) 2.2.9 The contract shall provide to the customer a system checkout test procedure documenting the various steps the contractor has performed in checking and verifying system functionality of all relevant mode of operations described in the statement of work to ensure that [redacted] functioning properly prior to release. This requirement shall be applicable to all [redacted] at each monthly progress status interval. The test procedure shall also incorporate functionality test on [redacted]

(U) 2.3 DELIVERABLES

(U) The Contractor shall provide any of the following as required in specific Task Order requirements documentation:

- Project Deliverables
  - [redacted]
  - Production Run Equipment
- Documentation
  - White Paper Study Reports
  - Baseline Design Documentation
  - Monthly Project Status Reports
- Meetings or Briefings
  - Kick-Off, Program Management, Status or Technical Integration Meetings
  - Review or Technical Briefings to include any required materials

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[redacted]

CELL/OTD 022143

(U) 3.0 REPORTING AND STATUS REVIEW REQUIREMENTS

(U) 3.1 Project Progress Reports: Project progress shall be reported to the COTR on a monthly basis. At a minimum, the report shall include the following information per Task Order: technical accomplishments and status, upcoming milestones, issues/concerns/risks, action items, and projected cost or schedule overruns.

(U) 3.2 Other Reports: Other reports that may be required by the contractor on a per-task order basis shall include:

- [redacted]

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(U) 3.3. Delivery Schedule: The Contract shall provide a period of performance or timeline of the expected completion date of each sub-task. In the event the identified sub-task is not completed by the expected date, the Contract shall document and notify the customer in the monthly status report and provide a revised schedule of delivery.

(U) 3.4. Delivery Schedule: The Contract shall provide a period of performance or timeline of the expected completion date of each sub-task. In the event the identified sub-task is not completed by the expected date, the Contract shall document and notify the customer in the monthly status report and provide a revised schedule of delivery.

(U) 3.5 Phase Review Meetings: Formal phase review meetings shall be conducted at a minimum at the conclusion of each Task Order Phase and include reports for project plans, status, and results.

(U) 3.6 Other Review Meetings: Other meetings that may be required by the contractor on a per-task order basis shall include:

- Monthly or Periodic Technical Integration Meetings - To review technical progress, address any technical challenges and barriers, and communicate with project team
- System Requirements Review - To review and baseline the requirements to be satisfied by the proposed system (product)
- Preliminary Design Review - To review and concur on initial system design concepts including exploitation techniques and implementation methodology
- Critical Design Review - To review and approve final system design
- Test Readiness Review - To review test readiness and authorize initiation of testing
- Operational Readiness Review - To review operational readiness and officially accept system (product)

(U) ~~(S)~~ **4.0 SPECIAL CONSIDERATIONS**

(U) 4.1 Health and Safety

(U) In certain configurations if the Contractor systems [redacted] and any aspects of the systems pose a health and safety hazard for the user, the Contractor shall provide information regarding these topics in writing and make recommendation to reduce such risk.

(U) ~~(S)~~ **4.2 Security and Restrictions Considerations**

(S) [redacted]

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b7E

DATE: 04-02-2013
CLASSIFIED BY NSICG F85M26K45
REASON: 1.4 (C, G)
DECLASSIFY ON: 04-02-2038

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HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION IN ACCORDANCE WITH 41 U.S.C. 253(c)1 & 41 U.S.C. 253(c)6

All information contained herein is classified as "~~SECRET~~" unless otherwise noted (U).

1. Agency and Contracting Activity and Identification of Document:

(U) The Science and Technology Contracts Unit (STCU) of the Federal Bureau of Investigation (FBI) has prepared this Justification for Other Than Full and Open Competition in response to requirements from the Tracking Technology Unit (TTU) of the Operational Technology Division (OTD). This document provides justification to establish an Indefinite Delivery-Indefinite Quantity (IDIQ) contract with [redacted] This contract vehicle will procure highly specialized [redacted] related engineering services to modify and enhance these products. The intended duration of this contract is a base year and four (4) one-year options with provisions for Firm Fixed-Price (FFP) and Cost-Plus Fixed Fee (CPFF) pricing. b3 b7E

2. Nature and/or Description of the Action Being Approved:

X

(S) [redacted] b1 b3 b7E b1 b3 b7E

X

(S) [redacted]

X

(S) [redacted]

(S)

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3. Description of the Supplies of Services (including the estimated value):

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(S)

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b7E

(S)

4. Statutory Authority:

(S)

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b3
b7D

(S)

(S)

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5. Demonstration that Nature of Acquisition Justifies Use of the Above Authority:

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(S)

(S)

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b7E

6. Efforts made to ensure offers are solicited from as many potential sources as practicable, including compliance with subpart 5.2 and, if not, which exception under Far 5.202 applies:

X

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7. Determination that the anticipated cost to the Government will be fair and reasonable:

(U) Contractor proposals will be subject to cost and price analysis, audit review, and technical evaluation. The Contracting Officer will ensure that the anticipated cost to the Government will be fair and reasonable. Historical data, pricing from similar contracts and rigorous negotiations shall be utilized to establish fair and reasonable pricing.

8. Market Survey:

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9. Any other facts supporting the use of other that full and open competition:

X

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(S) X

(S) [redacted] b1 b3 b7E

10. A listing of the sources, if any, that expressed, in writing an interest in the acquisition:

(U) Pursuant to FAR 5.202(a) (1), National Security, this procurement will not be publicized and as such, no other commercial sources will be provided with the opportunity to express written interest in this procurement. Knowledge of sensitive information would be required for a vendor to provide a response. Public knowledge of the capabilities of these techniques would [redacted] b3

(U) [redacted] is aware of the FBI's need for this capability through technical discussion regarding the capabilities and further development of their current product line. See Section 9 for additional information. b7E

11. A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required:

(U) TTU continues to evaluate potential sources for future requirements. The FBI will continue to monitor the market and hold discussion with other members of the intelligence community to identify additional sources with capabilities to address the goals of these programs and FBI mission requirements. If additional resources are identified in the future, these will be included for future competitions.

12. Signatures:

Technical Representative Certification:

As Technical Representative of the requiring office, I have reviewed the data provided in support of the Justification and Approval to Procure Using Other Than Full and Open Competition. I certify that the data is accurate and complete to the best of my knowledge and belief.

[redacted] Date

Technical Representative

Approved By:

As the Contracting Officer of Record, I hereby certify, to the best of my knowledge, that the information contained herein is accurate and complete.

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b7C

[redacted] Date

Contracting Officer

Reviewed By:

[redacted] Date

Chief, Science and Technology Contracts Unit

Legal Review:

Procurement Law Unit Date

Competition Advocate Review:

b6
b7C

[redacted] Date

Deputy Competition Advocate

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 01-08-2013 BY 65179 DMH/STW

b3
b7E

Decision Based on Technical, Cost & Time Criteria

WITT
Wireless Intercept and Tracking Team

Decision Criteria: Technical, Cost, Time

Technical

- b3 b7E
- b3 b7E

WITT
Wireless Intercept and Tracking Team

Decision Criteria: Technical, Cost, Time

Cost

- [redacted]
- [redacted]

b3
b7E

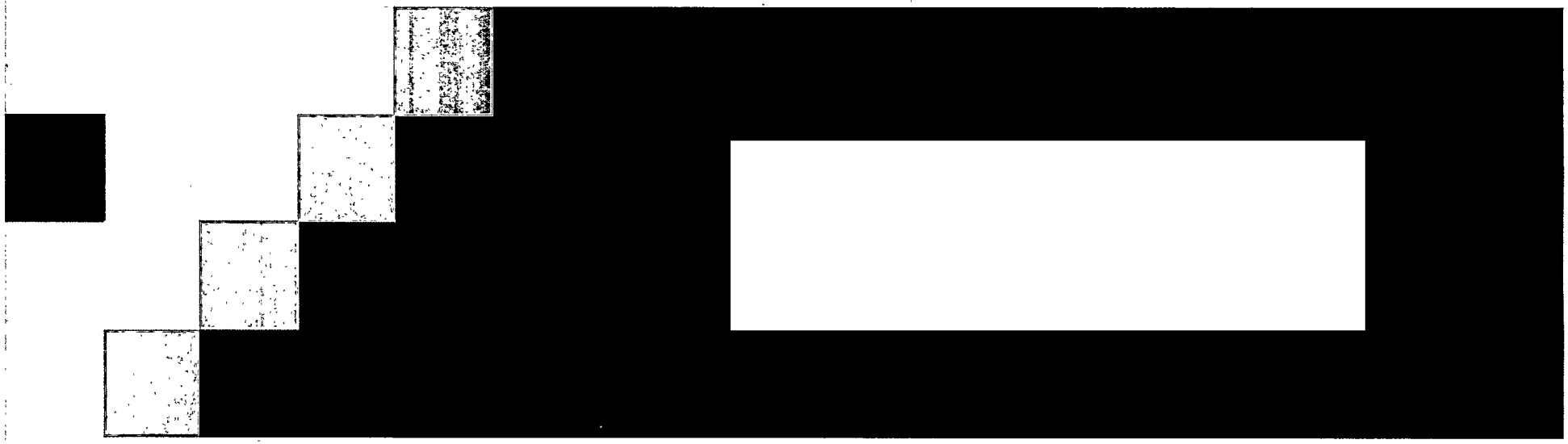
Time

- [redacted]
- [redacted]

b3
b7E

WITT
Wireless Intercept and Tracking Team
CELLSITE-8810

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 01-08-2013 BY 65179 DMH/STW



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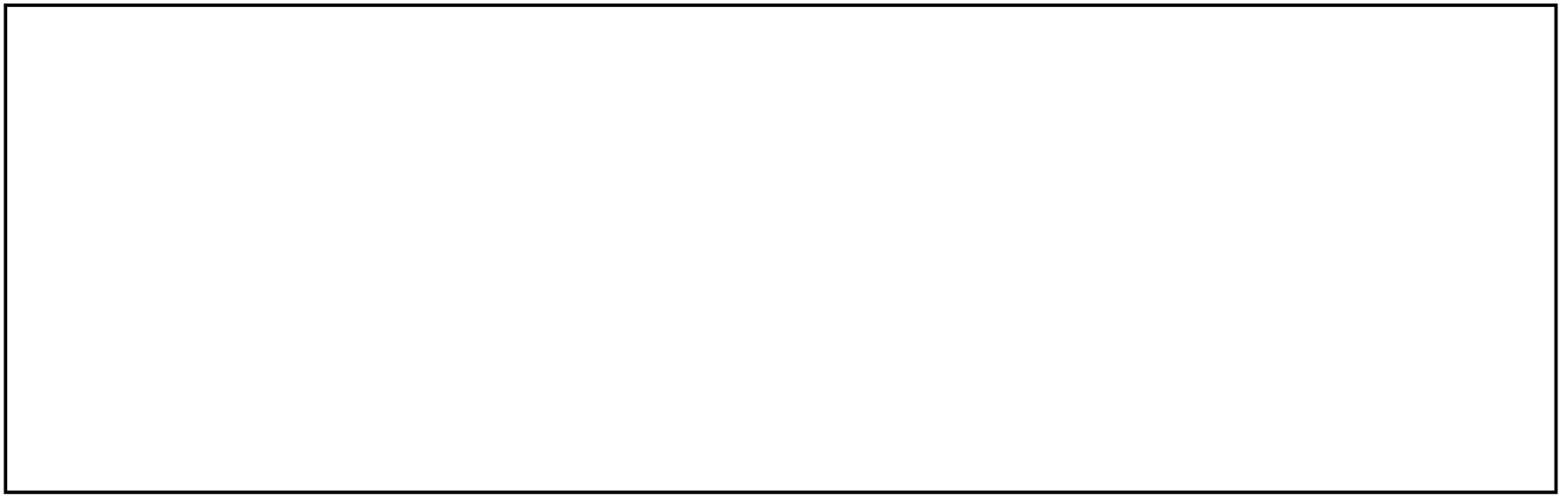
Decision Based on Technical, Cost & Time Criteria

WITT
Wireless Intercept and Tracking Team

CELL-OTD 021708

Decision Criteria: Technical, Cost, Time

- 

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- Conclusion: Requirements sent March 10, 2010 with original request. Since that time new requirements have been identified by government (user community-classified).

CELL-OTD 021709

WITT
Wireless Intercept and Tracking Team

Decision Criteria: Technical, Cost, Time

Technical

- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]

b3
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WITT
Wireless Intercept and Tracking Team

CELL/OTD 021710

Decision Criteria: Technical, Cost, Time

Cost

- [redacted]

b3
b7E

Time

- [redacted]

- [redacted]

b3
b7E

WITT
Wireless Intercept and Tracking Team

~~SECRET~~

DATE: 04-02-2013
CLASSIFIED BY NSICG F85M26K45
REASON: 1.4 (C, G)
DECLASSIFY ON: 04-02-2038

Revised System Requirements in response to Vendor Proposal:

(S)

(S)

(S)

b1
b3
b7E

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

CELL/OTD 02172

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION
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[redacted]

From: [redacted]
Sent: Tuesday, August 23, 2011 10:56 AM
To: [redacted]
Subject: Summary of Action Items from 8/9 Meeting --- UNCLASSIFIED

b6
b7C

Classification: UNCLASSIFIED
==========

Hi [redacted]

Here's a summary of the action items/things to document that I wrote down from the 8/9-8/10 meeting at Harris. Please share with [redacted] as well if you think appropriate.

Items to note:

- [redacted] was notified 7/11/11 orally and 7/12/11 in writing of the FBI [redacted]
  - 8/9/11 meeting provided an update and [redacted] was present for this portion
  - Meeting with [redacted] noted that he's not interested in [redacted] agreed
- [redacted] provided back up documentation to [redacted] demonstrating the [redacted]
- [redacted]
- [redacted] will follow up with [redacted] to get copies of [redacted] noted to [redacted] that items 1-7 on his notes were [redacted]
  - These reports will be used to communicate [redacted]

b3
b7E
b6
b7C

- [redacted] made very clear to [redacted] that they are continued [redacted]
  - [redacted] please clarify my above statement since I was not there at this portion of the meeting
  - [redacted] provided
- [redacted] PO copies mailed to [redacted] internally
- [redacted]
- [redacted]
- [redacted] however, the [redacted] warranty as put in place by [redacted] includes [redacted] definitely for FBI [redacted]
- [redacted]

Action Items for [redacted]

- Letter providing FBI position [redacted]
  - [redacted]
  - [redacted] will only be available on [redacted]

b3
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E-mail [redacted] and verify that the FBI is receiving [redacted]

- [redacted] – can I have a copy of the requirements documents that we approved for each of the Task Orders

CELLSITE-14944

- Letter summarizing the [redacted]
- Provide [redacted] official answers to [redacted] – completed 8/15
  - [redacted]
- [redacted] – review file/documentation to see what [redacted] memory recalls the FBI deciding to wait for
- [redacted] informed [redacted] that only [redacted]
- [redacted] will review the [redacted] capabilities with [redacted]
- [redacted] will send a [redacted] back to FBI and send copy of [redacted] report
- [redacted] will provide a revised version of the [redacted] schedule since the FBI has been working off the original proposed schedule.
- [redacted] will provide [redacted] with a copy of the [redacted] for testing

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b7E

Thanks [redacted]

[redacted]

Contracting Officer

[redacted]

Finance Division

JEH Bldg [redacted]

QT-ERF [redacted]

==========

Classification: UNCLASSIFIED

CELLSITE-14945

[redacted]

From: [redacted]
Sent: Tuesday, December 14, 2010 11:12 AM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted]
Attachments: [redacted] Mthly_Status_Nov10.pdf

This information is only intended for the use of the individual or entity named in this email. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or use of the contents of this information is strictly prohibited. If you have received this email in error, please notify me and delete it immediately.

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b7E

Hi [redacted]

I just noticed that yesterday's email contained the wrong file under "Contract Letter for this delivery". Here is the contract letter I meant to send you.

[redacted] Mthly_Status_Nov10.pdf>>

From: [redacted]
Sent: Monday, December 13, 2010 5:31 PM
To: [redacted]
Cc: [redacted]
Subject: [redacted]

This information is only intended for the use of the individual or entity named in this email. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or use of the contents of this information is strictly prohibited. If you have received this email in error, please notify me and delete it immediately.

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Hello [redacted]

Please find attached the [redacted] for Period Ending 11/26/10.

Contract Letter for this delivery

<< File: [redacted] Ending_11-26-10.pdf >>

Monthly Status Report (PE 11/26/10)

<< File: [redacted] Period-Ending_11-26-10.pdf >>

In addition, we are also including in this delivery:

Contract Change Candidates Logs for [redacted]

[redacted] has no change candidates at this time)

[redacted]

If you have any questions, please contact [redacted]

b6
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[redacted]

[redacted]

From: [redacted]
Sent: Thursday, August 04, 2011 2:14 PM
To: [redacted]
Cc: [redacted]
Subject: Meeting agenda (item list)

b6
b7C

[redacted]

I've included an item list of topics, not really tied to times. We are still waiting to hear about [redacted] availability so I didn't want to commit to strict times, we'll have to be a bit fluid on that point.

[redacted]

Topics:

[redacted]

Program Status
[redacted]
Phase 1 feedback discussions
Demo of current capabilities
[redacted] scope adjustments
review / discussion of new task order
discussion of work package cost (new and current tasks)
discussion of removal / replacement of existing work packages
Product test documentation discussions
[redacted]

b6
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[redacted] Close out Q&A / disposition of [redacted]

Close out Q&A / disposition of [redacted]

Delivery schedule for [redacted]
Acceptance testing of [redacted] firm dates - Travel coordination

General Program review / issues:

Delivery schedule for [redacted]
Updates on [redacted]
Invoice update and reconciliation
Funding update and reconciliation
Update / review Task master schedules / baseline
[redacted]
Discussion of [redacted]
Distribution of capabilities across product line
Discussion of [redacted]
Discussion of [redacted] / Engineering inter-communications
Discussion of phone support response

b6
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b7E

[redacted]

From: [redacted]
Sent: Monday, November 22, 2010 2:43 PM
To: [redacted]
Subject: RE: [redacted]

I just got confirmation from accounting that payment was received.....Yay! Thanks for your help [redacted]

Have a great holiday!

[redacted]
Sales and Administration

[redacted]

b6
b7C

From: [redacted]
Sent: Monday, November 22, 2010 2:30 PM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted]

b6
b7C

Hi [redacted]

Thank you for the message below and the follow-up phone call. The invoice was successfully processed through our financial system by our payment unit on Thursday 11/18/10. My financial system shows "Paid in Full" as of 11/18/10. The next step is for the funds to be transferred from the [redacted] bank account. A few days delay while the accounts rectify each other is standard. However, please let me know if you do not see the payment within 1-2 weeks.

Please let me know if you have any other questions and have a Happy Thanksgiving,

[redacted]

From: [redacted]
Sent: Monday, November 22, 2010 2:18 PM
To: [redacted]
Cc: [redacted]
Subject: RE [redacted]

b6
b7C

[redacted]

I am trying to find the status on the late payment of the FBI's purchase from [redacted] This

16 November 2010 In Reply Please Refer to:

Attention: Contracting Officer

Subject:

Reference:

Dear

As documented in will transfer the following items to the at the agreed upon contract pricing:

b6
b7C
b3
b4
b7E

No additional fees or burdens will be applied.

Please provide your concurrence by signing below.

Should you have comments please forward to the undersigned at or e-mail to

Sincerely,

Contract Administrator

Concurrence:

Contracting Officer

Cc:

[redacted]

From: [redacted]
Sent: Tuesday, November 02, 2010 7:48 AM
To: [redacted]
Cc:
Subject: RE: [redacted]

Hi [redacted]

Thanks for the updates. I will follow the instructions listed below and call you if I have any questions.

Regards,

[redacted]

b6
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b7E

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From: [redacted]
Sent: Monday, November 01, 2010 3:48 PM
To: [redacted]
Cc:
Subject: [redacted]

Hi [redacted]

Welcome again to the project and I hope you had a good Halloween weekend. In an effort to better administer the contract and TOs and to better track the expenses under [redacted] the FBI requests [redacted] adjust actions accordingly, per the following changes:

1) Please e-mail status reports (weekly, monthly, etc.) on Task Orders for services under [redacted] to: [redacted] will ensure these status reports are provided to the proper Technical POC.
2) Please e-mail copies of Invoices for services and equipment under [redacted] will ensure the invoices are sent to the proper Technical POC for review and verification before processing for payment.
3) For the months of October, November, and December 2010, please provide the hourly work breakdown for [redacted] TOs with these monthly invoices.

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Reducing the number of POCs on the e-mail CC will reduce confusion internally and ensure only those with a need to know are updated on project statuses or expenses.

Please confirm receipt of this e-mail and let me know if you have any questions on the above changes. Thank you for all your assistance.

Have a good day,

[redacted]

[redacted]

From: [redacted]
Sent: Tuesday, November 23, 2010 4:54 PM
To: [redacted]
Subject: [redacted]

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Hi [redacted]

It was so good to meet with you last week, transition the contract, and work out a few of the programmatic kinks. I just wanted to review the Action Items we have on our plate to make sure we weren't missing anything and could track our tasks. Below is a general list of what I have. Please let me know if you have any additional ones.

1) Transfer of [redacted]
   a. Incorporate in a [redacted] has released the equipment from the previous Contract.
2) Invoices:
   a. Please submit invoices to [redacted] for processing
      i. Just as a reminder, [redacted] is not an FBI employee and as such does not have approval authority, especially for anything regarding funding. Please let me know if you have any questions.
   b. Please include the monthly hours-breakdown with the invoices
   c. Could you please double check the dates listed on [redacted]
      i. I already verified that the dates are on point for [redacted]
3) Consolidated Price List
   a. I'll review that document next week and discuss the new products with [redacted] Once we've complete our reviews I'll either discuss any findings with you or send you a [redacted] to the Contract incorporating the revised price list.
   b. This affects a number of Action Items so I'll try to complete this process ASAP.
4) [redacted] for equipment delivery to ensure [redacted]
   a. Coming via fax this afternoon – I mailed the original to [redacted] in Sept of 2010 so the quality of the fax may not be the best. Let me know if you need me to try a different method of getting the copy to you.
   b. I understand from the consolidated price list that the pricing has changed. I'll discuss the quantities with [redacted] to see how they would like to proceed. I will most likely have to send a [redacted] for the PO with the adjustment. This will be done once I incorporate the new price list into the contract.
5) Summary of TO information: POP, Options, Funds, SOWs etc.
   a. I'm going to put it on my radar for completion next week.
6) [redacted] – Letter requiring signature for purchase
   a. I need to review this purchase with [redacted] to verify how they would like to handle this equipment [redacted] also need to verify property procedures to prevent needing to ship the equipment to [redacted]
7) [redacted]
   a. I will review the decision with the Team and confirm the flexibilities or limitations of our financial system regarding reallocating the [redacted] for equipment or requesting reimbursement checks.
8) 11/16/10 Letter Responding to [redacted] Letters
   a. I will revise the letter next week as well and incorporate the updates from last weeks meeting and incorporate these decisions into the contract in a [redacted]

b6
b7C
b3
b4
b7E

Thanks again and please let me know if you have any questions or want to discuss anything above.

Have a Happy Thanksgiving,

[redacted]

Add to [redacted] → A of CO to [redacted]

→ [redacted]

[redacted]

From: [redacted]
Sent: Tuesday, June 14, 2011 5:10 PM
To: [redacted]
Cc:
Subject: [redacted]
Attachments: [redacted]

b6
b7C
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b7E

Hi [redacted]

I have attached the [redacted] The offer is for a [redacted]

I will be on vacation until Monday the 20th. Please contact [redacted] if have any questions regarding contractual issues while I am out.

Regards,

[redacted]

This information is only intended for the use of the individual or entity named in this email. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or use of the contents of this information is strictly prohibited. If you have received this email in error, please notify me and delete it immediately.

[redacted]

From: [redacted]
Sent: Tuesday, July 05, 2011 2:58 PM
To: [redacted]
Cc:
Subject: RE: [redacted]

Hi [redacted]

Thank you for the guidance below. We will take no action regarding the [redacted]

Thanks,

[redacted]

b6
b7C
b3
b7E

[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, July 05, 2011 12:49 PM
To: [redacted]
Cc:
Subject: RE: [redacted]

b6
b7C
b7E
b3

Hi [redacted]

Upon further internal discussion, it is decided that we will not pursue any implementation regarding to [redacted] No cost estimate will be required and furnished to us [redacted] Please proceed with any remainder testing that is required under the task. Please let us know if you have further questions. Thank you!

- [redacted]

From: [redacted]
Sent: Friday, July 01, 2011 11:21 AM
To: [redacted]
Cc:
Subject: [redacted]

b6
b7C
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b7E

Hi [redacted]

As discussed during the phone conversation yesterday, we found that the [redacted] Although the requirement of [redacted] was signed off and interpreted as [redacted] we

would like to have the [redacted] We would like to obtain an estimate on the cost of this implementation. Thank you.

[redacted]

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b7C
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b7E

[redacted]

From: [redacted]
Sent: Monday, October 17, 2011 12:20 PM
To:
Cc:
Subject: [redacted]

Good Afternoon [redacted]

Please accept this e-mail as the FBI's acknowledgement of [redacted] dated October 11, 2011. The FBI acknowledges [redacted] assumed FBI approval for such documentation that does not receive comment within 45 days. The FBI reserves the right to reference previously accepted reports and documentation, if additional information becomes available at a later date regarding information pertaining to these reports. We acknowledge these timelines and will provide comment and questions accordingly.

Thank you,

[redacted]

b6
b7C
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b7E

[redacted]
Federal Bureau of Investigation
[redacted]

CELLSITE-15042

Hi [redacted]

Please verify that the invoice that you received matches the attached. There was a change made on the invoice that should have been done before the invoices were submitted to you. We are concerned that you may be going off of the incorrect version (I might have accidentally sent out the incorrect/wrong version of the invoice).

Regarding the [redacted] The incurred costs minus the negotiated value was the [redacted] (I attached the [redacted] for your convenience). The additional negotiated fee is just the total negotiated fee (including what has already been paid) and an estimate at completion, to equal the total amount.

b6
b7C

Please call me to discuss this when you have a moment. I know that this invoice situation can be frustrating.

Thanks,

[redacted]

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b6
b7C
b3
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b7E

From: [redacted]
Sent: Monday, March 28, 2011 3:12 PM
To: [redacted]
Subject: RE: [redacted]

Hi [redacted]

We've reviewed a few other estimates internally and the numbers are not matching those on the [redacted] Our estimate for the remaining funding on the [redacted] We've reviewed the attachment you provided for the [redacted] and are not able to figure out where [redacted]
We've identified 2 areas of issue:

1) During our investigation we found [redacted]

2) In addition, the [redacted] documentation provides for a line stating [redacted] has been billing for the fee on each invoice. Why is there an additional line item for [redacted]

Please do not hesitate to give me a call if you need further information or clarification. I can share some of our calculations if useful.

[redacted]

FD-448
Revised
10-27-2004

FEDERAL BUREAU OF INVESTIGATION

FACSIMILE COVER SHEET

PRECEDENCE

○ Immediate ○ Priority ○ Routine

CLASSIFICATION

○ Top Secret ○ Secret ○ Confidential ○ Sensitive ○ Unclassified

TO

Name of Office:

Facsimile Number:

Date: **03/14/2011**

Attn:

Room:

Telephone Number:

b6
b7C
b3
b7E

FROM

Name of Office:

Number of Pages: (including cover) **4**

Originator's Name:

Originator's Telephone Number:

Originator's Facsimile Number:

Approved:

DETAILS

Subject:

Please find attached

Special Handling Instructions:

Please confirm receipt and fax signed SF-30 documents to Fax # above.

Brief Description of Communication Faxed:

Thank you and have a good day.

WARNING

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copies to

b6
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CELLSITE-15045

[redacted]

From: [redacted]
Sent: Thursday, September 01, 2011 9:11 AM
To: [redacted]
Subject: RE [redacted]

b6
b7C
b3
b7E

Yes

From: [redacted]
Sent: Thursday, September 01, 2011 9:10 AM
To: [redacted]
Subject: [redacted]

Hi [redacted]

I'm telling [redacted] to

- Propose Tech/Cost for Task 1
- ROM Task 2 Cost
- View Task 3

b6
b7C
b3
b7E

Please confirm.

Thanks,

[redacted]

[redacted]
Federal Bureau of Investigation
[redacted]

From:
Sent: Monday, August 29, 2011 9:27 AM
To:
Subject: FW: FW:

b6
b7C

For your files

From:
Sent: Monday, August 29, 2011 8:38 AM
To:
Cc:
Subject: RE: Fw:

b6
b7C
b3
b7E

It was the Thanks for taking a look at this.
Again, my primary interest is why the

From:
Sent: Monday, August 29, 2011 8:23 AM
To:
Cc:
Subject: RE: Fw:

What was used with this setup? I need to know how to and I have different

Thanks,

b6
b7C
b3
b7E

-----Original Message-----
From:
Sent: Thursday, August 25, 2011 2:32 PM
To:
Cc:
Subject: Fw:

b6
b7C
b3
b7E

Recently a Wierdly,
. As if the

CELLSITE-15047

I just want you to be aware of this issue and if you can determine the cause, we'd like to know why it occured. The original [redacted] files are attached. I will forward [redacted] separately.

b6
b7C
b3
b7E

Thanks.

[redacted]

----- Original Message -----
From: [redacted]
To: [redacted]
Sent: Tue Aug 23 14:04:59 2011
Subject: RE:

b6
b7C

From: [redacted]
Sent: Tuesday, August 23, 2011 12:33
To: [redacted]
Subject: Re:

b6
b7C

Roger. Getting some lunch. Talk with you in 1/2 hour.

----- Original Message -----
From: [redacted]
To: [redacted]
Sent: Tue Aug 23 12:27:06 2011
Subject:

b6
b7C

Please call me when you're in the office so you can deal with this, I'm missing something

[redacted]

From: [redacted]
Sent: Friday, August 05, 2011 4:48 PM
To: [redacted]
Subject: [redacted]

A couple of [redacted] tests are coming up to support the release of the [redacted] We're pretty confident about these dates but there is still a possibility they may change pending the discovery of any [redacted] issues.

[redacted] start on 8/16/11: This test will be a full up [redacted] We will be verifying [redacted] The full up test will probably take a week to complete. Since [redacted] is planning to observe this testing, we will verify the [redacted] When [redacted] arrives on 8/17/11 we should be ready to start testing on [redacted]

[redacted] The purpose of this testing is to verify [redacted] works and is conducted [redacted] This is a subset of the [redacted] test. Given it verifies [redacted] does not plan to observe this testing.

[redacted]

b6
b7C
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b7E

From:
Sent: Monday, August 15, 2011 8:33 AM
To:
Cc:
Subject: RE: on 8/17

b6
b7C
b3
b7E

Understood. Thanks all.

-----Original Message-----
From:
Sent: Monday, August 15, 2011 7:29 AM
To:
Cc:
Subject: RE: on 8/17

I can't speak for but this is good enough for me.

b6
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-----Original Message-----
From:
Sent: Friday, August 12, 2011 4:31 PM
To:
Cc:
Subject: RE: on 8/17

b6
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b7E

I understand that has agreed to deliver next week while he is at Per request, I am authorizing the following:

1) The FBI accepts that the will not be delivered however, shall be provided at the as previously agreed upon.
2) The FBI accepts that will not have completed the official test procedures prior to delivery. Although this official process is waived for only in this instance, shall ensure is successfully and fully operational to fit needs. has the authority to make this assessment and assessment at time of delivery. Although will not under go this official test procedure, this waiver shall not effect any warranty, service, update, or maintenance agreements for the product. shall successfully undergo the official test procedure process.
3) The FBI accepts that the Any identified issues or needed changes shall be disclosed to and shall made available

Please let me know if you require any other information or if I missed any of the requested authorizations.

Thanks,

[redacted]

b6
b7C

Federal Bureau of Investigation

[redacted]

From: [redacted]
Sent: Friday, August 12, 2011 8:55 AM
To: [redacted]
Subject: FW: [redacted] on 8/17

Hey [redacted]
When you get a chance today, will you please give me a call regarding my trip next week to [redacted]

b6
b7C
b3
b7E

Thanks.
[redacted]

From: [redacted]
Sent: Thursday, August 11, 2011 5:20 PM
To: [redacted]
Subject: [redacted] on 8/17

b6
b7C
b3
b7E

[redacted]

We can [redacted] but we'll need [redacted] to give us a waiver for a few things. [redacted]

* [redacted]
*

Also, [redacted] We'll make sure it works but it just won't be official.

[redacted]

[redacted] We'll work that if it occurs.

Can you contact [redacted] and have her send us authorization to [redacted]

[redacted]

[redacted]

From: [redacted]
Sent: Monday, June 06, 2011 4:46 PM
To: [redacted]
Cc:
Subject: [redacted]

Folks,

During some internal testing, it was discovered that the [redacted] Please let me know if you need further information regarding [redacted] Thanks!

- [redacted]

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From:
Sent: Tuesday, July 12, 2011 5:06 PM
To:
Cc:
Subject: Further Info Needed

b6
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Good Afternoon

I just wanted to follow-up on our brief conversation regarding yesterday. Per this conversation and after reviewing the white paper

Due to scheduling conflicts and ongoing mission support we may be unable to coordinate this meeting this week. We will provide a potential list of times/dates ASAP.

As stated yesterday

Please see the for exact language but the

and the requirement for As said yesterday

Beyond gaining a clearer understanding of capabilities and intended use, the FBI intends to inquire about

to include the

I will be in QT tomorrow/Friday and HQ Thurs should you have any questions. We will attempt to coordinate a teleconference within the next week or so to finalize any outstanding questions.

Thank you,

Federal Bureau of Investigation

[redacted]

From: [redacted]
Sent: Monday, August 16, 2010 11:39 AM
To: [redacted] b6
Subject: IP Meeting for [redacted] b7C

UNCLASSIFIED
NON-RECORD

Hi [redacted]

Thank you for coming and meeting w[redacted] and I regarding IP and other contractual legal issues we have been experiencing with [redacted] on the above contract 8/12/10 [redacted]

[redacted] b6
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Thanks,
[redacted]

[redacted]
Finance Division
[redacted]
JEH Building, Rm [redacted]

UNCLASSIFIED

CELLSITE-15100

[redacted]

From: [redacted]
Sent: Saturday, August 28, 2010 2:02 PM
To: [redacted]
Cc: [redacted]
Subject: RE: Harris calendar

b6
b7C

Hi [redacted]

Thanks for the schedule below I'll these dates in mind when asking for documentation and scheduling meetings.

In terms of scheduling for next week here's a *tentative outline*:

- **Monday – 8/30/10**
  - FBI meetings @ VA/DC in the AM.
  - Travel to Melbourne for Harris meetings in the afternoon
- **Tuesday – 8/31/10 – 8:30AM start time**
  - Contract Administration:
    - Review/definition of processes/expectations for future TO proposals
    - Review/confirm product code names, define process for changing names
    - Contract Pricing – one consolidated, updated price list
  - [redacted]
  - IP discussions
    - Harris to provide letter of IP assertions – review/discuss
    - FBI [redacted] review of IP/Classification [redacted] for products
    - Review of any IP concerns
  - [redacted] – discussion of timeline for product receipt
- **Wednesday – 9/1/10**
  - Possible spill over for contractual matters
  - Review of [redacted] goals/vision
  - [redacted] – Technical discussions
    - Review of requests for clarifications & questions
    - Review of conditions and assumptions clarifications
  - [redacted] – Technical discussions
    - Review of requests for clarifications & questions
    - Review of conditions and assumptions clarifications
- **Thursday – 9/2/10**
  - [redacted] Technical discussions
    - Review of requests for clarifications & questions
    - Review of conditions and assumptions clarifications
  - [redacted] – Technical discussions
    - Review of requests for clarifications & questions
    - Review of conditions and assumptions clarifications
- **Friday – 9/3/10**
  - Possible spill over for technical reviews
  - FBI travel back to DC/VA
- Should any order of the technical discussions change, the FBI will notify [redacted] ASAP.
  - To best prepare for the meeting I would recommend at a minimum:
    - Revised Equipment Pricing List
    - Be prepared to discuss responses to the questions/clarifications/conditions & assumptions

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Addition to Attendee List – [redacted] is a possible attendee for the meetings on Wednesday 9/1/10.

Have a good weekend,

CELLSITE-15102

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FOI/PA
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FOI/PA# 1212582-1

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DECLASSIFIED BY 65179 DMH/STW
ON 10-26-2012

[redacted]

From: [redacted]
Sent: Friday, October 24, 2008 3:32 PM
To: [redacted]
Cc:
Subject: Proposals and Summaries for October 29 [redacted]

~~SECRET~~
~~RECORD 319O9-HQ-A1487622-OTD~~

The first [redacted] meeting for FY09 is scheduled for Wednesday, October 29 at 1:00 in the ERF Main Conference Room. [redacted] Board members include the Assistant Section Chiefs or designated representatives, [redacted] Proposals reviewed at this meeting will be competing for the funding provided by the [redacted] and come from only two units, [redacted]

I am sending you the draft agenda showing the [redacted] proposals to be reviewed. I am also including summaries of the 6 proposals and the entire proposal text for 5. One proposa [redacted] was partially funded in FY08 from the [redacted] and was required to provide only a quad-chart summary with its request for FY09 second-increment funding.

I will also be providing the summaries to subject matter experts listed on the agenda. Feel free to have me add names to the list if there are others whom you wish to have participate in the October 29 meeting.

Thank you!

[redacted]

[redacted]

[redacted]

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations~~
~~DECLASSIFY ON: 20331024~~
~~SECRET~~

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CELL/OTD 014288

CELLSITE-7760

~~SECRET~~

DATE: 11-30-2012
CLASSIFIED BY 65179 DMH/SIW
REASON: 1.4 (C)
DECLASSIFY ON: 11-30-2037

[redacted]

From: [redacted]
Sent: Wednesday, February 03, 2010 3:07 PM
To: [redacted]
Subject: FW: Question on [redacted]
Importance: High

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~
RECORD 319D-HQ-A1487519-FD

Really short notice Congressinal tasking DUE TODAY (2/3/10).

Please provide any information you have regarding any base funding you have used to augment the enhancement money you received to execute the [redacted] (see email below) ASAP. Thanks!

[redacted]

b3
b6
b7C
b7E

From: [redacted]
Sent: Wednesday, February 03, 2010 11:55 AM
To: [redacted]
Cc: [redacted]
Subject: FW: Question on [redacted]
Importance: High

~~SECRET~~
RECORD 319D-HQ-A1487519-FD

Greetings,

Here is the email from [redacted] Please note that when submitting your answer, include [redacted] on the cc line. Thanks.

[redacted]

From: [redacted]
Sent: Wednesday, February 03, 2010 11:39 AM
To: [redacted]
Cc: [redacted]
Subject: FW: Question on [redacted]
Importance: High

~~SECRET~~

CELLSITE-7762

CELL/OTD 009694

~~SECRET~~

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RECORD 319D-HQ-A1487519-FD

(S)

From:
Sent: Wednesday, February 03, 2010 10:22 AM
To:
Cc:
Subject: Question on
Importance: High

(S)

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~~SECRET~~

CELLSITE-7763

CELL/OTD 009695

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~~SECRET~~

DATE: 10-31-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C)
DECLASSIFY ON: 10-31-2037

[redacted]

From: [redacted]
Sent: Monday, August 23, 2010 5:57 PM
To: [redacted]
Cc:
(U) **Subject:** RE: (~~S~~/NF) [redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET//NOFORN~~
~~RECORD~~ [redacted]

(~~S~~/NF) [redacted]

(S) [redacted]

From: [redacted]
Sent: Monday, August 23, 2010 12:07 PM
To: [redacted]
Cc:
(U) **Subject:** (~~S~~/NF) [redacted]
Importance: High

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~~SECRET//NOFORN~~
~~RECORD~~ [redacted]

[redacted]

(S) [redacted] and [redacted] had to head out to an [redacted] meeting and asked me to reach out to you to quickly gather the needed info.

(~~S~~/NF) [redacted]

(S) [redacted]

(~~S~~/NF) [redacted]

(S) [redacted]

(S) (~~S~~/NF) [redacted]

(S) [redacted]

(S) (~~S~~/NF) [redacted]

(S)

[redacted]

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Much appreciate your response.

Cheers,

[redacted]

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20350823~~
~~SECRET//NOFORN~~

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20350823~~
~~SECRET//NOFORN~~

DECLASSIFIED BY 65179 DMH/STW
ON 10-31-2012

[redacted]

From: [redacted]
Sent: Thursday, September 23, 2010 3:31 PM
To: [redacted]
Subject: RE: [redacted] FY11

~~SECRET~~
~~RECORD~~ [redacted]

Yes, [redacted] for base funding. It stands fo [redacted]

From: [redacted]
Sent: Thursday, September 23, 2010 3:07 PM
To: [redacted]
Subject: RE: [redacted] FY11

~~SECRET~~
~~RECORD~~ [redacted]

[redacted] Is that what we are reporting we are using from our base funds?

SS [redacted]
Unit Chief
[redacted]

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From: [redacted]
Sent: Thursday, September 23, 2010 2:21 PM
To: [redacted]
Cc: [redacted]
Subject: FW [redacted] FY11

~~SECRET~~
~~RECORD~~ [redacted]

[redacted]

Here is the estimated 2011 cost/funding info we received from [redacted] back in July or August. It appears tha [redacted] has sufficient funding to cover expenses for all approved projects for FY2011, so we won't have to make any tough choices.

I will arrange a meeting in the next few weeks to discuss [redacted] funding activity with each unit. Since I am obligated to [redacted] and spending regardless of funding source, please be ready to identify other [redacted] you are pursuing or about to pursue when we meet.

Thanks,
[redacted]

From: [redacted]
Sent: Tuesday, September 21, 2010 4:47 PM
To: [redacted]
Cc: [redacted]

CELL/OTD 012475
CELLSITE-7767

Subject: [redacted] FY11

~~SECRET~~
~~RECORD~~ [redacted]

[redacted]

Here is [redacted] FY11 costs and funding, let me know if you need anything else.

Project Name	Funding Type	Funding	Cost
[redacted]			

8/13/10 is the most current version of the [redacted]

[redacted]

Operational Technology Division

[redacted]

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CELL/OTD 012476

CELLSITE-7768

DERIVED FROM: Multiple Sources
DECLASSIFICATION EXEMPTION 1
SECRET

DERIVED FROM: Multiple Sources
DECLASSIFICATION EXEMPTION 1
SECRET

DERIVED FROM: Multiple Sources
DECLASSIFICATION EXEMPTION 1
SECRET

DERIVED FROM: Multiple Sources
DECLASSIFICATION EXEMPTION 1
SECRET

CELL/OTD 012477

DECLASSIFIED BY 65179 DMH/STW
ON 10-31-2012

[redacted]

From: [redacted]
Sent: Thursday, September 23, 2010 2:21 PM
To: [redacted]
Cc:
Subject: FW: [redacted] FY11

~~SECRET~~
~~RECORD~~ [redacted]

[redacted]

Here is the estimated 2011 cost/funding info we received from [redacted] back in July or August. It appears that [redacted] has sufficient funding to cover expenses for all approved projects for FY2011, so we won't have to make any tough choices.

I will arrange a meeting in the next few weeks to discuss [redacted] funding activity with each unit. Since I am obligated to [redacted] and spending regardless of funding source, please be ready to identify other [redacted] you are pursuing or about to pursue when we meet.

Thanks

[redacted]

From: [redacted]
Sent: Tuesday, September 21, 2010 4:47 PM
To: [redacted]
Cc:
Subject: [redacted] FY11

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~~SECRET~~
~~RECORD~~ [redacted]

[redacted]

Here is [redacted] FY11 costs and funding, let me know if you need anything else.

Project Name	Funding Type	Funding	Cost
[redacted]			

CELL/OTD 012478

CELLSITE-7770

[redacted]

[redacted]

[redacted]

b3
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b7E

8/13/10 is the most current version of the [redacted]

[redacted]
Operational Technology Division
[redacted]

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFICATION EXEMPTION 1~~
~~SECRET~~

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFICATION EXEMPTION 1~~
~~SECRET~~

CELL/OTD 012479
CELLSITE-7771

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-25-2012 BY 65179 DMH/SIW

[redacted]

From: [redacted]
Sent: Tuesday, February 08, 2011 12:15 PM
To: [redacted]
Subject: [redacted]

b3
b6
b7C
b7E

Looking at the chart we completed in January, we requested purchase of [redacted]

[redacted] 2011 FUNDING.xls

[redacted]

CELL-OTD 012490

CELLSITE-7772

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-31-2012 BY 65179 DMH/SIW

[redacted] 2011 FUNDING

PROJECT NAME	FUNDING TYPE	FUNDING COST
[redacted]	[redacted]	[redacted]

Total [redacted] Funding
Total [redacted] Funding

Total Project Expenditures

b3
b7E

CELLSITE 012491

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-25-2012 BY 65179 DMH/STW

[redacted]

From: [redacted] b6 b7C
Sent: Wednesday, January 19, 2011 8:26 AM
To: [redacted]
Subject: [redacted] FUNDING PROPOSAL b7E

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted] 2011 FUNDING.xls

Here you go

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 012493

CELLSITE-7775

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-31-2012 BY 65179 DMH/STW

[redacted]

From: [redacted]
Sent: Tuesday, January 18, 2011 2:58 PM
To: [redacted]
Cc:
Subject: RE: UPDATED [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

Attached is the [redacted] portion of my recommendations for allocating FY2011 [redacted] funding which I will present at the Section Chiefs meeting tomorrow. Overall, it provides [redacted] I believe it is reasonable to expect that [redacted] base funds be applied to cover the remaining [redacted]

[redacted] FY2011
oposed [redacted] Alloca

When your spend plan is finalized, please let me know how much base funding will be applied to these and other WITT projects so I can update the reporting database.

b3
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Thanks,

[redacted]

From: [redacted]
Sent: Thursday, January 06, 2011 6:42 AM
To: [redacted]
Cc:
Subject: UPDATED [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted] As per our meeting yesterday attached is the latest MUST HAVE/SUPPORT bare bones request. As discussed my budget is a running target tied to cost module funding and I cannot specifically identify what base funds [redacted] I have to support the [redacted] identified requirements. Additionally even if a requisition is submitted and approved Finance Division is only authorizing [redacted] funding due to the continuing resolution. I will say that [redacted] will use base funds to support, however, at this time I simply cannot provide a specific number.. Hope this assists in your presentation to the Executive Board.

<< File: [redacted] 2011 FUNDING.xls >>

CELL/OTD b12495

SENSITIVE BUT UNCLASSIFIED

DATE: 11-30-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C)
DECLASSIFY ON: 11-30-2037

[redacted]

From: [redacted]
Sent: Tuesday, January 11, 2011 7:35 AM
To: [redacted]
Cc:
Subject: RE: New [redacted] line items

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET//NOFORN~~
~~RECORD~~ [redacted]

[redacted]

Sorry for any confusion. The attached is the correct subbmission form for the [redacted] Please delete the one you may have received earlier. FY10 we provided [redacted] to develop [redacted] as well as product enhancements.

At you leisure, could you look at how much base funds we could provide per year on Page 2 of the document. I estimated [redacted] from [redacted] to finish enhancements required. [redacted] will show the continual involvement of [redacted] in the project to sustain any O&M or minor enhancements required.

[redacted]

Just to clear up any impending confusion. [redacted] is looking at [redacted] b3 b6 b7C b7E

[redacted]

Both [redacted] and [redacted] been to meetings with [redacted] so that we are both aware of what each other's requesting as well as per funding.

[redacted]

From: [redacted]
Sent: Monday, January 10, 2011 11:30 AM
To: [redacted]
Subject: FW: New [redacted] line items
Importance: High

~~SECRET//NOFORN~~
~~RECORD~~ [redacted]

SSA [redacted]
Unit Chief
[redacted]

CELL/OTD 012498

CELLSITE-7779

~~SECRET~~

From:
Sent: Monday, January 10, 2011 11:18 AM
To:
Subject: FW: New [redacted] line items

~~SECRET//NOFORN~~
RECORD [redacted]

[redacted]

Is it possible to get the three project forms done today? I would like to brief these to the [redacted] meeting tomorrow. [redacted] and I are available to assist whomever you assigned these to.

Thanks,
[redacted]

From:
Sent: Tuesday, January 04, 2011 11:44 AM
To:
Subject: RE: New [redacted] line items

~~SECRET//NOFORN~~
RECORD [redacted]

(S) [redacted]

Thanks,
[redacted]

From:
Sent: Tuesday, January 04, 2011 11:01 AM
To:
Cc:
Subject: RE: New [redacted] line items

~~SECRET//NOFORN~~
RECORD [redacted]

[redacted]

SSA [redacted]
Unit Chief
[redacted]

From:
Sent: Tuesday, January 04, 2011 9:46 AM
To:
Cc:
Subject: New [redacted] line items

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b7C
b7E

CELL/OTD 012499

~~SECRET~~

CELLSITE-7780

~~SECRET~~

DATE: 10-31-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C)
DECLASSIFY ON: 10-31-2037

[redacted]

From: [redacted]
Sent: Monday, January 10, 2011 3:48 PM
To: [redacted]
Cc:
Subject: FW: New [redacted] line items [redacted]

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

~~SECRET//NOFORN~~
~~RECORD~~ [redacted]

Here's [redacted] effort on [redacted]

From: [redacted]
Sent: Monday, January 10, 2011 3:41 PM
To: [redacted]
Subject: RE: New [redacted] line items [redacted]

~~SECRET//NOFORN~~
~~RECORD~~ [redacted]

Here is what I could come up with so far for [redacted]

[redacted]

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From: [redacted]
Sent: Monday, January 10, 2011 1:52 PM
To: [redacted]
Subject: FW: New [redacted] line items
Importance: High

~~SECRET//NOFORN~~
~~RECORD~~ [redacted]

Project Worksheet for [redacted]

From: [redacted]
Sent: Monday, January 10, 2011 11:30 AM
To: [redacted]
Subject: FW: New [redacted] line items
Importance: High

~~SECRET//NOFORN~~
~~RECORD~~ [redacted]

SSA [redacted]
Unit Chief
[redacted]

~~SECRET~~

From:
Sent: Monday, January 10, 2011 11:18 AM
To:
Subject: FW: New line items

~~SECRET//NOFORN~~
~~RECORD~~

Is it possible to get the three project forms done today? I would like to brief these to the meeting tomorrow. and I are available to assist whomever you assigned these to.

Thanks,

From:
Sent: Tuesday, January 04, 2011 11:44 AM
To:
Subject: RE: New line items

~~SECRET//NOFORN~~
~~RECORD~~

(S)

b1
b3
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b7E

Thanks,

From:
Sent: Tuesday, January 04, 2011 11:01 AM
To:
Cc:
Subject: RE: New line items

~~SECRET//NOFORN~~
~~RECORD~~

SSA
Unit Chief

From:
Sent: Tuesday, January 04, 2011 9:46 AM

CELL/OTD 012505

~~SECRET~~

DERIVED FROM: Multiple Sources
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DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20210104
SECRET//NOFORN

DECLASSIFIED BY 65179 DMH/STW
ON 11-01-2012

[redacted]

From: [redacted]
Sent: Monday, January 10, 2011 3:36 PM
To: [redacted]
Cc:
Subject: FW: [redacted] forms

~~SECRET//NOFORN~~
~~RECORD 268-HQ-1068430~~

[redacted]

Since [redacted] on paternity leave, [redacted] completed these Work Statements the best that he could. [redacted] is still working on the statement for the [redacted]

[redacted]

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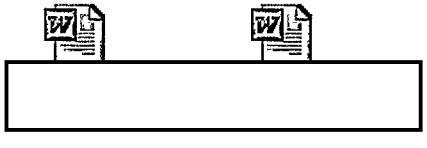
From: [redacted]
Sent: Monday, January 10, 2011 3:19 PM
To: [redacted]
Subject: [redacted] forms

~~SECRET//NOFORN~~
~~RECORD 268-HQ-1068430~~

[redacted]

Here are the [redacted] forms. I think this should be enough information. Please review and let me know.

[redacted]



~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20360110~~
~~SECRET//NOFORN~~

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20360110~~
~~SECRET//NOFORN~~

CELL/OTD 012510

CELLSITE-7790

~~SECRET~~

DATE: 11-01-2012
CLASSIFIED BY 65179 DMH/SIW
REASON: 1.4 (C, G)
DECLASSIFY ON: 11-01-2037

From:
Sent: Wednesday, December 29, 2010 4:45 PM
To:
Cc:

Subject: RE Submission

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET//NOFORN~~
RECORD

Thanks for the comments, better we talk in person, seems that things could get confused really quickly on email...

I guess I'll rely on the priorities on what is funded or not. I'm putting the paperwork in to get a line item on the spreadsheet, as stated in the last meeting that the was

(S)

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Either way, I'll let you all make the decision on what goes into the spreadsheet, just tell us how to transform the requirements.

CELL/OTD 012515

From:
Sent: Wednesday, December 29, 2010 12:05 PM
To:
Cc:

~~SECRET~~

CELLSITE-7795

~~SECRET~~

Subject: [redacted] Submission

~~SECRET//NOFORN~~
~~RECORD~~ [redacted]

[redacted]

(S)

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- Any other supporting info, including a Powerpoint overview, would likely be helpful.

Looking forward to working with you on this.

Happy New Year!

CELL-OTD 012516

[redacted] ~~T~~

CELLSITE-7796

~~SECRET~~

DATE: 11-01-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 11-01-2037

From:
Sent: Wednesday, December 29, 2010 9:41 AM
To:
Cc:

Subject:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET//NOFORN~~
~~RECORD 268-HQ-1068430~~

Attached.

(S)

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Procurement.doc...

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~~DECLASSIFY ON: 20351229~~
~~SECRET//NOFORN~~

CELL/OTD 012518

~~SECRET~~

CELLSITE-7798

~~SECRET~~

DATE: 11-01-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 11-01-2037

(S) [redacted]

From: [redacted]
Sent: Friday, February 26, 2010 12:59 PM
To: [redacted]
Cc: [redacted]
Subject:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SENSITIVE BUT UNCLASSIFIED~~
~~NON-RECORD~~

[redacted]

[redacted]

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Let me know how you wish to proceed. I will be up in the 3rd Floor SCIF this afternoon and I can be reached by pager number below or at [redacted]

Thanks

(S) [redacted]

From: [redacted]
Sent: Friday, February 26, 2010 12:12 PM
To: [redacted]
Subject:

~~SENSITIVE BUT UNCLASSIFIED~~
~~NON-RECORD~~

[redacted]

~~SECRET~~

CELL/OTD 007751 CELLSITE-7802

~~SECRET~~

(S) This is a complete reversal of what has happened in the past. I'm not sure the below answer is right...I know for fact that [redacted] In the past the [redacted] where [redacted]

(S) Can [redacted] list out which ones [redacted]

From: [redacted]
Sent: Friday, February 26, 2010 12:02 PM
(S) **To:** [redacted]
Subject: [redacted]

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~~**SENSITIVE BUT UNCLASSIFIED**~~
~~**NON-RECORD**~~

(S) All: Per [redacted] the FBI is **only responsible** [redacted] He confirmed this
(S) today with [redacted]

(S) [redacted] If I miss-stated something please advise.

SSA [redacted]
Unit Chief
[redacted]

~~**SENSITIVE BUT UNCLASSIFIED**~~

~~**SENSITIVE BUT UNCLASSIFIED**~~

~~**SENSITIVE BUT UNCLASSIFIED**~~

~~SECRET~~

CELL/OTD 007752

CELLSITE-7803

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-25-2012 BY 65179 DMH/STW

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY **Date:** 12/21/2005

To: Finance **Attn:**

Criminal Investigative **Attn:**

From: Operational Technology

Contact:

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430 ~ 417

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request the procurement of

Enclosure(s): IT Acquisition form, COTS/ITATS approval attachment, IT Acquisition form attachment, Vendor Price Quote FD369 in the amount of and acquisition planning form

Details: In recent years, as a result of

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UPLOADED
DEC 27 2005
MHB

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 12/21/2005

The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] who can be contacted on [redacted] at the Engineering Research Facility, located in Quantico, Virginia, if there are any questions.

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[redacted]

CELL/OTD 026790

CELLSITE-7808

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 12/21/2005

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

The Engineering Contracts Unit is requested to procure [redacted] Funding is available as specified on the attached form FD-369, Requisition [redacted]

Set Lead 2: (Action)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

The Criminal Investigative Division is requested to approve the procurement [redacted] Funding is available as specified on the attached form FD-369, Requisition [redacted]

CC: [redacted]

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♦♦

[redacted]

CELL/OTD 026791

CELLSITE-7809

IT ACQUISITION FORM

See next page for instructions, or
http://ocio.fbinet.fbi/resources/acquisition.htm

Please attach to front of FD-369.
Mail to IMU Acquisition Staff, Room 9991, JEH

1.	**Date: 05/10/2005** **Requestor**		**Phone:**	
	Office ID	**Cost Code:**	**SP#:**	**FD-369#:**
2.	IT Product Type(s) Requested and Associated: Total Costs: (as funded on the FD-369)			
3.	Proposed Acquisition Characteristics: ☐ COTS (CR#: See Attach) ☐ Existing (Contract #:) ☑ New			
4.	CIO Category Supported (Select ONE):			
5.	Director Priorities Supported (Select ONE)			
6.	Estimated life cycle: 5 years			
a.	Will this be attached to a network? No If Yes, which network? Select...			
b.	If a request for contractor services, will the contractor also provide h/w or s/w products? No If Yes, have you notified your ITS? Select... (Ticket #: N/A)			
c.				
d.	What IT **system** or **project** does this acquisition support? (Click on system or project to view master lists) None			

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-31-2012 BY 65179 DMH/STW

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*******Please confirm that the following documents are part of your acquisition package, where applicable.**

7.	Requirements Analysis? Yes	e. Independent Gov't Cost Estimate? Yes	
a.	Analysis of Alternative(s)? Yes	f. Life Cycle Cost Estimate? Yes	
b.	Section 508 statement? Yes	g. Earned Value Management Plan? Yes	
c.	System Security Plan? Yes	h. Privacy Impact Assessment? No	
d.	Justification for Limited Competition? Yes	i. Risk Assessment? Yes	
8.	If your total acquisition request **exceeds $1million, or is for services only**, please include a one page synopsis of your requirement		
9.			

CIO OPP Signature	Date	CTO Signature	Date
CIO Signature	Date	CFO Signature	Date

CELL/OTD 02

CFO/CIO

For Official Use Only

Rev 2.0 04/14/05

CELLSITE-7810

IT Acquisition Form

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-31-2012 BY 65179 DMH/STW

Section 7 Attachment

Requirements Analysis

The Wireless Intercept and Tracking Team (WITT), in support of

development efforts undertaken by WITT have determined that

WITT

as specified in requisition

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b7E

Analysis of Alternatives

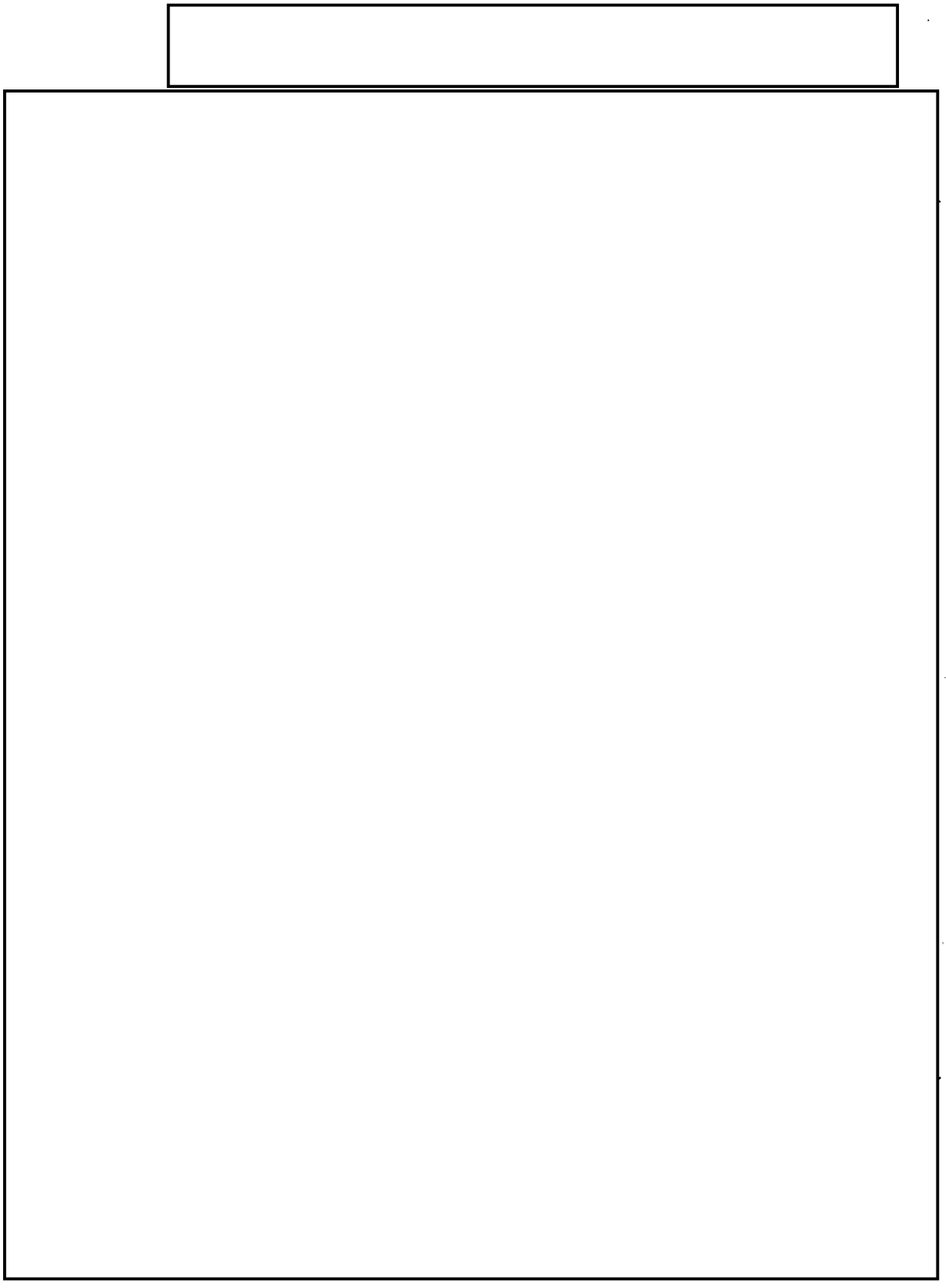
Section 508 Statement

Wireless Intercept and Tracking Team conducted an evaluation of the systems and have submitted the following comments regarding compliance of Section 508 requirements.

1194.3 General Exceptions

Systems are critical to the direct fulfillment of missions and are not used for routine administrative and business applications.

Subpart B -- Technical Standards



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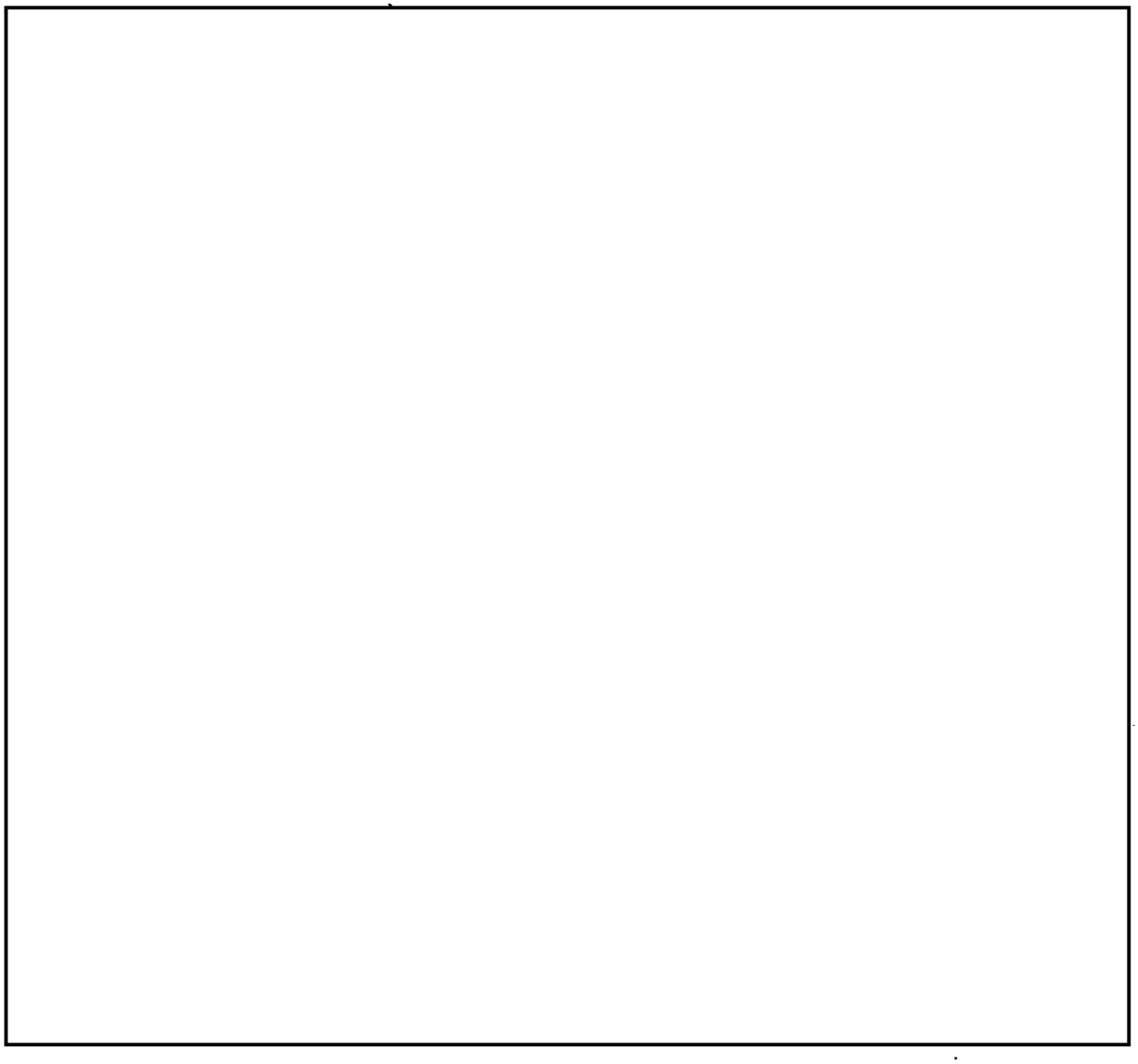
Subpart C – Functional Performance Criteria

CELL/OTD 026794

CELLSITE-7812



Subpart D – Information, Documentation, and Support

(a) Documentation is offered in hardcopy (paper) as well as softcopy (CD) at no additional charge.
(b) End users are instructed in the product features, visually or through instruction verbally at request, at no additional charge.
(c) Support services accommodate the communication needs of end-users with disabilities.

System Security Plan

A System Security Plan has been completed and in place for use of the [redacted] [redacted] EC dated 06/30/2004 from Security Division has been attached to requisition package [redacted]

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Sole Source Justification

Independent Government Cost Estimate

WITT has submitted a quotation from the vendor, which details the cost of this procurement. Pricing is according to GSA price listings.

Life Cycle Cost Estimate

WITT /WITT WITT currently

Earned Value Management Plan

WITT continuously ensures planning, scheduling, and budget monitoring through its program management efforts. /WITT Detailed reports can be generated providing management the proper information to plan future procurements and deployments as the need arises.

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b7E

Privacy Impact Assessment

The Office of General Council has been contacted and has reviewed the request for a Privacy Impact Assessment (PIA). WITT has

Risk Assessment

WITT has identified through research and development efforts that WITT has a proven and successful history with the vendor of these systems. Sufficient funding is also in place for this procurement, and as well as plans for the maintenance over the full lifecycle of these products. Refer to acquisition planning form for specific estimates and distribution of costs.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-20-2012 BY 65179 DMH/STW

FD-369 (Rev. 2-21-89)

FEDERAL BUREAU OF INVESTIGATION

REQUISITION FOR SUPPLIES AND/OR EQUIPMENT

Req. #

December 8, 2005
Date

Ordering Office/Cost Code

Approved By

Julilan Date

Supply Technician:
Program Manager:
Funding Approved:
Requester:
COTR:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order #

FY 2006

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	BI#	UNIT PRICE	TOTAL
1				ea					
2				ea					
3				ea					

Requisition Description:

Suggested Vendor:

b3
b4
b6
b7C
b7E

026801

SPECIAL INSTRUCTIONS:

Ship to Code:
Delivery Instructions: M-F, 8am-4:30pm, except holidays
Government's Estimate
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEMS:

See attached EC

CELL/OTD

CELLSITE-7817

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-20-2012 BY 65179 DMH/STW

[redacted]

ACQUISITION PLANNING FORM

[redacted]

FEDERAL BUREAU OF INVESTIGATION

1. Unit/Section/Division: [redacted]/OTD

2. Description of Requirement: [redacted]

3. Estimated Cost: [redacted] 4. Term of Contract: _____

5. Distribution of Dollars: FY-[redacted] 6. Subobject Class/Budget Item: [redacted]
FY-_____ FY-_____ Product or Service Code: _____
FY-_____ FY-_____

7. Market Research (state how performed & attach): See attached EC containing sole source justification

Commercial Item: ☑ Yes ☐ No Competitive: ☐ Yes ☑ No
If no to one or more above, explain: See attached EC containing sole source justification

b3
b6
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8. Sources Considered:
☐ FBI Personnel ☐ Other Government Personnel ☐ Required Sources
☐ 100% Small Bus. ☐ 8a Setaside ☐ Disadvantaged (FAR Part 8)
☐ Hubzone ☐ Women-owned ☑ Other Federal Contracts
☐ A-76

9. If Information Technology: ☐ IRM Review ☐ AIS Approval

10. Type of Procurement:
☐ Brand Name or Equal ☐ Performance-Based Service Contract
☑ Brand Name Only ☐ Functional Specifications ☐ Commercial Item ☐ Compatibility

11. Contract Type: ☑ Firm-Fixed Price ☐ (IFB) ☐ RFP ☐ RFQ ☐ IDIQ Contract
☐ Firm-Fixed Price w/Economic Adj. ☐ Reimbursable Agreement ☐ Time & Material
☐ Cost-Reimbursement ☐ Incentive ☐ BOA ☐ Letter Contract (DOJ Approval)

12. Lease vs Purchase (if lease, analysis attached): Purchase 13. Environmentally Preferable Item: ☐ Yes ☑ No

14. Inherently Government Function (justified): ☐ Yes ☑ No

15. Lease Time Required: _____ To be filled in by Contracting Officer

Approval: [redacted] 12/21/05
Technical Staff Member/(date)

_____
Budget Staff Member/(date)

_____
Legal Review (If applicable)/(date)

_____
Contracting Officer or CCO/(date)

CELL/OTD 026802

FBI/DOJ
CELLSITE-7818

(Rev. 01-31-2003)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-20-2012 BY 65179 DMH/STW

4.

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE Date: 12/22/2004

To: Finance Attn:

From: Investigative Technology
Contact: EI

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430-355

Title: WIRELESS INTERCEPT AND TRACKING TEAM (WITT)

b3
b6
b7C
b7E

Synopsis: To request procurement of a Stingray Harris Corporation to support

Enclosure(s): FD-369, in the amount of and vendor price quotes

Details: The WITT

UPLOADED
JAN 10 2005
S.D.J

CELL/OTD 026804

CELLSITE 7820

The Harris Stingray, b3 b7E

The Stingray

Stingray,

Clearly, the FBI requires additional Stingray.

CELL/OTD 026805

CELLSITE-7821

To: Finance From:. Investigative Technology
Re: 268-HQ-1068430, 12/22/2004

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

The Engineering Contracts Unit is requested to procure Stingray, [redacted] Funding is available on FD-369 [redacted]

Set Lead 2: (Action)

[redacted]

AT WASHINGTON, DC

[redacted] is requested to approve funding for Stingray, [redacted] Harris Corporation to [redacted] Funding is available on FD-369 number [redacted]

CC: [redacted]

b3
b6
b7C
b7E

♦♦

[redacted]

CELL/OTD 026808

CELLSITE-7824

FD-369 (Rev. 2-21-89)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-25-2012 BY 65179 DMH/STW

FEDERAL BUREAU OF INVESTIGATION

REQUISITION FOR SUPPLIES AND/OR EQUIPMENT

Req. #

December 14, 2004
Date

Ordering Office/Cost Code

Approved By

Julian Date

Supply Technician:
Program Manager:
Funding Approved:
COTR:
Room # & Ext:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order #

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	BI#	UNIT PRICE	TOTAL
1				ea					
2				ea					
3				ea					
4				ea					
5				ea					
6				ea					
7				ea					

Requisition Description:

Suggested Vendor:

b3
b4
b6
b7C
b7E

0268

SPECIAL INSTRUCTIONS:

Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEMS:

See Attached EC

CELL/OTD

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-20-2012 BY 65179 DMH/SIW

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY **Date:** 05/10/2005

To: Finance **Attn:**

Criminal Investigative **Attn:**

From: Operational Technology

Contact:

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request procurement of Stingray for Stingray

b3
b6
b7C
b7E

Enclosure(s): IT Acquisition form, COTS/ITATS approval attachment, IT Acquisition form attachment, Notification of the Approval to Operate (ATO) dated 06/30/2004, Vendor Price Quote FD369 in the amount of and acquisition planning form

Details:

CELL/OTD 026816CELLSITE-7829

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 05/10/2005

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

The Engineering Contracts Unit is requested to procure Stingray [redacted] Funding is available as specified on the attached form FD-369, Requisition [redacted]

Set Lead 2: (Action)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

The Criminal Investigative Division is requested to approve the procurement of Stingray [redacted] Funding is available as specified on the attached form FD-369, Requisition [redacted]

CC: [redacted]

b3
b6
b7C
b7E

♦♦

[redacted]

CELL/OTD 026819 CELLSITE-7832

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-20-2012 BY 65179 DMH/STW

IT ACQUISITION FORM

See next page for instructions, or
http://ocio.fbinet.fbi/resources/acquisition.htm

Please attach to front of FD-369.
Mail to [ ] **Room 9991, JEH**

1.	**Date: 05/10/2005** **Requestor:** [ ] **Phone** [ ] **Office ID** [ ] **Cost Code:** [ ] **SP#:** **FD-369#:** [ ]	
2.	IT Product Type(s) Requested and Associated: Total Costs: (as funded on the FD-369) [ ]	
3.	Proposed Acquisition Characteristics: ☑ COTS (CR#: See Attach) ☐ Existing (Contract #:) ☐ New	
4.	CIO Category Supported (You **MUST** select ONE) [ ]	
5.	Director Priorities Supported (You **MUST** select ONE) [ ]	
6.	Estimated life cycle: 5 years	
a.	Will this be attached to a network? No If Yes, which network? Select...	
b.	If a request for contractor services, will the contractor also provide h/w or s/w products? No If Yes, have you notified your ITS? Select... (Ticket #: N/A)	
c.	[ ]	
d.	What IT **system** or **project** does this acquisition support? (Click on system or project to view master lists) None	

b3
b6
b7C
b7E

*******Please confirm that the following documents are part of your acquisition package, where applicable.**

7.	Requirements Analysis? Yes	e. Independent Gov't Cost Estimate? Yes
a.	Analysis of Alternative(s)? Yes	f. Life Cycle Cost Estimate? Yes
b.	Section 508 statement? Yes	g. Earned Value Management Plan? Yes
c.	System Security Plan? Yes	h. Privacy Impact Assessment? No
d.	Justification for Limited Competition? Yes	i. Risk Assessment? Yes

8. If your total acquisition request **exceeds $1million, or is for services only**, please include a one page synopsis of your requirement.

9.	[ ] Customer Signature (Mandatory)	5/10/2005 Date	Division Signature (Mandatory)	Date
	CIO OPP Signature	Date	CTO Signature	Date
	CIO Signature	Date	CFO Signature	Date

CFO/CIO

For Official Use Only

Rev 2.0 04/14/05

CELL/OTD 026820

CELLSITE-7833

FD-369 (Rev. 2-21-89)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-20-2012 BY 65179 DMH/STW

FEDERAL BUREAU OF INVESTIGATION

REQUISITION FOR SUPPLIES AND/OR EQUIPMENT

Req. #

May 13, 2005
Date

Ordering Office/Cost Code

Approved By

Julilan Date

Supply Technician:
Program Manager:
Funding Approved:
Requester:
COTR:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order #

FY 2005

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	BI#	UNIT PRICE	TOTAL
1				ea					
2				ea					
3				ea					
4				ea					

b3
b4
b6
b7C
b7E

Requisition Description:

Suggested Vendor:

CELL/OTD 026830

SPECIAL INSTRUCTIONS:

Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEMS:

See Attached EC

CELLSITE-7841

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-20-2012 BY 65179 DMH/STW

ACQUISITION PLANNING FORM

FEDERAL BUREAU OF INVESTIGATION

1. Unit/Section/Division: /OTD

2. Description of Requirement: To request procurement of

3. Estimated Cost:

4. Term of Contract:

5. Distribution of Dollars: FY-
FY- FY-
FY- FY-

6. Subobject Class/Budget Item
Product or Service Code: N/A

7. Market Research (state how performed & attach): See attached EC containing Sole Source Justification

Commercial Item: ☐ Yes ☐ No Competitive: ☐ Yes ☑ No
If no to one or more above, explain: Reference EC for Sole Source Justification

8. Sources Considered:
☐ FBI Personnel ☐ Other Government Personnel ☐ Required Sources
☐ 100% Small Bus. ☐ 8a Setaside ☐ Disadvantaged (FAR Part 8)
☐ Hubzone ☐ Women-owned ☑ Other Federal Contracts
☐ A-76

b3
b6
b7C
b7E

9. If Information Technology: ☐ IRM Review ☐ AIS Approval

10. Type of Procurement:
☐ Brand Name or Equal ☐ Performance-Based Service Contract
☑ Brand Name Only ☐ Functional Specifications ☐ Commercial Item ☐ Compatibility

11. Contract Type:
☑ Firm-Fixed Price ☐ (IFB) ☐ RFP ☐ RFQ ☐ IDIQ Contract
☐ Firm-Fixed Price w/Economic Adj. ☐ Reimbursable Agreement ☐ Time & Material
☐ Cost-Reimbursement ☐ Incentive ☐ BOA ☐ Letter Contract (DOJ Approval)

12. Lease vs Purchase (if lease, analysis attached): Purchase

13. Environmentally Preferable Item: ☐ Yes ☑ No

14. Inherently Government Function (justified): ☐ Yes ☑ No

15. Lease Time Required: _____ To be filled in by Contracting Officer

Approval: _____ 05/10/2005
Technical Staff Member/(date)

_____
Budget Staff Member/(date)

_____
Legal Review (If applicable)/(date)

_____
Contracting Officer or CCO/(date)

FBI/DOJ

CELL/OTD 026831

CELLSITE-7842

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-20-2012 BY 65179 DMH/STW

20

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY **Date:** 12/21/2005

To: Finance **Attn:**

Criminal Investigative **Attn:**
Attn:

From: Operational Technology
QT-ERF
Contact:

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430-410

Title: WIRELESS INTERCEPT AND TRACKING TEAM

b3
b6
b7C
b7E

Synopsis: To request procurement of Harris Corporation's Stingray

Enclosure(s): IT Acquisition form, COTS/ITATS approval attachment, IT Acquisition form attachment, Notification of the Approval to Operate (ATO) dated 06/30/2004, Vendor Price Quote FD369 in the amount of and acquisition planning form

Details:

UPLOADED
DEC 27 2005
MHB

CELL-OTD 026834

CELLSITE-7845

b3
b7E

Wireless Intercept and Tracking Team (WITT) supports FBI meeting FBI requirements. WITT has historically utilizing Harris Corporation's

In doing so, it is required that WITT procure

WITT requests Harris Corporation - Stingray

Harris Corporation is

The WITT intends to continue to use the Harris Corporation WITT continuously

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 12/21/2005

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

The Engineering Contracts Unit is requested to procure Harris Corporation's Stingray [redacted] Funding is available as specified on the attached form FD-369, Requisition [redacted]

Set Lead 2: (Action)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

The Criminal Investigative Division is requested to approve funding for the procurement of Harris Corporation's Stingray [redacted] Funding is available as specified on the attached form FD-369, Requisition [redacted]

Set Lead 3: (Action)

[redacted]

b3
b6
b7C
b7E

AT WASHINGTON, DC

[redacted] is requested to approve funding for the procurement of Harris Corporation's Stingray [redacted] Funding is available as specified on the attached form FD-369, Requisition [redacted]

CC: [redacted]

♦♦

[redacted]

CELL/OTD 026837 CELLSITE-7848

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-20-2012 BY 65179 DMH/STW

IT ACQUISITION FORM

See next page for instructions, or
http://ocio.fbinet.fbi/resources/acquisition.htm

Please attach to front of FD-369.
Mail to IMU Acquisition Staff, Room 9991, JEH

1.	**Date: 05/10/2005** **Requestor** **Phone** **Office ID:** **Cost Code:** **SP#:** **FD-369#:**	
2.	IT Product Type(s) Requested and Associated: Total Costs: (as funded on the FD-369)	
3.	Proposed Acquisition Characteristics: ☑ COTS (CR#: See Attach) ☐ Existing (Contract #:) ☐ New	
4.	CIO Category Supported (Select ONE)	
5.	Director Priorities Supported (Select ONE)	
6.	Estimated life cycle: 5 years	
a.	Will this be attached to a network? No If Yes, which network? Select...	
b.	If a request for contractor services, will the contractor also provide h/w or s/w products? No If Yes, have you notified your ITS? Select... (Ticket #: N/A)	
c.		
d.	What IT **system** or **project** does this acquisition support? (Click on system or project to view master lists): None	

b3
b6
b7C
b7E

*******Please confirm that the following documents are part of your acquisition package, where applicable.**

7.	Requirements Analysis? Yes	e. Independent Gov't Cost Estimate? Yes
a.	Analysis of Alternative(s)? Yes	f. Life Cycle Cost Estimate? Yes
b.	Section 508 statement? Yes	g. Earned Value Management Plan? Yes
c.	System Security Plan? Yes	h. Privacy Impact Assessment? No
d.	Justification for Limited Competition? Yes	i. Risk Assessment? Yes
8.	If your total acquisition request **exceeds $1million, or is for services only**, please include a one page synopsis of your requirement.	

9.	Customer Signature (Mandatory)	12/21/05 Date		23 Dec 05 Date
	CIO OPP Signature	Date	CTO Signature	Date
	CIO Signature	Date	CFO Signature	Date

CELL/OTD 026838

FD-369 (Rev. 2-21-89)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-24-2012 BY 65179 DMH/STW

FEDERAL BUREAU OF INVESTIGATION

REQUISITION FOR SUPPLIES AND/OR EQUIPMENT

Page 1 of

Req. #

December 8, 2005
Date

Ordering Office/Cost Code

Approved By

Julilan Date

Supply Technician:
Program Manager:
Funding Approved:
Requester:
COTR:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order #

FY 2006

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	BI#	UNIT PRICE	TOTAL
1				EA					
2				EA					
3				EA					
4				EA					
5				EA					
6				EA					
7				ea					

Requisition Description:

Suggested Vendor:

b3
b4
b6
b7C
b7E

SPECIAL INSTRUCTIONS:

Ship to Code:
Delivery Instructions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEMS:

See attached EC

CELLSITE-7858

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-24-2012 BY 65179 DMH/SIW

[redacted]

ACQUISITION PLANNING FORM

[redacted]

FEDERAL BUREAU OF INVESTIGATION

1. Unit/Section/Division: [redacted] OTD

2. Description of Requirement: Procurement of Harris Corporation Stingray [redacted]

[redacted]

3. Estimated Cost: [redacted]

4. Term of Contract: _____

5. Distribution of Dollars: FY-06 [redacted]
FY-_____ FY-_____
FY-_____ FY-_____

6. Subobject Class/Budget Item: [redacted]
Product or Service Code: _____

7. Market Research (state how performed & attach): See attached EC containing Sole Source Justification

Commercial Item: ☑ Yes ☐ No Competitive: ☐ Yes ☑ No
If no to one or more above, explain: See attached EC containing Sole Source Justification

8. Sources Considered:
☐ FBI Personnel ☐ Other Government Personnel ☐ Required Sources
☐ 100% Small Bus. ☐ 8a Setaside ☐ Disadvantaged (FAR Part 8)
☐ Hubzone ☐ Women-owned ☑ Other Federal Contracts
☐ A-76

b3
b6
b7C
b7E

9. If Information Technology: ☐ IRM Review ☐ AIS Approval

10. Type of Procurement:
☐ Brand Name or Equal ☐ Performance-Based Service Contract
☑ Brand Name Only ☐ Functional Specifications ☐ Commercial Item ☐ Compatibility

11. Contract Type:
☑ Firm-Fixed Price ☐ (IFB) ☐ RFP ☐ RFQ ☐ IDIQ Contract
☐ Firm-Fixed Price w/Economic Adj. ☐ Reimbursable Agreement ☐ Time & Material
☐ Cost-Reimbursement ☐ Incentive ☐ BOA ☐ Letter Contract (DOJ Approval)

12. Lease vs Purchase (if lease, analysis attached):

13. Environmentally Preferable Item: ☐ Yes ☐ No

14. Inherently Government Function (justified): ☐ Yes ☑ No

15. Lead Time Required: _____ To be filled in by Contracting Officer

Approval: [redacted] 12/21/05
Technical Staff Member/(date)

_____
Budget Staff Member/(date)

_____
Legal Review (If applicable)/(date)

_____
Contracting Officer or CCO/(date)

CELLOTD 02850

FBI/DOJ

CELLSITE-7859

YAHOO! MAIL

Print - Close Window

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-01-2012 BY 65179 DMH/STW

b3
b6
b7C
b7E

From: [redacted]

To: [redacted]

CC: [redacted]

Subject: FW: Section 508 Compliance

Date: Thu, 17 Mar 2005 16:55:39 -0500

Hi [redacted]

It was a pleasure to speak with you. As we discussed, I am attaching the table of supporting features and remarks per Functional Performance Criteria for our products. As we also discussed some equipment may fall in the exemption guidelines but either way you have documentation for the Boards request. Please do not hesitate to contact us is you need any additional information.

[redacted]

Section 1194.41 Information, Documentation and Support - Detail

Voluntary Product Accessibility Template

Criteria **Supporting Features** **Remarks and explanations**

(a) Product support documentation provided to end-users shall be made available in alternate formats upon request, at no additional charge Documentation is offered in hardcopy (paper) as well as softcopy (CD) at no additional charge.

(b) End-users shall have access to a description of the accessibility and compatibility features of products in alternate formats or alternate methods upon request, at no additional charge. End users are instructed in the product features , visually or through instruction verbally at there request.

(c) Support services for products shall accommodate the communication needs of end-users with disabilities. Support services can accomadate end users with disabilities.

CELL/OTD 026851

b7E CELLSITE-7860

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-31-2012 BY 65179 DMH/STW

TITLE OF PROCUREMENT: Stingray [redacted]

REQUISITION NUMBER: [redacted]

REQUESTING DIVISION: Operational Technology Division

USER DIVISION, SECTION, UNIT: [redacted] b3 b7E

EQUIPMENT OR SERVICES REQUESTED:

PROPOSED DELIVERY DATE: After issuance of Funding document

FUNDING: [redacted] PROGRAM: Wireless Intercept and Tracking Team (WITT)

Budget Item: [redacted]
Original Budget: (SEE ATTACHED)
Budget Changes (Net):
Commitment to Date:
Current Committed Requisition(s):
Budget Remaining:

PROCUREMENT METHOD: Sole Source

ALTERNATIVE METHODS CONSIDERED TO MEET REQUIREMENTS
(Lease vs. Purchase, etc.): N/A

IS THIS PROCUREMENT DEPENDENT UPON A PREVIOUS OR SUBSEQUENT PROCUREMENT: No

LIST OF PREVIOUS RESEARCH AND DEVELOPMENT/CONSULTING CONTRACTS OF SIMILAR NATURE AND/OR LIST THOSE CONTRACTS WITH THE SAME COMPANY:

SPECIAL ISSUES: None

LEGAL AUTHORITY:
41 USC 253(c)(6)

COMMENTS:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-24-2012 BY 65179 DMH/STW

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY

Date: 03/29/2005

To: Finance

Attn:

Criminal Investigative

Attn:
Attn:

From: Operational Technology

Contact:

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request procurement deployed Stingray

Enclosure(s): IT Acquisition form, COTS/ITATS approval attachment, IT Acquisition form attachment, Notification of the Approval to Operate (ATO) dated 06/30/2004, Vendor Price Quote , FD369 in the amount of , and acquisition planning form

Details:

b3
b6
b7C
b7E

b3
b7E

Wireless Intercept and Tracking Team (WITT) supports FBI

WITT has historically

Harris Corporation's

WITT has determined

WITT with Harris Corporation

Stingray

Harris Corporation

The WITT intends to continue to use the Harris Corporation

WITT continuously

CELL/OTD 02880

CELLSITE-7865

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 03/29/2005

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

The Engineering Contracts Unit is requested to procure [redacted] Stingray [redacted] Funding is available as specified on the attached form FD-369, Requisition [redacted]

Set Lead 2: (Action)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

The Criminal Investigative Division is requested to approve funding for the procurement [redacted] Stingray [redacted] Funding is available as specified on the attached form FD-369, Requisition [redacted]

b3
b6
b7C
b7E

Set Lead 3: (Action)

[redacted]

AT WASHINGTON, DC

[redacted] is requested to approve funding for the procurement of [redacted] Funding is available as specified on the attached form FD-369, Requisition [redacted]

CC: [redacted]

♦♦

[redacted]

CELL-OTD 02862

CELLSITE-7867

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-31-2012 BY 65179 DMH/STW

See back for instructions
or http://30.100.99.123/itim

FY 2004 IT ACQUISITION FORM

Please attach to front of FD-369
Mail to [ ] room 9991, JEH

1	Requestor: [ ] Phone: [ ] Office ID: [ ] SP# FD-369# [ ]
2	IT Product Type(s) Requested and Associated Total Costs: (as funded on the FD-369) [ ]
3	Proposed Acquisition Method: (please circle) COTS (CR# See Attachment) Existing (Contract#) New
4	CIO IT Category Supported: (please circle) [ ]
5	Director Priorities Supported: (please circle) [ ]
******	**Please provide the following feedback, where applicable: (please circle Y or N)**
6	Estimated life cycle of h/w or s/w product(s): 5 yrs.
a.	Will this be attached to a network? Y (N) If Y, which network? _____
b.	If a request for contractor services, will the contractor also provide h/w or s/w products? Y (N) If Y, have you notified your ITS? Y N (Ticket #)
c.	Have you included this system or project as part of your base funding for the next two fiscal years? (Y) N [ ]
d.	Will this acquisition directly support a currently implemented IT system or project? Y (N) If Y, what is the name of the system or project? _____
*****	**Please confirm the following documents are part of your acquisition package, where applicable (please circle Y or N)**
7	Have you completed a Requirements Analysis? (Y) N
a.	Have you completed an Analysis of Alternative(s)? (Y) N
b.	Have you completed a Section 508 statement? (Y) N
c.	Have you completed a System Security Plan? (Y) N
d.	Have you completed a Sole Source Justification? (Y) N
e.	Have you completed an Independent Gov"t Cost Estimate? (Y) N
f.	Have you completed a life cycle cost estimate? (Y) N
g.	Have you completed an Earned Value Mgmt. plan? (Y) N
h.	Have you completed a Privacy Impact Assesment? Y (N)
i.	Have you completed a Risk Assessment? (Y) N
8	If your total acquisition request exceeds $1million, or is for services only, please include a one page synopsis of your requirement.
9	Customer Signature: [ ] / /04 Division Signature: / /04
	CIO OPP Signature: / /04 CTO Signature: / /04
	CIO Signature: / /04 CFO Signature: / /04

0252362
CELLSITE b3 b6 b7C b7E

FD-369 (Rev. 2-21-89)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-24-2012 BY 65179 DMH/SIW

FEDERAL BUREAU OF INVESTIGATION

REQUISITION FOR SUPPLIES AND/OR EQUIPMENT

Req. #

February 11, 2005
Date

Ordering Office/Cost Code

Approved By

Julilan Date

Supply Technician:
Program Manager:
Funding Approved:
Requester:
COTR:

1/22/05
3/22/05

FY 2005

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order #

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	BI#	UNIT PRICE	TOTAL
1				ea					
2				ea					
3				ea					
4				ea					
5				ea					

Requisition Description:

Suggested Vendor:

b3
b4
b6
b7C
b7E

026873 CELL/CTD

SPECIAL INSTRUCTIONS:

Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEMS:

See Attached EC

CELLSITE-7876

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-24-2012 BY 65179 DMH/SIW

[redacted]

ACQUISITION PLANNING FORM

[redacted]

FEDERAL BUREAU OF INVESTIGATION

1. Unit/Section/Division: [redacted] OTD

2. Description of Requirement: Procurement of [redacted]
Stingray [redacted]
[redacted]

3. Estimated Cost: [redacted]

4. Term of Contract: _____

5. Distribution of Dollars: FY-[redacted]
FY-_____ FY-_____
FY-_____ FY-_____

6. Subobject Class/Budget Item: [redacted]
Product or Service Code: N/A

7. Market Research (state how performed & attach): See attached EC containing Sole Source Justification

Commercial Item: ☐ Yes ☐ No Competitive: ☐ Yes ☑ No
If no to one or more above, explain: Reference attached EC for Sole Source Justification

8. Sources Considered:
☐ FBI Personnel ☐ Other Government Personnel ☐ Required Sources
☐ 100% Small Bus. ☐ 8a Setaside ☐ Disadvantaged (FAR Part 8)
☐ Hubzone ☐ Women-owned ☑ Other Federal Contracts
☐ A-76

b3
b6
b7C
b7E

9. If Information Technology: ☐ IRM Review ☐ AIS Approval

10. Type of Procurement:
☑ Brand Name Only ☐ Brand Name or Equal ☐ Performance-Based Service Contract
☐ Functional Specifications ☐ Commercial Item ☐ Compatibility

11. Contract Type:
☑ Firm-Fixed Price ☐ (IFB) ☐ RFP ☐ RFQ ☐ IDIQ Contract
☐ Firm-Fixed Price w/Economic Adj. ☐ Reimbursable Agreement ☐ Time & Material
☐ Cost-Reimbursement ☐ Incentive ☐ BOA ☐ Letter Contract (DOJ Approval)

12. Lease vs Purchase (if lease, analysis attached): Purchase

13. Environmentally Preferable Item: ☐ Yes ☑ No

14. Inherently Government Function (justified): ☐ Yes ☑ No

15. Lease Time Required: _____ To be filled in by Contracting Officer

Approval: [redacted] 3/22/05
Technical Staff Member/(date)

_____
Budget Staff Member/(date)

_____
Legal Review (If applicable)/(date)

_____
Contracting Officer or CCO/(date)

FBI/DOJ

CELL-OTD 026874

CELLSITE-7877

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-24-2012 BY 65179 DMH/STW

Precedence: ROUTINE Date: 02/18/2005

To: Finance Attn:

Criminal Investigative Attn:

From: Investigative Technology

Contact:

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430-371

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request procurement of Stingray

b3
b6
b7C
b7E

Enclosure(s): FD369, in the amount of acquisition planning , Non-IT Waiver, and vendor price quote

Details: Wireless Intercept and Tracking Team (WITT) is tasked with providing FBI

WITT's

UPLOADED
MAR 1 2005
S.D.J

CELL-OTD 026888

CELLSITE-7891

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

The Engineering Contracts Unit is requested to procure [redacted] Stingray [redacted] [redacted] Funding is available from Subobject Classification [redacted]

Set Lead 2: (Action)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

The Criminal Investigative Division is requested to approve funding for the procurement of [redacted] Stingray [redacted] Funding is available from Subobject Classificatior [redacted]

b3
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b7C
b7E

CC: [redacted]

♦♦

FD-369 (Rev. 2-21-89)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-25-2012 BY 65179 DMH/SIW

Req. #

FEDERAL BUREAU OF INVESTIGATION

REQUISITION FOR SUPPLIES AND/OR EQUIPMENT

February 11, 2005
Date

Ordering Office/Cost Code

Approved By

Julian Date

Supply Technician:
Program Manager:
Funding Approved:
Requester:
COTR:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order #

FY 2005

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	BI#	UNIT PRICE	TOTAL
1				ea					
2				ea					
3				ea					
4				ea					
5				ea					

Requisition Description:

Suggested Vendor:

b3
b4
b6
b7C
b7E

CELL/OTD

02689

SPECIAL INSTRUCTIONS:

Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEMS:

See Attached EC

CELLSITE-7894

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-24-2012 BY 65179 DMH/STW

[redacted]

ACQUISITION PLANNING FORM

[redacted]

FEDERAL BUREAU OF INVESTIGATION

1. Unit/Section/Division: [redacted] ITD

2. Description of Requirement: To request procurement of [redacted]

Stingray [redacted]

[redacted]

3. Estimated Cost: [redacted] 4. Term of Contract: _____

5. Distribution of Dollars: FY-05 [redacted]
FY-_____ FY-_____
FY-_____ FY-_____

6. Subobject Class/Budget Item: [redacted]
Product or Service Code: N/A

7. Market Research (state how performed & attach): See attached EC containing Sole Source Justification

Commercial Item: ☑ Yes ☐ No Competitive: ☐ Yes ☑ No
If no to one or more above, explain: Reference attached EC for Sole Source Justification

8. Sources Considered:
☐ FBI Personnel ☐ Other Government Personnel ☐ Required Sources
☐ 100% Small Bus. ☐ 8a Setaside ☐ Disadvantaged (FAR Part 8)
☐ Hubzone ☐ Women-owned ☑ Other Federal Contracts
☐ A-76

b3
b6
b7C
b7E

9. If Information Technology: ☐ IRM Review ☐ AIS Approval

10. Type of Procurement:
☐ Brand Name or Equal ☐ Performance-Based Service Contract
☑ Brand Name Only ☐ Functional Specifications ☐ Commercial Item ☐ Compatibility

11. Contract Type: ☑ Firm-Fixed Price ☐ (IFB) ☐ RFP ☐ RFQ ☐ IDIQ Contract
☐ Firm-Fixed Price w/Economic Adj. ☐ Reimbursable Agreement ☐ Time & Material
☐ Cost-Reimbursement ☐ Incentive ☐ BOA ☐ Letter Contract (DOJ Approval)

12. Lease vs Purchase (if lease, analysis attached): No 13. Environmentally Preferable Item: ☐ Yes ☑ No

14. Inherently Government Function (justified): ☐ Yes ☑ No

15. Lease Time Required: _____ To be filled in by Contracting Officer

Approval: [redacted] 2/18/2005
Technical Staff Member/(date)

_____
Budget Staff Member/(date)

_____
Legal Review (If applicable)/(date)

_____
Contracting Officer or CCO/(date)

FBI/DOJ

CELL/OTD 026892

CELLSITE-7895

(Rev. 01-31-2003)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-24-2012 BY 65179 DMH/STW

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE Date: 02/18/2005

To: Finance Attn:

Criminal Investigative Attn:

From: Investigative Technology

ERF

Contact:

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

b3
b6
b7C
b7E

Synopsis: To request procurement of Stingray

Enclosure(s): FD369, in the amount of acquisition planning , Non-IT Waiver, and vendor price quote

Wireless Intercept and Tracking Team (WITT) is tasked with providing FBI

WITT's

CELL/OTD 026898

CELLSITE-7898

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-24-2012 BY 65179 DMH/STW

FD-369 (Rev. 2-21-89)

FEDERAL BUREAU OF INVESTIGATION

REQUISITION FOR SUPPLIES AND/OR EQUIPMENT

Page 1 of

Req. #

February 11, 2005
Date

Ordering Office/Cost Code

Approved By

Julilan Date

Supply Technician:
Program Manager:
Funding Approved:
Requester:
COTR:

FY 2005

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order #

ITEM #	NATIONAL STOCK NUMBER	SER. #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS.	BI#	UNIT PRICE	TOTAL
1				ea					
2				ea					
3				ea					
4				ea					
5				ea					

Requisition Description:

Suggested Vendor:

b3
b4
b6
b7C
b7E

006920 010/7133

SPECIAL INSTRUCTIONS:

Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEMS:

See Attached EC

CELLSITE-7900

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-24-2012 BY 65179 DMH/SIW

[redacted]

ACQUISITION PLANNING FORM

[redacted]

FEDERAL BUREAU OF INVESTIGATION

b3
b7E

1. Unit/Section/Division: [redacted]/ITD

2. Description of Requirement: To request procurement of Stingray [redacted]

[redacted]

3. Estimated Cost: [redacted] 4. Term of Contract: _____

5. Distribution of Dollars: FY-05 [redacted]
FY-_____ FY-_____
FY-_____ FY-_____

6. Subobject Class/Budget Item: [redacted]
Product or Service Code: n/a

7. Market Research (state how performed & attach): Market survey conducted via internet research and contact / communications with multiple vendors (reference attached EC sole source justification).

Commercial Item: ☑ Yes ☐ No Competitive: ☐ Yes ☑ No
If no to one or more above, explain: Reference attached EC for Sole Source Justifications

8. Sources Considered:
☐ FBI Personnel ☐ Other Government Personnel ☐ Required Sources
☐ 100% Small Bus. ☐ 8a Setaside ☐ Disadvantaged (FAR Part 8)
☐ Hubzone ☐ Women-owned ☑ Other Federal Contracts
☐ A-76

9. If Information Technology: ☐ IRM Review ☐ AIS Approval

10. Type of Procurement:
☐ Brand Name or Equal ☐ Performance-Based Service Contract
☑ Brand Name Only ☐ Functional Specifications ☐ Commercial Item ☐ Compatibility

11. Contract Type: ☑ Firm-Fixed Price ☐ (IFB) ☐ RFP ☐ RFQ ☐ IDIQ Contract
☐ Firm-Fixed Price w/Economic Adj. ☐ Reimbursable Agreement ☐ Time & Material
☐ Cost-Reimbursement ☐ Incentive ☐ BOA ☐ Letter Contract (DOJ Approval)

12. Lease vs Purchase (if lease, analysis attached): No 13. Environmentally Preferable Item: ☐ Yes ☑ No

14. Inherently Government Function (justified): ☐ Yes ☑ No

15. Lease Time Required: _____ To be filled in by Contracting Officer

Approval: _____ _____
Technical Staff Member/(date) Budget Staff Member/(date)

_____ _____
Legal Review (If applicable)/(date) Contracting Officer or CCO/(date)

CELL/OTD 026902

CELLSITE-7902

The WITT mission is to [redacted] b3 b7E

[redacted] The WITT also provides [redacted]

The WITT produces [redacted]

[redacted]

WITT do not produce [redacted] All the WITT [redacted]

purpose is to support WITT [redacted]

[redacted] the WITT is approved by [redacted]

CC: [redacted]

♦♦

CELL/OTD 026903

CELLSITE-7903

DECLASSIFIED BY 65179 DMH/STW
ON 11-01-2012

[redacted]

From: [redacted]
Sent: Friday, March 20, 2009 1:23 PM
To: [redacted]
Cc:
Subject: [redacted]

~~SECRET~~
~~RECORD~~ [redacted]

[redacted]

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Here is the [redacted] for the new contract package. Note that the intended cap is now [redacted]. Please let me know if you think this looks good for the competition advocate.

Thanks,

[redacted]

[redacted]
wpd

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20340320~~
~~SECRET~~

CELLSITE 013062

DATE: 10-31-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 10-31-2037

~~SECRET~~

Justification for Other Than Full and Open Competition
In Accordance With 41 U.S.C. 253 (c)(6)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI), [redacted] Operational Technology Division (OTD). The contracting activity is the Engineering Contracts Unit (ECU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(U) The proposed acquisition strategy is to award a non-competitive contract effort for highly-specialized [redacted]

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(U) [redacted] is responsible for providing the FBI with [redacted] Wireless Intercept and Tracking Team (WITT) [redacted]

(S) [redacted]

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(U) [redacted] is requesting this sole source procurement with [redacted] Requisition #E00XXXX, in the amount of $XXXXXX.00 has been submitted to begin funding the requirement.

CELL/OTD 013063

~~SECRET~~

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

(S)

(S)

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6. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would

7. DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the

Government, and rigorous negotiation.

8. A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED

(U) [ ] continuously conducts market surveys to determine state-of-the-art technologies. The engineers, technicians, and technical personnel are in constant contact with equipment vendors, other technical members of the intelligence community, as well as visiting trade shows, reviewing trade journals, and browsing the Internet. [ ] routinely conducts and attends working group (WG) meetings with vendors to assess the capabilities, performance, and quality of equipment that meets the needs of the FBI. [ ] assessed available capabilities and have determined that other vendor technologies have not yet achieved the advanced capabilities that [ ]

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9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

(U) [ ] See paragraph (5) above for facts supporting the use of other then full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

CELL-OTD 01305

~~SECRET~~

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] Contracting Officer's Technical Representative (Date)

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

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[redacted] Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

, Supervisory Contracting Officer (Date)

, FBI Chief Contracting Officer (Date)

Office of General Counsel (Date)

Approved By:

, Competition Advocate (Date)

CELLSITE 013066

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-24-2012 BY 65179 DMH/STW

[redacted]

From: [redacted]
Sent: Wednesday, August 30, 2006 4:32 PM
To: [redacted]
Cc:
Subject: Post Katrina Acquisitions EC

UNCLASSIFIED
NON-RECORD

[redacted]

b3
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Per your request, here's a copy of the EC and other documents that I produced to to the post-Katrina Harris Corp equipment buy.

V/R,

[redacted]

Harris_060713.wpd

PKatrina_Harris_060713req.xls

PKatrina_060713_Critical Needs...

UNCLASSIFIED

CELL/OTD 007641

CELLSITE-7912

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-25-2012 BY 65179 DMH/STW

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY **Date:** 07/13/2006

To: Finance **Attn:**

Criminal Investigative **Attn:**

From: Operational Technology

Contact:

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request the procurement of StingRay

b3
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b7E

Enclosure(s): IT Acquisition form, COTS/ITATS approval attachment, IT Acquisition form attachment, FD369 in the amount of and acquisition planning

Details: In the summer of 2005, the U. S. Gulf Coast bore the brunt of Several hurricanes, including Hurricane Katrina which severely degraded the capabilities of the Included within this equipment was As a result, the ability to conduct

The Wireless Intercept and Tracking Team (WITT) supports FBI

Harris_060713.wpd

[redacted] b3
Harris Corporation's [redacted] b7E
[redacted]

[redacted] WITT has
determined that it is essential [redacted] WITT
[redacted]

[redacted]

Harris Corporation is [redacted]
[redacted]

The WITT intends to continue to use the Harris
Corporation [redacted] b3
[redacted] WITT b6
continuously evaluates [redacted] b7C
b7E
[redacted]

CELL/OTD 007643 CELLSITE-7914

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 07/13/2006

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

The Engineering Contracts Unit is requested to initiate the procurement of [redacted] StingRay [redacted] [redacted] Funding is available as outlined on the attached form FD-369.

Set Lead 2: (Action)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

The Criminal Investigative Division is requested to approve the procurement of [redacted] StingRay [redacted] [redacted] Funding is available as outlined on the attached form FD-369, Requisition [redacted]

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CC: [redacted]

♦♦

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-31-2012 BY 65179 DMH/SIW

REQ. #

7/13/2006
DATE

ORDERING OFFICE/COST CODE

APPROVED BY

JULIAN DATE

Supply Technician:
Program Manger:
Funding Approved:
COTR:
Room# & Ext:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order#

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
1				EA					
2				EA					
3				EA					
4				EA					
5				EA					
6				EA					
7				EA					
			Recommend by: Unit Chief						
			Requested by/Deliver to: Federal Bureau of Investigation						
			ERF Building 27958A, Quantico, VA22135						
			Attn:						

b3
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b7E

SPECIAL INSTRUCTION:
Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:
See Attached EC

CELLSITE-7916

DECLASSIFIED BY 65179 DMH/STW
ON 10-31-2012

[redacted]

From: [redacted]
Sent: Friday, June 12, 2009 10:10 AM
To: [redacted]
Cc:
Subject: [redacted]

b3
b6
b7C
b7E

~~SECRET~~
~~RECORD 268-HQ-1068430~~

[redacted] Wireless Intercept Tracking Team [redacted]

SoleSource [redacted]
5.wpd

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations~~
~~DECLASSIFY ON: 20340612~~
~~SECRET~~

DATE: 11-01-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 11-01-2037

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

JUSTIFICATION FOR OTHER THAN FULL AND OPEN COMPETITION IN ACCORDANCE WITH 41 U.S.C. 253(c)(6)

1. **Identification of the agency and the contracting activity:**

(S)

2. **Nature and/or description of the action being approved:**

(S)

3. **Description of the supplies or services (including estimated value):**

(U) is responsible for providing the FBI with The FBI's Wireless Intercept and Tracking Team (WITT)

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(S)

(U) OTD contemplates an award to in the amount of which is funded under requisition numbers and for the procurement of

~~Derived From: G3~~
~~Declassify On: 6/12/2033~~

4. **Statutory Authority:**

(U) This procurement action is authorized by 41 U.S.C. 253(c)(6), as set forth in Federal Acquisition Regulation (FAR) Part 6.302-6.

CELL-OTD 012984

CELLSITE-7924

5. **Demonstration that the nature of the acquisition justifies the use of the above authority:**

(S)

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6. **Efforts made to ensure offers are solicited from as many potential sources as practicable, including compliance with subpart 5.2 and, if not, which exception under FAR 5.202 applies:**

(S)

(U) Full and open competition of this procurement could [redacted] no advertisement will be made.

7. **Determination that the anticipated cost to the Government will be fair and reasonable:**

(U) A price analysis will be conducted by the Contracting Officer prior to award to determine that all prices are fair and reasonable.

8. **Market Survey:**

(U) [redacted] continuously conducts market surveys to determine state-of-the-art technologies. The engineers, technicians, and technical personnel are in constant contact with equipment vendors, other technical members of the intelligence community, as well as visiting trade shows, reviewing trade journals, and browsing the Internet. [redacted] routinely conducts and attends working group meetings with vendors to assess the capabilities, performance, and quality of equipment that meets the needs of the FBI. [redacted] assessed available capabilities and has determined that no other vendor or reseller is able to fulfil this requirement.

9. **Any other facts supporting the use of other than ful and open**

CELL-OTD 012985

CELLSITE-7925

competition:

(U) See paragraph (5) above for the facts supporting the use of other than full and open competition.

10. **A listing of the sources, if any, that expressed in writing an interest in the acquisition:**

(U) Since the procurement was not publicized pursuant to FAR 5.202(a)(1), no other commercial sources were given the opportunity to express written interest in this procurement.

11. **A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services are required:**

(U) The FBI will continue to do market surveys to identify potential sources on subsequent acquisitions. [redacted] has a successful record of finding and developing new contractors.

Conclusion:

(S) [redacted]

Certifications:

Technical Representative Certification:

As Technical Representative of the requiring office, I have reviewed the data provided in support of the Justification and Approval to procure using other than Full and Open Competition. I certify that the data is accurate and complete to the best of my knowledge and belief.

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[redacted] Date

Contracting Officer's
Technical Representative (*Proposed*)

Contract Specialist Certification:

I hereby certify that the information in this justification is accurate and complete to the best of my knowledge and belief.

Date

CELL/OTD 012986

CELLSITE-7926

Contract Specialist
Quantico Contracts Unit

Reviewed:

Unit Chief:

[redacted] Date

Quantico Contracts Unit

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CELL/OTD 012987

CELLSITE-7927

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

Total Deleted Page(s) = 149
Page 2 ~ b3; b6; b7C; b7E;
Page 3 ~ b3; b6; b7C; b7E;
Page 5 ~ b3; b6; b7C; b7E;
Page 6 ~ b3; b6; b7C; b7E;
Page 7 ~ b3; b6; b7C; b7E;
Page 15 ~ b6; b7C;
Page 16 ~ b3; b4; b6; b7C; b7E;
Page 18 ~ b3; b4; b6; b7C; b7E;
Page 28 ~ b3; b6; b7C; b7E;
Page 29 ~ b3; b6; b7C; b7E;
Page 30 ~ b3; b6; b7C; b7E;
Page 32 ~ b3; b6; b7C; b7E;
Page 34 ~ b3; b6; b7C; b7E;
Page 36 ~ b3; b6; b7C; b7E;
Page 37 ~ b3; b4; b6; b7C; b7E;
Page 38 ~ b3; b4; b6; b7C; b7E;
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Page 40 ~ b3; b6; b7C; b7E;
Page 41 ~ b3; b4; b6; b7C; b7E;
Page 47 ~ b3; b6; b7C; b7E;
Page 48 ~ b3; b6; b7C; b7E;
Page 49 ~ b3; b6; b7C; b7E;
Page 50 ~ b3; b6; b7C; b7E;
Page 55 ~ b3; b6; b7C; b7E;
Page 56 ~ b3; b6; b7C; b7E;
Page 57 ~ b3; b6; b7C; b7E;
Page 58 ~ b3; b6; b7C; b7E;
Page 59 ~ b3; b6; b7C; b7E;
Page 60 ~ b3; b7E;
Page 61 ~ b3; b6; b7C; b7E;
Page 62 ~ b3; b6; b7C; b7E;
Page 68 ~ b3; b4; b7E;
Page 69 ~ b3; b4; b7E;
Page 70 ~ b3; b4; b7E;
Page 71 ~ b3; b6; b7C; b7E;
Page 73 ~ b3; b6; b7C; b7E;
Page 75 ~ b3; b4; b7E;
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Page 78 ~ b3; b4; b7E;
Page 79 ~ b3; b4; b7E;
Page 80 ~ b3; b4; b7E;
Page 81 ~ b3; b4; b7E;
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Page 86 ~ b3; b6; b7C; b7E;
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Page 89 ~ b3; b6; b7C; b7E;

Page 96 ~ b3; b6; b7C; b7E;
Page 97 ~ b3; b6; b7C; b7E;
Page 98 ~ b3; b6; b7C; b7E;
Page 108 ~ b3; b6; b7C; b7E;
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Page 172 ~ b3; b4; b7E;
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Page 179 ~ b3; b4; b7E;
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Page 185 ~ b3; b4; b7E;
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Page 188 ~ b3; b4; b7E;
Page 189 ~ b3; b4; b7E;
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Page 201 ~ b3; b4; b7E;
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Page 204 ~ b3; b7E;
Page 205 ~ b3; b6; b7C; b7E;
Page 206 ~ b1; b3; b6; b7C; b7E;
Page 212 ~ b3; b7E;
Page 213 ~ b3; b7E;
Page 214 ~ b3; b7E;
Page 215 ~ b3; b6; b7C; b7E;
Page 216 ~ Duplicate;
Page 217 ~ Duplicate;
Page 218 ~ Duplicate;
Page 219 ~ b1; b3; b6; b7C; b7E;
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Page 225 ~ b3; b7E;
Page 226 ~ b3; b7E;
Page 227 ~ b3; b6; b7C; b7E;
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Page 239 ~ b3; b6; b7C; b7E;
Page 249 ~ b1; b3; b6; b7C; b7E;
Page 250 ~ b1; b3; b6; b7C; b7E;
Page 252 ~ b3; b7E;
Page 253 ~ b3; b6; b7C; b7E;
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Page 280 ~ b1; b3; b7E;
Page 281 ~ b1; b3; b7E;

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X No Duplication Fee X
X For this Page X
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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-02-2012 BY 65179 DMH/STW

FW: Summary of 2010 Price List Questions and Revisions

Sent: Thursday, February 10, 2011 8:34 AM
To:
Attachments: Detaile Pricing~1.xls (275 KB) [Open as Web Page]

Per our phone conversation Tuesday and our discussion on Monday, you are in concurrence with this revised price list from his other responses below, and require no further edits to this list. As a result, I will send a modification to the contract officially accepting this price list as the revised one for Please base all future purchases off this price list.

b3
b6
b7C
b7E

Thank you,

From
Sent: Thursday, January 06, 2011 9:33 AM
To
Cc
Subject: RE: Summary of 2010 Price List Questions and Revisions

b3
b6
b7C
b7E

Hi

Happy New Year - I hope you all had a wonderful holiday.

Please find attached, the latest revised price list. This incorporates in your item 1 below and deletes the products in your item 4 below.

Regarding item 2, here is what has transpired since the September 2009 price list:

Regarding item 3, we have undergone a simple name change was renamed to This is a name change only and there is no impact to the kit or functionality or pricing from last year's price list. There is no upgrade path from

Please let me know if you require further clarifications

Regards,

CELL/OTD 026913

From
Sent: Friday, December 17, 2010 1:31 PM
To
Cc
Subject: Summary of 2010 Price List Questions and Revisions

b6
b7C

Good Morning

We are reviewing the price list one final time to ensure we have identified all questions or concerns. Please accept the information below as Version 1 of the FBI's Request for Clarification or Changes. I realize some of these repeat; however, I wanted to ensure a clear log was maintained.

1) The FBI requests the from the Original Price List of September 2009 be included in the Revised Price list of 2010. Per E-mail from 2/15/10, the prices are as follows:

2) The FBI requests tha provide from the September 2009 price list, quoted a Revised Price List for 2010. The product quoted by in his 12/15/10 e-mail provided a different product number with a different cost.

b3
b4
b6
b7C
b7E

3) The FBI requests that explain the difference between the (Sept 2009) and 2010). What would be an upgrade path for a each to a

4) The FBI requests the removal of the following products from the Price List for the contract:

page 8)
(page 8)
(page 8)

Thank you and have a good day,

Quantico Contracts Unit
Federal Bureau of Investigation

b6
b7C

Connected to Microsoft Exchange

269/4
16920
CELL/OTD

Office Outlook Web Access | Type here to search | This Folder | Address Book | Options | Log Off

Mail
Calendar
Contacts

Deleted Items
Drafts [1]
Inbox
Junk E-Mail [2]
Sent Items

Click to view all folders

Harris
[redacted]
move

Manage Folders...

Reply | Reply to All | Forward | Move | Delete | Close

FW: Summary of 2010 Price List Questions and Revisions

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-01-2012 BY 65179 DMH/SIW

Sent: Thursday, February 03, 2011 3:18 PM
To: [redacted]
Attachments: [redacted] 1.xls (275 KB) [Open as Web Page]

Here's the doc I'd like to review at your earliest convenience.

[redacted]

b3
b6
b7C
b7E

Quantico Contracts Unit
Federal Bureau of Investigation

[redacted]

From [redacted]
Sent: Thursday, January 06, 2011 9:32 AM
To: [redacted]
Cc [redacted]
Subject: RE: Summary of 2010 Price List Questions and Revisions

H[redacted]

b3
b6
b7C
b7E

Happy New Year – I hope you all had a wonderful holiday.

Please find attached, the latest revised price list. This incorporates [redacted] in your item 1 below and deletes the products in your item 4 below. b4

Regarding item 2, here is what has transpired since the September 2009 price list:

[redacted]

We no longer offe[redacted]

Our cost to perform the upgrades has increased and the price was adjusted accordingly

The current offering is [redacted]

The pricing offered for ar[redacted]

Regarding item 3, we have undergone a simple name change. [redacted] was renamed [redacted] This is a name change only and there is no impact to the kit or functionality or pricing from last year's price list. There is no upgrade path from [redacted]

Please let me know if you require further clarifications

CELL/OTD 026915

Regards,

CELLSITE-11336

[redacted]

b3
b6
b7C
b7E

[redacted]

From [redacted]
Sent: Friday, December 17, 2010 1:31 PM
To: [redacted]
Cc: [redacted]
Subject: Summary of 2010 Price List Questions and Revisions

Good Morning [redacted]

We are reviewing the price list one final time to ensure we have identified all questions or concerns. Please accept the information below as Version 1 of the FBI's Request for Clarification or Changes. I realize some of these repeat; however, I wanted to ensure a clear log was maintained.

1) The FBI requests th[redacted] from the Original Price List of September 2009 be included in the Revised Price list of 2010. Per E-mail fro[redacted] 2/15/10, the prices are as follows:

- [redacted]

[redacted]

2) The FBI requests that [redacted] provide [redacted] the September 2009 price list, quoted as [redacted] Revised Price List for 2010. The product quoted b[redacted] n his 12/15/10 e-mail provided a different product number with a different cost.

3) The FBI requests that [redacted] explain the difference between the [redacted] (Sept 2009) and [redacted] 2010). What would be an upgrade path for a [redacted] each to a [redacted]

b3
b4
b6
b7C
b7E

4) The FBI requests the removal of the following products from the [redacted] rice List for the contract:

[redacted]

Thank you and have a good day,

[redacted]

CELL/OTD 026917

CELLSITE-11337

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-05-2012 BY 65179 DMH/SIW

Office Outlook Web Access | Type here to search | This Folder | Address Book | Options | Log Off

Mail
Calendar
Contacts

Deleted Items
Drafts [1]
Inbox
Junk E-Mail [2]
Sent Items

Click to view all folders

[redacted]
move

Manage Folders...

Reply | Reply to All | Forward | Move | Delete | Close

RE: [redacted]

Sent: Friday, August 20, 2010 9:48 AM
To: [redacted]
Cc: [redacted]
Attachments: Product_Specs_FBI [redacted] xlsx (12 KB) [Open as Web Page]

Here's an updated version. There are a couple of changes [redacted]

Let me know if you need anything else.

-----Original Message-----
From: [redacted]
Sent: Thursday, August 19, 2010 6:11 PM
To: [redacted]
Subject: Re: [redacted] equipment Specs

[redacted]

Can u also provide info for [redacted]

But so far information is great.

Much appreciated for the help.

[redacted]

----- Original Message -----
From [redacted]
To: [redacted]
Cc: [redacted]
Sent: Thu Aug 19 18:09:39 2010
Subject: RE: [redacted] equipment Specs

Sorry for emailing you guys late but I wanted to get you the requested info ASAP in case you need more information or clarification. Here's a spreadsheet with the requested info. If you need anything else, let us know.

[redacted]

-----Original Message-----
From: [redacted]
Sent: Wednesday, August 18, 2010 4:06 PM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted] equipment Specs

Hi [redacted]

No problem, we will have it for you by week's end.

[redacted]

b3
b6
b7C
b7E

b3
b6
b7C
b7E

b3
b6
b7C
b7E

b3
b6
b7C
b7E

CELL/OTD 026945

-----Original Message-----
From: [redacted]
Sent: Wednesday, August 18, 2010 2:59 PM
To: [redacted]
Cc: [redacted]
Subject: [redacted] equipment Specs

[redacted]

I am working with some other groups here at [redacted] (working group level) to come up with a information for planning purposes. It is actually really important with a deadline of this week (sorry i just found out about this). [redacted] Not much more to say on the background, but is a really important thing that needs to be filled out.

Could you fill out the following for me for [redacted]

[redacted]

p.s. if this can't be done in the timeframe, please let me know.

much appreciated for the support.

[redacted]

Connected to Microsoft Exchange

b3
b6
b7C
b7E

CELL/OTD 026946

Office Outlook Web Access | Type here to search | This Folder | Address Book | Options | Log Off

Mail
Calendar
Contacts

Deleted Items
Drafts [1]
Inbox
Junk E-Mail [2]
Sent Items

Click to view all folders

[redacted]
move

Manage Folders...

Reply | Reply to All | Forward | Move | Delete | Close

RE: [redacted]

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HEREIN IS UNCLASSIFIED
DATE 11-05-2012 BY 65179 DMH/STW

Sent: Thursday, August 19, 2010 6:09 PM
To:
Cc: [redacted]
Attachments: Product_Specs_FBI.xls (29 KB) [Open as Web Page]

Sorry for emailing you guys late but I wanted to get you the requested info ASAP in case you need more information or clarification. Here's a spreadsheet with the requested info. If you need anything else, let us know.

[redacted]

-----Original Message-----
From: [redacted]
Sent: Wednesday, August 18, 2010 4:06 PM
To: [redacted]
Cc:
Subject: RE: [redacted] equipment Specs

Hi [redacted]

No problem, we will have it for you by week's end.

[redacted]

-----Original Message-----
From: [redacted]
Sent: Wednesday, August 18, 2010 2:59 PM
To: [redacted]
Cc:
Subject: [redacted] equipment Specs

[redacted]

I am working with some other groups here at [redacted] (working group level) to come up with a information for planning purposes. It is actually really important with a deadline of this week (sorry i just found out about this). [redacted]

[redacted] Not much more to say on the background, but is a really important thing that needs to be filled out.

Could you fill out the following for me for [redacted]

[redacted]

[redacted]

p.s. if this can't be done in the timeframe, please let me know.

much appreciated for the support.

[redacted]

b3
b6
b7C
b7E

b3
b6
b7C
b7E

CELL/OTD 026947

CELLSITE-11354

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-05-2012 BY 65179 DMH/STW

RE:

Sent: Wednesday, August 18, 2010 4:05 PM
To:
Cc:

Hi

No problem, we will have it for you by week's end.

b3
b6
b7C
b7E

-----Original Message-----
From:
Sent: Wednesday, August 18, 2010 2:59 PM
To:
Cc:
Subject: equipment Specs

I am working with some other groups here at (working group level) to come up with a information for planning purposes. It is actually really important with a deadline of this week (sorry i just found out about this)

b3
b6
b7C
b7E

Not much more to say on the background, but is a really important thing that needs to be filled out.

Could you fill out the following for me fo

p.s. if this can't be done in the timeframe, please let me know.

much appreciated for the support.

CELL/OTD 026952

CELLSITE-11359

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-05-2012 BY 65179 DMH/STW

Reply | Reply to All | Forward | Move | Delete | Close

[redacted]

Sent: Wednesday, August 18, 2010 2:58 PM
To: [redacted]
Cc: [redacted]

I am working with some other groups here at [redacted] (working group level) to come up with a information for planning purposes. It is actually really important with a deadline of this week (sorry i just found out about this) [redacted] Not much more to say on the background, but is a really important thing that needs to be filled out.

Could you fill out the following for me for [redacted]

p.s. if this can't be done in the timeframe, please let me know.

much appreciated for the support.

[redacted]

b3
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b7C
b7E

CELL/OTD 026953

Office Outlook Web Access | Type here to search | This Folder | Address Book | Options | Log Off

Mail
Calendar
Contacts

Deleted Items
Drafts
Inbox
Junk E-Mail [2]
Sent Items

Click to view all folders

move

Manage Folders...

Reply | Reply to All | Forward | Move | Delete | Close

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-05-2012 BY 65179 DMH/STW

RE:

Sent: Monday, May 10, 2010 4:13 PM
To:
Cc:

Hi

I'll ping the team again.

Regards,

b3
b6
b7C
b7E

-----Original Message-----
From:
Sent: Monday, May 10, 2010 10:57 AM
To
Cc
Subject: Re: Inventory at

Thanks

----- Original Message -----
From:
To:
Cc:
Sent: Thu May 06 15:04:33 2010
Subject: RE: Inventory at

b3
b6
b7C
b7E

Hi

How are things coming on the various documents you were planning on sending down? We are closed tomorrow so I was hoping you could send them today. I am closing in on arrangements to work the

we need during the actual execution of task work.

Please let me know when to expect the documents so I can arrange to have the fax manned.

Any further thoughts regarding th
We'd really like to get that restarted.

Thanks,

CELL/OTD 026967

[redacted]

b3
b6
b7C
b7E

-----Original Message-----
From: [redacted]
Sent: Monday, May 03, 2010 3:30 PM
To: [redacted]
Cc:
Subject: RE: Inventory at [redacted]

HI Folks:

Our classified fax number is [redacted] This is NOT an auto-answering machine. You will need to contact me to coordinate a time to fax documents. I can then call you from the machine to let you know it is OK to transmit.

[redacted]

-----Original Message-----
From: [redacted]
Sent: Monday, May 03, 2010 9:59 AM
To: [redacted]
Cc:
Subject: Inventory at [redacted]

[redacted]

b3
b6
b7C
b7E

We have to account for the following inventory items.

[redacted]

There is a specific form that has to be filled out for these items. If you can provide a fax number [redacted] can get that down to you.

Thanks,

[redacted]

... Please include your classified fax number as well, so I can get the SOW down to you.

CELL/OTD 02/0000

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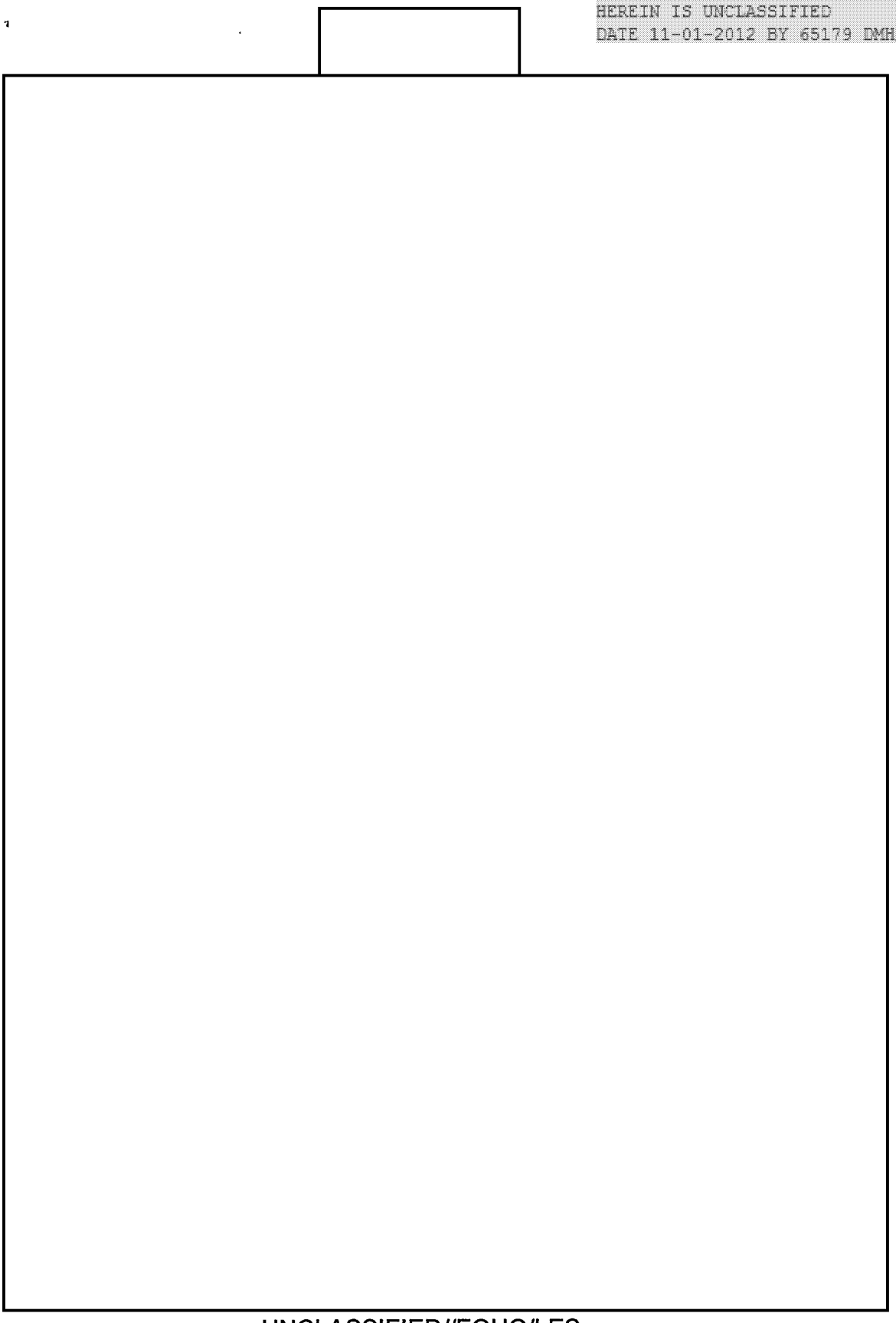
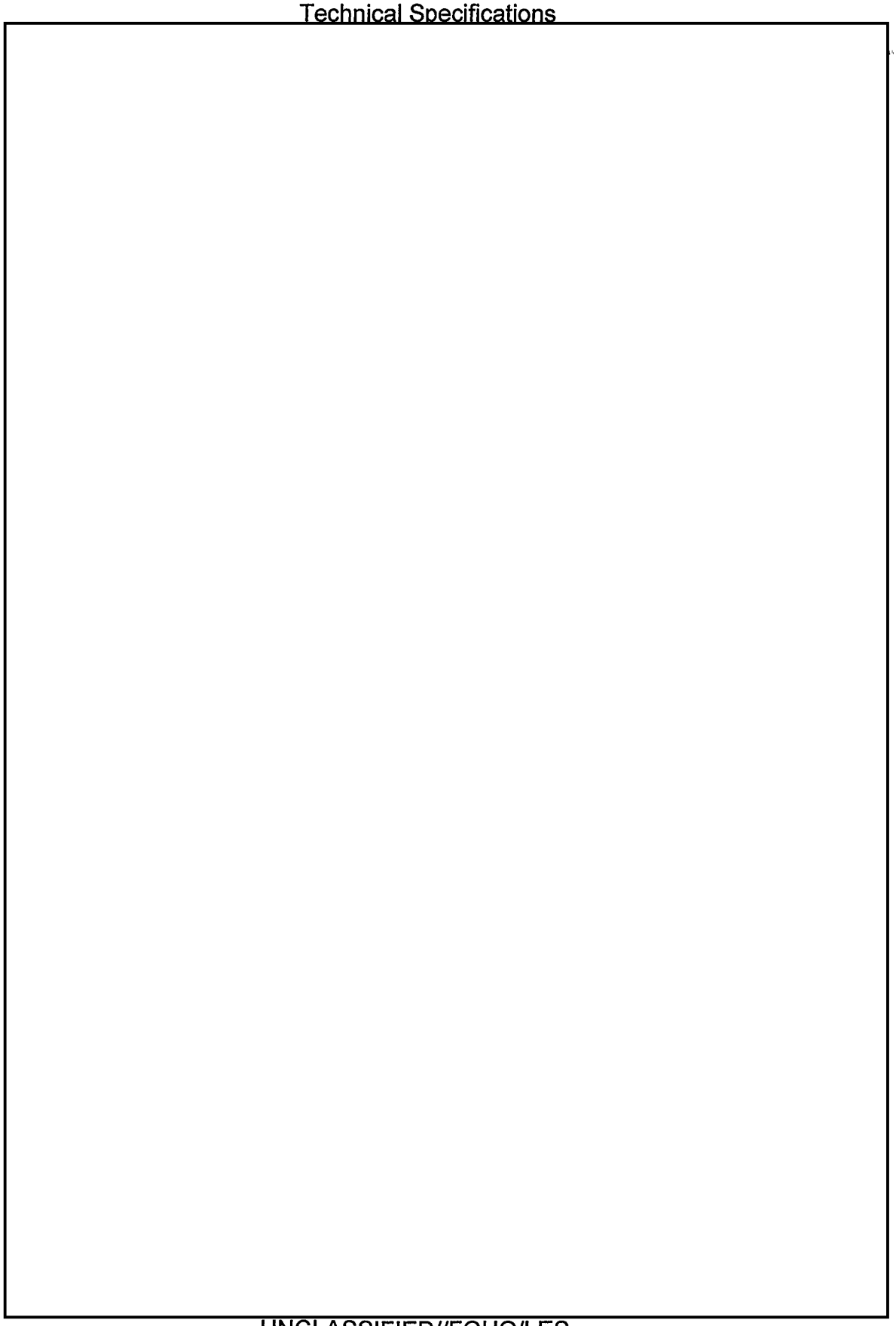
DATE 11-01-2012 BY 65179 DMH/STW



b3
b7E

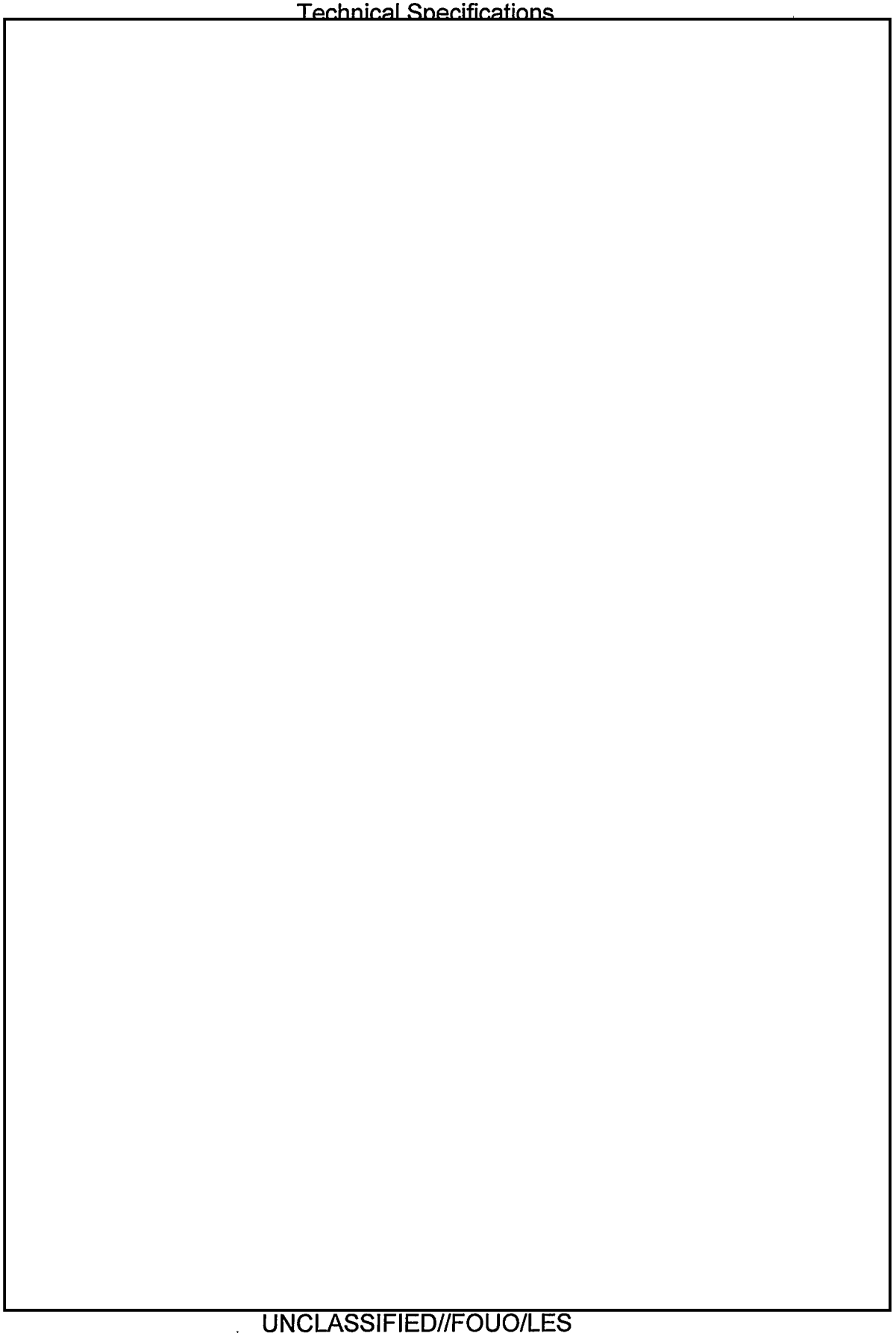
CELL/OTD

CELLSITE-11391
027001



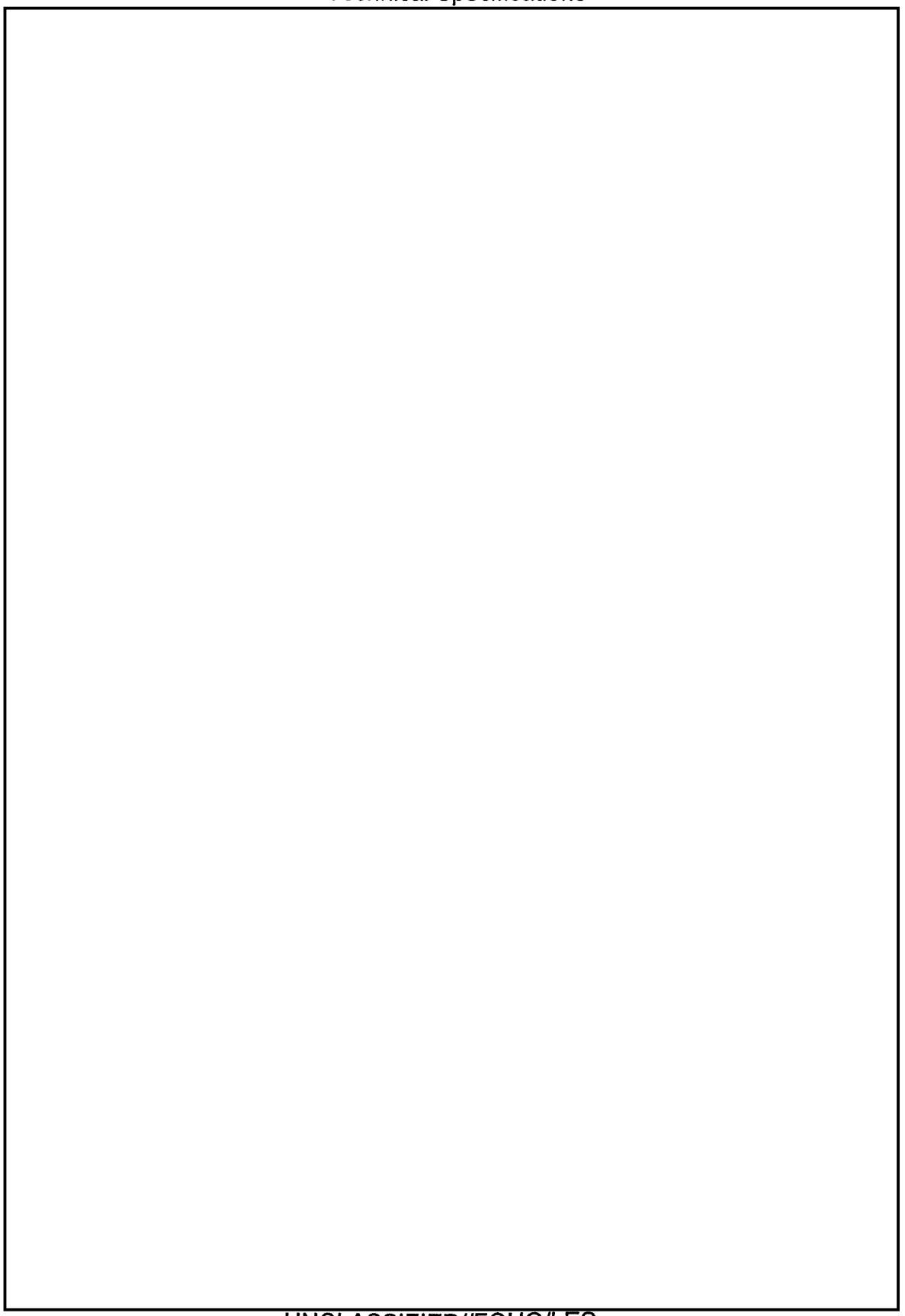
b3
b7E

CELL/OTD 027002



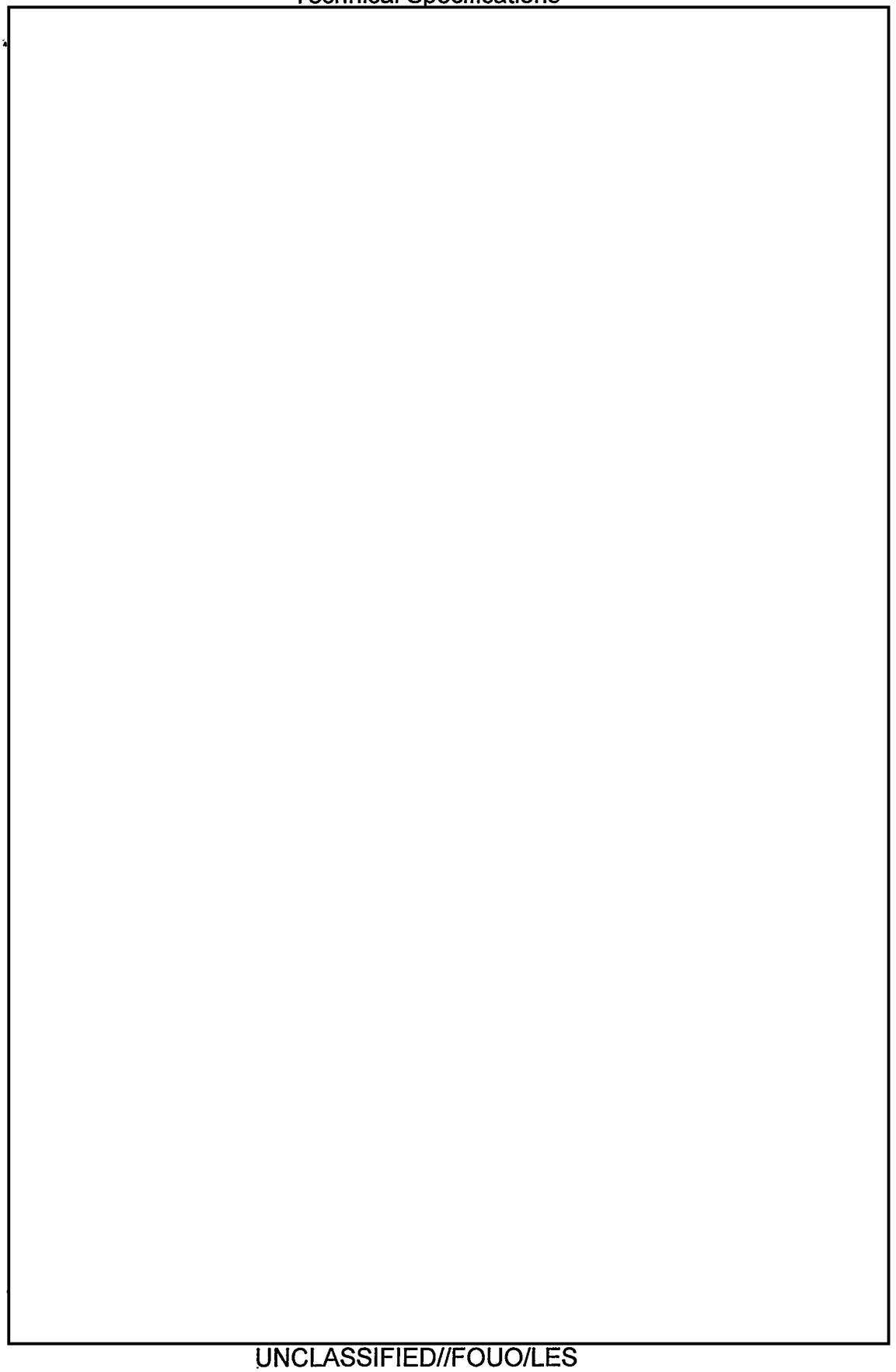
b3
b7E

CELL/OTD 027003



b3
b7E

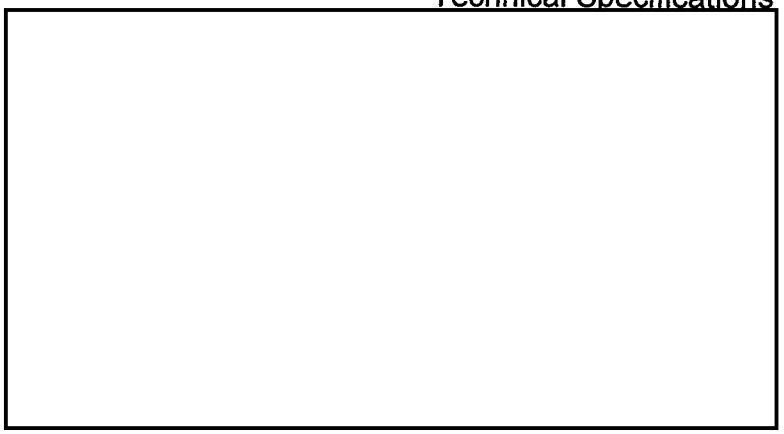
CELL/OTD 027005



b3
b7E

CELL/OTD 027004

CELLSITE-11395



b3
b7E

CELL/OTD 027007

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-06-2012 BY 65179 DMH/STW

b3
b6
b7C
b7E

Harris [redacted]

Sent: Friday, June 25, 2010 9:02 AM

To: [redacted]

Cc: [redacted]

Hi [redacted]

Per our discussions out at the WITT Conference in San Diego, and based on your interest in our [redacted] we are working to loan you one of the first production units [redacted] for evaluation at Quantico. We should be able to get it up to you in about 2 weeks (the week ending July 9th). Should we send it to your attention, or to someone else. Please advise.

Regards,

[redacted]

***HARRIS* GCSD**

Wireless Products Group ><)))*>

P.O. Box 9800

Mailstop R5-11A

Melbourne, FL 32902-9800

Ph: [redacted]

Cell [redacted]

Fax: [redacted]

email: [redacted]

CELL-OTD 027006

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-06-2012 BY 65179 DMH/STW

[redacted]

[redacted]

[redacted]

21 December 2010

[redacted]

b3
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b7E

935 Pennsylvania Ave. N.W.
JEH Bldg Room 6853
Washington, D.C. 20535

Attention: [redacted] Contracting Officer

Subject: [redacted] Request for Approval

Reference: [redacted]

b3
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b7C
b7E

Dear [redacted]

Contractor is respectfully requesting approval to provid[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

b3
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b7C
b7E

Please approve by signing below:

[redacted]

Should you have any questions, please contact me a[redacted]

Sincerely,

[redacted]

Contract Administrator

CELL/OTD 027092

[redacted]

TE-11462

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-06-2012 BY 65179 DMH/STW

[redacted]

[redacted]

02 February 2011

935 Pennsylvania Ave. N.W.
JEH Bldg Room 6853
Washington, D.C. 20535

Attention: [redacted] Contracting Officer

Subject: [redacted] – Request for Approval

Reference: [redacted]

Dear [redacted]

b3
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Contractor is respectfully requesting approval to provide [redacted]

b3
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b7E

[redacted]

Per the conversation between [redacted] and [redacted] on January 26, 2011, the FB[redacted]

[redacted]

This is the process that was discussed regarding the FBI[redacted]

a. [redacted]
b. [redacted]
c. [redacted]

b3
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b7C
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According to our records these customers have previously [redacted]

[redacted]

Please approve by signing below:

[redacted]

CELL/OTD 027093

[redacted] E-11463

b6
b7C

Should you have any questions, please contact me a [redacted]

Sincerely,

[redacted]

Contract Administrator

CELL/OTD 027094

b3
b7E

[redacted]

SITE-11464

DATE: 11-05-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 11-05-2037

~~SECRET~~

Justification for Other Than Full and Open Competition In Accordance With 41 U.S.C. 253 (c)(6)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI) Operational Technology Division (OTD). The contracting activity is the Engineering Contracts Unit (ECU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

b3
b7E

(U) The proposed acquisition strategy is to award a non-competitive contract effort for

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(U) s responsible for providing the FBI with to conduct lawfully authorized The FBI's Wireless Intercept and Tracking Team (WITT) plays a critical role in the

(S)

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(U) is requesting this The proposed procurement is in the amount o has been submitted to fund the requirement.

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

~~SECRET~~

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

(S) [redacted] b1 b3 b7E

(S) [redacted]

6. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would [redacted] b3 b7E

7. DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED

[redacted] b3 b7E

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

(U [redacted] See paragraph (5) above for facts supporting the use of other then full and open competition. b3 b7E

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

CELLSITE-11479
CELL/OTD 009747

~~SECRET~~

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

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b7C

[redacted] (Date)

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Supervisory Contracting Officer (Date)

_____

, FBI Chief Contracting Officer (Date)

_____

Office of General Counsel (Date)

Approved By: _____

, Competition Advocate (Date)

~~SECRET~~

CELL/OTD 009948

CELLSITE-11480

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-05-2012 BY 65179 DMH/SIW

REQ. #

1/29/2007
DATE

ORDERING OFFICE/COST CODE / APPROVED BY

JULIAN DATE

b3
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b7E

Supply Technician:
Program Manger:
Funding Approved:
Requester:
Room# & Ext:

Fiscal Year 2007

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order#

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
1									
2									
3									
4									
5									
			Recommend by: Unit Chief						
			Requested by/Deliver to: Federal Bureau of Investigation						
			ERF Building 27958A, Quantico, VA22135					Total	
			Attn:						

b3
b4
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b7C
b7E

SPECIAL INSTRUCTION:
Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITE...

See attached EC

CELLSITE-11481

CELL/OTD 009949

DATE: 11-05-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 11-05-2037

~~SECRET~~

Justification for Other Than Full and Open Competition
In Accordance With 41 U.S.C. 253 (c)(6)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI [redacted] Operational Technology Division (OTD). The contracting activity is the Engineering Contracts Unit (ECU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(U) The proposed acquisition strategy is to award a [redacted]

b3
b7E

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

(U [redacted] is responsible for providing the FBI with [redacted] The FBI's Wireless Intercept and Tracking Team (WITT) plays a critical role in the [redacted]

(S) [redacted]

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(U [redacted]

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE

NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

(S)

(S)

b1
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b7E

6. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would

b3
b7E

7. DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED

(U)

b3
b7E

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

(U [redacted] See paragraph (5) above for facts supporting the use of other then full and open competition. b3 b7E

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] (Date)

b6
b7C

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Supervisory Contracting Officer (Date)

_____

, FBI Chief Contracting Officer (Date)

_____

Office of General Counsel (Date)

Approved By: _____

, Competition Advocate (Date)

CELL/OTD 009961 CELLSITE-11493

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-05-2012 BY 65179 DMH/STW

REQ. #

10/20/2006
DATE

ORDERING OFFICE/COST CODE APPROVED BY

Page 1 OF 1

JULIAN DATE

Supply Technician:
Program Manger:
Funding Approved:
Requester:
Room# & Ext:

Fiscal Year 2007

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order#

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
1				EA					
2				EA					
3				EA					
4				EA					
			Recommend by: Unit Chief						
			Requested by/Deliver to: Federal Bureau of Investigation						
			Building 27958A, Quantico, VA22135						
			Attn:					Total	

b3
b6
b7C
b7E

SPECIAL INSTRUCTION:
Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:
See attached EC

CELL/OTD 009966

CELLSITE-11498

(Rev. 01-31-2003)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-05-2012 BY 65179 DMH/STW

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 11/28/2006

To: Finance **Attn:**

Attn: (Enc)

From: Operational Technology

Contact:

Approved By:

Drafted By:

b3
b6
b7C
b7E

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request that the Engineering Contracts Unit (ECU) initiate payment for the enclosed requisition.

Enclosure(s): Price Estimates, FD-369 in the amount of

Details has been tasked with the acquisition and fielding of

b3
b7E

Consequently, requests that the ECU issue payment action against the attached FD-369 to acquire these Additionally, requests that the approve the expenditure of funds for this effort. Funding for the amount of is available using

pd

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 11/28/2006

Contracting Officers are responsible for ensuring that

[redacted]

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b7E

[redacted] wpd

CELL/OTD 009968

CELLSITE-11500

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 11/28/2006

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

[redacted] requests that the ECU issue payment action against the attached FD-369 to acquire these [redacted] Funding for the amount of [redacted] is available using [redacted]

Set Lead 2: (Action)

[redacted]

AT WASHINGTON, DC

[redacted] requests that The [redacted] approve the expenditure of funds for this effort. Funding for the amount of [redacted] is available using [redacted]

b3
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b7E

CC: [redacted]

♦♦

[redacted] wpd

CELL/OTD 009969

CELLSITE-11501

DATE: 11-05-2012
CLASSIFIED BY 65179 DMH/SIW
REASON: 1.4 (C, G)
DECLASSIFY ON: 11-05-2037

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

(U) Security Addendum to EC dated 12/21/2005

(U) (S) This addendum further expands on the referenced EC with regard to sole source justification.

(S)

(S)

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b7E

(S)

(U) Full and open competition of referenced procurement requirement could

[redacted] b3 b7E

[redacted] it is recommended that no advertisement be made.

December 21, 2005

[redacted] b6 b7C

Investigative Technology Division

~~Derived From: G-3~~
~~Declassify On: December 21, 2030~~

CELWEB 08077E-11503

DATE: 11-05-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 11-05-2037

Justification for Other Than Full and Open Competition
In Accordance With 41 U.S.C. 253 (c)(6)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

1. IDENTIFICATION OF THE AGENCY AND THE CONTRACTING ACTIVITY

(U) The agency is the U.S. Department of Justice, Federal Bureau of Investigation (FBI), Operational Technology Division (OTD). The contracting activity is the Engineering Contracts Unit (ECU).

2. NATURE AND/OR DESCRIPTION OF THE ACTION APPROVED

(U) The proposed acquisition strategy is to award

b3
b7E

3. DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET AGENCY'S NEEDS

is responsible for providing the FBI with

The FBI's Wireless Intercept and Tracking Team (WITT) plays a critical role in the

(S)

b1
b3
b7E

4. IDENTIFICATION OF THE STATUTORY AUTHORITY PERMITTING OTHER THAN FULL AND OPEN COMPETITION

(U) The statutory authority for conducting this acquisition is 41 U.S.C. 253 (c)(6). The regulatory authority is FAR 6.302-6(a)(2). Full and Open competition need not be provided for when the disclosure of the agency's needs would compromise the national security unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

5. DEMONSTRATION THAT THE CONTRACTOR'S UNIQUE QUALIFICATIONS OR THE NATURE OF THE ACQUISITION REQUIRES USE OF THE AUTHORITY CITED

(S) [redacted]

(S) [redacted]

b1
b3
b7E

6. DESCRIPTION OF EFFORTS MADE TO ENSURE THAT OFFERS WERE SOLICITED FROM AS MANY POTENTIAL SOURCES AS WAS PRACTICABLE

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement. Further, FAR 5.202(a)(1), provides Contracting Officer authority to not publish a procurement action when "the synopsis cannot be worded to preclude disclosure of an agency's needs and such disclosure would compromise the national security", (e.g., would result in disclosure of classified information). This procurement is not being publicized in the Federal Business Opportunities (FedBizOpps), or any other periodicals because to do so would [redacted]

7. DETERMINATION OF THE CONTRACTING OFFICER THAT THE ANTICIPATED COST TO THE GOVERNMENT WILL BE FAIR AND REASONABLE

(U) The contracting officer has adequate information to ensure that the cost to the government for this acquisition will be fair and reasonable. Techniques may include a technical analysis of proposed direct costs, audit, or comparison of proposed indirect factors with audited factors in use elsewhere in the Government, and rigorous negotiation.

8. A DESCRIPTION OF THE MARKET SURVEY CONDUCTED AND THE RESULTS OR A STATEMENT OF THE REASONS A MARKET SURVEY WAS NOT CONDUCTED

(U [redacted]

b3
b7E

9. ANY OTHER FACTS SUPPORTING THE USE OF OTHER THAN FULL AND OPEN COMPETITION

(U [redacted] See paragraph (5) above for facts

supporting the use of other then full and open competition.

10. A LISTING OF SOURCES, IF ANY, THAT EXPRESSED IN WRITING AN INTEREST IN THE ACQUISITION

(U) Since the procurement was not advertised pursuant to FAR 5.202(a)(1), no other sources were given the opportunity to express written or oral interest in this procurement.

11. A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS TO COMPETITION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES REQUIRED

(U) The FBI will evaluate future procurement actions to determine whether full and open competition is appropriate an in the best interests of the government.

12. TECHNICAL REPRESENTATIVE CERTIFICATION

(U) Based on the above findings, it is hereby determined, within the meaning of 41 U.S.C. 253(c)(6) and FAR 6.302-6, full and open competition need not be provided for when the disclosure of the agency's needs would compromise national security, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals.

(U) As the Contracting Officer Technical Representative (COTR) of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

[redacted] (Date)

b6
b7C

(U) As Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Contracting Officer (Date)

(U) As the Supervisory Contracting Officer of record, I hereby certify to the best of my knowledge that all information contained herein is complete and accurate to the best of my knowledge.

_____

, Supervisory Contracting Officer (Date)

_____

, FBI Chief Contracting Officer (Date)

_____

Office of General Counsel (Date)

Approved By: _____

, Competition Advocate (Date)

(Rev. 01-31-2003)

DATE: 11-05-2012
CLASSIFIED BY 65179 DMH/SIW
REASON: 1.4 (C, G)
DECLASSIFY ON: 11-05-2037

~~SECRET~~//20220820

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 08/20/2007

To: Finance **Attn:** [redacted] (Enc)

[redacted] **Attn:** [redacted]

Criminal Investigative **Attn:** [redacted]

b6
b7C
b7E
b3

From: Operational Technology Division
[redacted]
Contact: [redacted]

Approved By: [redacted]

Drafted By: [redacted]

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

(U) **Case ID #:** ~~(S)~~ 268-HQ-1068430

Title: (U) WIRELESS INTERCEPT AND TRACKING TEAM

(U) **Synopsis:** ~~(S)~~ The Engineering Contracts Unit (ECU) is requested to initiate critical procurement action for the [redacted]

(U) ~~(S)~~ ~~Derived From : G-3~~
~~Declassify On: 08/20/2022~~

(U) **Enclosure(s):** ~~(S)~~ FD-369 [redacted] Acquisition Planning Form, Security Addendum, and Justification for Other Than Full and Open Competition.

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(U) **Details:** ~~(S)~~ Law enforcement [redacted] have, in recent years [redacted]

~~SECRET~~//20220820

CELL/OTD 009978

CELLSITE-11510

(U) To: Finance From: Operational Technology Division
Re: (S) 268-HQ-1068430, 08/20/2007

(U) (S) [redacted] Wireless Intercept and Tracking Team (WITT) recently completed roll-out of a [redacted] capabilities [redacted] in order to provide the FBI with rapid response as needs arise. [redacted] have been identified along with [redacted] who's primary responsibilities are to coordinate activities and deploy [redacted]

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(S) [redacted]

(S) [redacted]

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(U) (S) [redacted] WITT requests the Engineering Contracts Unit (ECU) to initiate critical procurement action for the identified [redacted]

(U) Contracting Officers are responsible for ensuring tha[redacted] assessments and completed on all procurements of services involving access to classified information/space, and procurements of critical assets.

To: Finance From: Operational Technology Division
Re: (U) (S) 268-HQ-1068430, 08/20/2007

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

(U) (S) The Engineering Contracts Unit (ECU) is requested to initiate critical procurement action for the

Set Lead 2: (Action)

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AT WASHINGTON, DC

(U)

Set Lead 3: (Action)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

(U) (S) The Criminal Investigative Division is requested to approve the critical procurement action for the

CC:

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♦♦

CELL/OTD 009980

CELLSITE-11512

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-05-2012 BY 65179 DMH/STW

REQ. #

8/20/2007
DATE

ORDERING OFFICE/COST CODE

APPROVED BY

JULIAN DATE

Supply Technician:
Program Manger:
Funding Approved:
Requester:
Room# & Ext:

Fiscal Year 2007

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order#

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
				EA					
			Recommend by: Unit Chief						
			Requested by/Deliver to: Federal Bureau of Investigation						
			Building 27958A, Quantico, VA22135					Total	
			Attn						

b3
b6
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b7E

SPECIAL INSTRUCTION:
Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:

See attached EC

CELLSITE-11513

CELL/OTD 009981

[redacted]

ACQUISITION PLAN

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-01-2012 BY 65179 DMH/STW

FEDERAL BUREAU OF INVESTIGATION

1. Unit/Section/Division: [redacted]

2. Description of Requirement: Procurement of [redacted]

[redacted]

b3
b7E

3. Estimated Cost: ( ) [redacted]

4. Term of Contract: 1 Year

5. Distribution of Dollars: FY- 07 [redacted]
FY- _____ FY- _____
FY- _____ FY- _____

6. Subobject Class/Budget Item: _____
Product or Service Code: n/a

7. Market Research (state how performed & attach): _____

Commercial Item: ☒ Yes ☐ No Competitive: ☐ Yes ☒ No
If no to one or more above, explain: See attached security addendum and [redacted]

8. Sources Considered:
☐ FBI Personnel ☐ Other Government Personnel ☐ Required Sources (FAR Part 8)
☐ 100% Small Bus. ☐ 8a Set aside ☐ Disadvantaged (FAR Part 8)
☐ Hubzone ☐ Women-owned ☒ Other Federal Contracts
☐ A-76

9. If Information Technology: ☐ IRM Review ☐ AIS Approval

10. Type of Procurement:
☒ Brand Name Only ☐ Commercial Item ☐ Functional Specifications
☐ Brand Name or Equal ☐ Compatibility ☐ Performance-Based Service Contract

11. Contract Type:
☐ BOA ☐ IDIQ Contract ☐ Reimbursable Agreement
☐ Cost-Reimbursement ☐ (IFB) ☐ RFP
☒ Firm-Fixed Price ☐ Incentive ☐ RFQ
☐ Firm-Fixed Price w/Economic Adj. ☐ Letter Contract (DOJ Approval) ☐ Time and Material

12. Lease vs Purchase (if lease, analysis attached): No

13. Environmentally Preferable Item: ☐ Yes ☒ No

14. Inherently Government Function (justified): ☐ Yes ☒ No

15. Lead Time Required: _____ To be filled in by Contracting Officer.

Approval: 08/20/2007
Technical Staff Member/(date)

Budget Staff Member/(date)

Legal Review (If applicable)/(date)

Contracting Officer or CCO/(date)

CELL/OTD 009982

CELLSITE-11514

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-01-2012 BY 65179 DMH/STW

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 1/29/2007

To: Finance **Attn:**

(Enc)

Attn:

From: Operational Technology

Contact:

Approved By:

Drafted By:

b3
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b7C
b7E

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request that the Engineering Contracts Unit (ECU) initiate payment for the procurement of

Enclosure(s): Vendor price quote, , FD-369 in the amount of

Details: has been tasked with the acquisition and fielding of

This device continues to enhance the FBI's ability to conduct successful

wpd

Dramatic upgrades have been made to the [redacted] This new functionality in-turn, will significantly enhance the bureau's ability to conduct [redacted] Consequently, [redacted] requests that the ECU issue payment action against the attached FD-369 to acquire these upgrades. Additionally, [redacted] requests that the [redacted] approve the expenditure of funds for this effort. Funding for the amount of [redacted] is available using [redacted]

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Contracting Officers are responsible for ensuring that [redacted]

[redacted] wpd

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b7E

CELL/OTD 009984

CELLSITE-11516

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 1/29/2007

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

[redacted] requests that the ECU issue payment action against the attached FD-369 to acquire the aforementioned equipment. Funding for the amount of [redacted] is available using [redacted]

Set Lead 2: (Action)

[redacted]

AT WASHINGTON, DC

[redacted] Funding for the amount of [redacted] is available using [redacted]

CC: [redacted]

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♦♦

[redacted] wpd

ALL INFORMATION CONTAINED
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DATE 11-01-2012 BY 65179 DMH/SIW

ACQUISITION PLANNING FORM

FEDERAL BUREAU OF INVESTIGATION

1. Unit/Section/Division:

2. Description of Requirement:

b3
b7E

3. Estimated Cost:

4. Term of Contract:

5. Distribution of Dollars: FY- 07
FY-_____ FY-_____
FY-_____ FY-_____

6. Subobject Class/Budget Item:
Product or Service Code: _____

7. Market Research (state how performed & attach): Existing Contract

Commercial Item: ☐ Yes ☐ No Competitive: ☐ Yes ☐ No
If no to one or more above, explain: _____

8. Sources Considered: ☐ FBI Personnel ☐ Other Government Personnel ☐ Required Sources
☐ 100% Small Bus. ☐ 8a Setaside ☐ Disadvantaged (FAR Part 8)
☐ Hubzone ☐ Women-owned ☐ Other Federal Contracts
☐ A-76

9. If Information Technology: ☐ IRM Review ☐ AIS Approval

10. Type of Procurement: ☐ Brand Name or Equal ☐ Performance-Based Service Contract
☐ Brand Name Only ☐ Functional Specifications ☐ Commercial Item ☐ Compatibility

11. Contract Type: ☐ Firm-Fixed Price ☐ (IFB) ☐ RFP ☐ RFQ ☐ IDIQ Contract
☐ Firm-Fixed Price w/Economic Adj. ☐ Reimbursable Agreement ☐ Time & Material
☐ Cost-Reimbursement ☐ Incentive ☐ BOA ☐ Letter Contract (DOJ Approval)

12. Lease vs Purchase (if lease, analysis attached):

13. Environmentally Preferable Item: ☐ Yes ☐ No

14. Inherently Government Function (justified): ☐ Yes ☑ No

15. Lead Time Required: _____ To be filled in by Contracting Officer

Approval: _____
Technical Staff Member/(date)

_____
Budget Staff Member/(date)

_____
Legal Review (If applicable)/(date)

_____
Contracting Officer or CCO/(date)

CELL/OTD 009986
CELLSITE-11518

ALL INFORMATION CONTAINED
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DATE 11-05-2012 BY 65179 DMH/SIW

Date: 5/16/2007

To: [redacted]

Cc: [redacted]

From: [redacted]

b6
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b7E

RE: Review o[redacted]

Priority: Priority

I've reviewe[redacted] evaluating it on the basis price and value. The pricing is acceptable and is comparable to previous contracting efforts. As to contract value, this type of contract [redacted] will be in the Government's interest as it will significantly reduce the number of man-hours spent in generating multiple contracts over the next fiscal years.

I recommend approval and subsequent contract award.

[redacted]

CELL/OTD 009989

CELLSITE-11521

ALL INFORMATION CONTAINED
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DATE 11-05-2012 BY 65179 DMH/SIW

REQ. #

8/31/2007
DATE

/
ORDERING OFFICE/COST CODE APPROVED BY

JULIAN DATE

Supply Technician:
Program Manger:
Funding Approved:
COTR:
Room# & Ext:

Contract Specialis
Date Received:
PPMS Approval:
Purchase Order#

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
1				EA					
2				EA					
3				EA					
4				EA					
			Recommend by: Unit Chie						
			Requested by/Deliver to: Federal Bureau of Investigation						
			Building 27958A, Quantico, VA22135						
			Attn					Total	

SPECIAL INSTRUCTION:
Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:
See Attached EC

FBI/DOJ 009992

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CELLSITE-11524

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
8				EA					
9				EA					
10				EA					
11				EA					
12				EA					
13				EA					
14				EA					
15				EA					
16				EA					
				EA					
				EA					
				EA					
				EA					
				EA					
				EA					
				EA					
				EA					
				EA					
				EA					
				EA					
				EA					
			CONTINUATION SHEET SUBTOTAL	EA					

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CELLSITE-11525

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-05-2012 BY 65179 DMH/STW

[redacted]
REQ. #

Page 1 1

4/6/2007
DATE

[redacted] / [redacted]
ORDERING OFFICE/COST CODE APPROVED BY

JULIAN DATE

Supply Technician: [redacted]
Program Manger:
Funding Approved:
COTR:
Room# & Ext:

Contract Specialist: [redacted]
Date Received:
PPMS Approval:
Purchase Order#

[redacted]

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
			[redacted]						
1	[redacted]			EA	[redacted]				
2				EA					
3									
4									
5									
6									
7									
			Recommend by: Unit Chief [redacted]						
			Requested by/Deliver to: Federal Bureau of Investigation						
			[redacted] Building 27958A, Quantico, VA22135						
			Attn: [redacted]					Total	[redacted]

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SPECIAL INSTRUCTION:
Ship to Code: [redacted]
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate: [redacted]
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:
See Attached EC

CELLSITE-11527

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
8				EA					
9				EA					
10				EA					
11				EA					
12				EA					
13				EA					
14				EA					
15				EA					
16				EA					
				EA					
				EA					
				EA					
				EA					
				EA					
				EA					
				EA					
				EA					
				EA					
				EA					
				EA					
			CONTINUATION SHEET SUBTOTAL	EA					

b3
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CELLSITE-11528

~~SECRET~~

[redacted]

DATE: 11-05-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C)
DECLASSIFY ON: 11-05-2037

From: [redacted]
Sent: Tuesday, July 12, 2011 10:29 AM
To: [redacted]
Cc:

(U) **Subject:** (S) [redacted] Submission --- ~~SECRET~~//NOFORN

b3
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Classification: ~~SECRET~~//NOFORN

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEP WHERE SHOWN OTHERWISE

~~Classified By: C92W55B45~~
Declassify On: 20360712
~~Derived From: Multiple Sources~~
==========

[redacted]

(U) Thanks very much for taking the time to respond to some of the considerations I raised.

(S) [redacted]

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(U) [redacted] If so, that's some advance homework that you need to address. No doubt [redacted] would be willing to provide some insight/help. You've indicated that you're taking a similar approach with [redacted] "working with [redacted]

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(S) [redacted]

(S) [redacted]

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(U) In the interest of moving forward with your proposal for FY12 funding of [redacted] please update your December 2010 submission that reflects the scope of the "study" (not procurement), including supportive information and/or documentation, via the established process. We'll then seek opportunities for you to address th[redacted] The template is again attached, along with some references. I hope to see additional FY12 submissions for projects associated with [redacted]

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CELL/OTD 012548

CELLSITE-11529

[redacted]Submission Template-Rev06-...

Additional reference documents:

[redacted]Overview Memo-Rev06-11.do..

[redacted]inciples-Rev06-11.d

[redacted]Submission Process-Rev06-...

Regards,

[redacted]

Contractor
FBI/Operational Technology Division
[redacted]

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Classification: ~~SECRET~~//NOFORN

DATE: 11-05-2012
CLASSIFIED BY 65179 DMH/SIW
REASON: 1.4 (C)
DECLASSIFY ON: 11-05-2037

New Project Submission Worksheet

(S)

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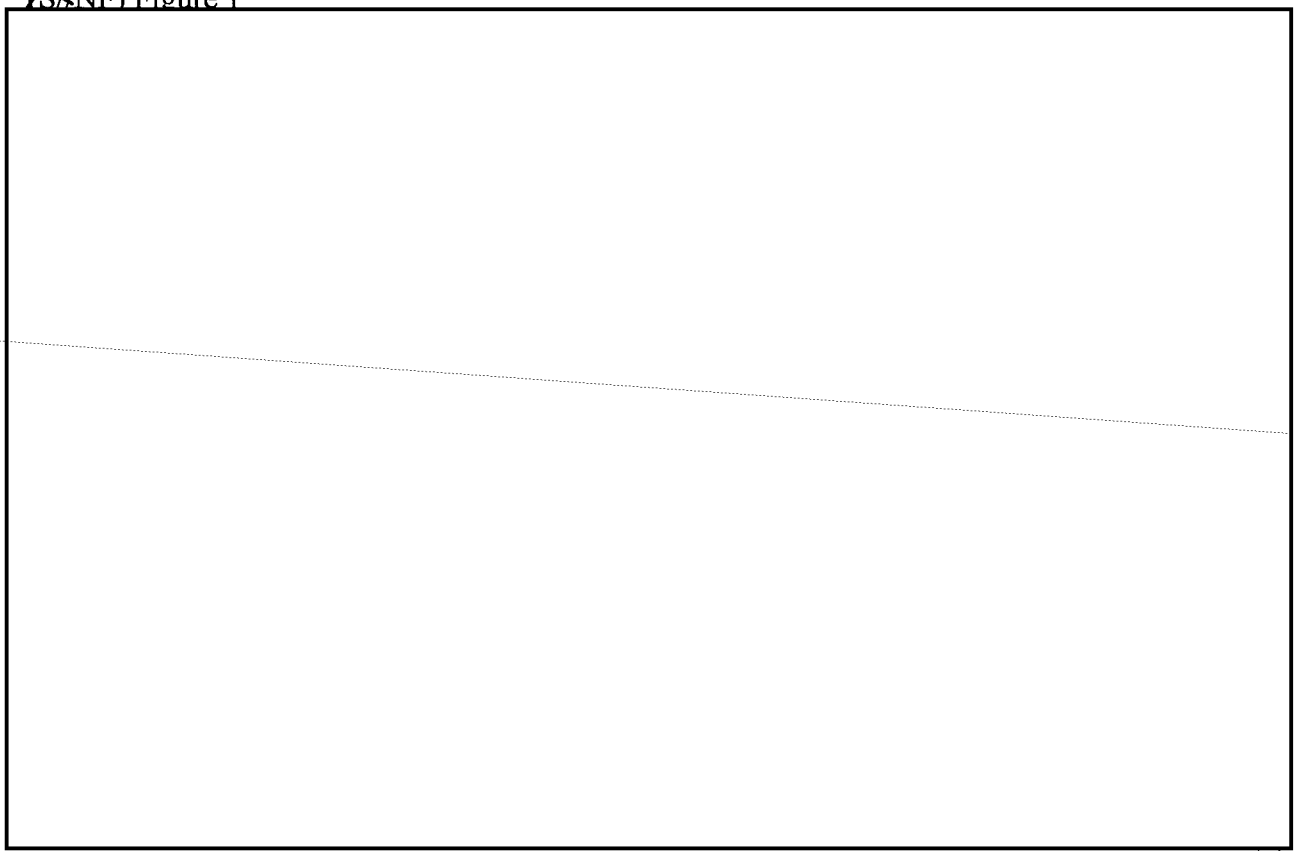
CELL-OTD 012550

(S//NF) Figure 1

(S)



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(S//NF) Table 1

(S)

(S)

(S//NF)

The FBI's [redacted] team members are contacting all affected units within the OTD (and select groups in other divisions) to properly and fully represent the comprehensive interests of the organization. To that end input and participation is actively sought.

CELLOTD 012554

(U/FOUO) OTD Unit Chiefs are asked to confer with staff members and consider how they might benefit from enhancement funds available through the [redacted] This document, coupled with a Powerpoint® briefing (attached), may prove helpful in promoting further discussion, conveying the importance of this initiative and cultivating project ideas.

(U) (S//NF) Members of the FBI's [redacted] are available to minimize the burden of unit participation. As resources allow, we will assist in defining and drafting your submissions to the [redacted] and help with the periodic progress reports.

(U) (S//NF) The importance of your timely contributions cannot be understated. [redacted]

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(U/FOUO) Please contact SSA [redacted] to discuss potential submissions. Contact information for the FBI's [redacted] is provided in Table 2, below:

(U) (S//NF)Table 2

Name	Role	Contact No.
SSA [redacted]	Lead FBI representative to [redacted]	[redacted]
SSA [redacted]	FBI representative to [redacted]	
[redacted]	SRU – Finance/Audit/Reporting	
	Contractor – Portfolio Management/Project Inputs	
	Contractor – Portfolio Management/Database	

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SSA [redacted]
FBI Lead to the [redacted]
Operational Technology Division

June 1, 2011

CELLSITE 012595

[redacted] Overview

DATE: 11-08-2012
FBI INFO.
CLASSIFIED BY 65179 DMH/SIW
REASON: 1.4 (C)
DECLASSIFY ON: 11-08-2037

Understanding the Core Principles

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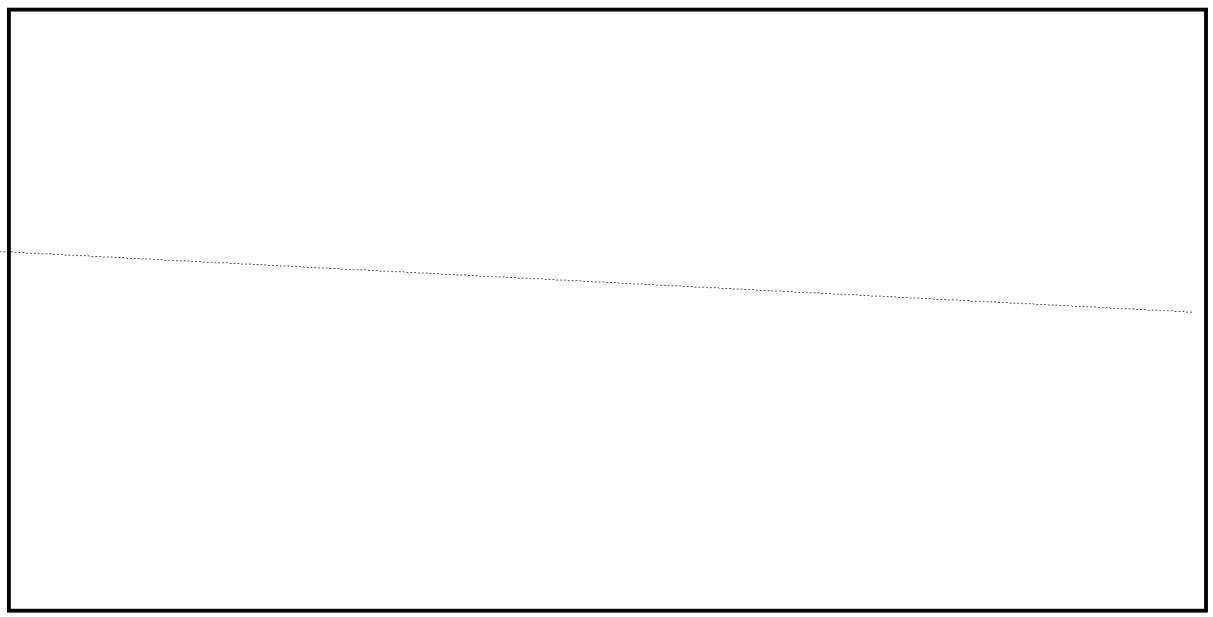
(S)

(S)

CELL-OTD 012556

CELLSITE-11537



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Adherence to the Core Principles

Project leads are expected to adhere to these core principles when proposing new projects for funding consideration as well as during the execution of approved project activities.

01 June 2011

CELL-OTD 012567

DATE: 11-08-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C)
DECLASSIFY ON: 11-08-2037

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Project Submission Instructions

Overview

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(S)

The FBI's team will assist bureau units with their initial high-level project plans prior to the multi-agency review. To increase the likelihood of approval, it will be helpful to keep several elements in mind as you craft your submission documents.

1. *Describe how your project relates to the current and future challenges presented by one (or more) of the specific technologies noted.*

2. *Think in terms of "gaps!"*
   Describe current/future operational shortcomings and how the project will overcome them.

3. *Identify the specific benefits that will accrue to the FBI's*

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4. *Is the project sustainable beyond the funding period identified?*
   Preference is more likely to be given to projects that will be maintained by once the initiative concludes.

5. Collaboration, in development and/or procurement phases, is looked upon favorably and demonstrates that duplication of effort is being avoided.

6. *Identify the base funds your unit will contribute to the effort.*
   Doing so demonstrates your unit's commitment to the program. (Be aware that unit funding is not offset by any enhancement funds you receive, nor should a unit reallocate funds to other projects if monies are provided.)

CELL-OTD 012562

Process

Please review the [redacted] document "Understanding the Core Principles" to ensure that you understand the ground rules and that your intended submission falls within the scope of the program.

Initial submissions can be crafted using a Word template designed for that purpose. (Filename: [redacted] Submission Form-Rev06-11.dot). Save the completed template as a Word document with a filename that begins with your unit's acronym (for example: [redacted] FY2012.doc)

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Supplement your completed worksheet with any information that will help explain the nature of the project (the challenge [redacted] anticipated benefits, etc.).

Create a brief (6 slide) Powerpoint© briefing that can be used to introduce your submission to the [redacted] For a particularly complex project a member of your unit may be asked to present a technical overview to one or both of the review groups.

E-mail completed submission documents via [redacted] to the following members of the FBI's [redacted] team:

SSA [redacted], Lead
SSA [redacted]
[redacted] (contractor)
[redacted] (contractor)

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You will be contacted by a member of the [redacted] team to discuss and fine-tune your submission before it is reviewed by (a) th[redacted] and (b) the [redacted]

Revised June 2011

CELL-OTD 012559

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

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DECLASSIFIED BY 65179 DMH/SIW
ON 10-31-2012

[redacted] b6

From: [redacted] b7C
Sent: Wednesday, April 22, 2009 2:01 PM b7E
To: [redacted]
Subject: RE [redacted]

~~SECRET//NOFORN~~
~~RECORD 268-HQ~~

Here you go.

[redacted]FBI
Mid-Year Report.p...

From: [redacted]
Sent: Wednesday, April 22, 2009 7:59 AM
To: [redacted]
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted] Re send me the final [redacted] please. b6 b7C b7E

SSA [redacted]
[redacted]
Tracking Technology Unit
Operational Technology Division
[redacted]

UNCLASSIFIED

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20190422~~
~~SECRET//NOFORN~~

CELL/OTD 009445 CELLSITE-13514

DATE: 10-31-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 10-31-2037

S&T: FBI FY 2009 Mid-Year Review: Performance Report

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Initiative Topic:

b7E

Key Project, Sub-Project, or Other Component Part of Initiative	Baseline FY 2009 Funding ($K)*	% Obligated* Includes Committed	% Expended*	Project's Contribution to Initiative
		100%	0%	
		100%	0%	
		100%	0%	
		100%	0%	
		100%	0%	
			0%	
		100%	0%	

(S)

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~~SECRET~~

CELL/OTD 009446

DECLASSIFIED BY 65179 DMH/STW
ON 10-31-2012

[redacted]

From: [redacted]
Sent: Wednesday, April 22, 2009 7:28 AM
To: [redacted]
Subject: RE: [redacted]

~~SECRET//NOFORN~~
RECORD OTD

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[redacted]

Yes, thanks. [redacted] had already populated the financial stuff and I provided a high level description that will hopefully satisfy the financial audience.

[redacted]BI
Mid-Year Report.p...

[redacted]

From: [redacted]
Sent: Wednesday, April 22, 2009 7:06 AM
To: [redacted]
Subject: RE: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted] Are we good to go with what I provided yesterday??

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SSA [redacted]
[redacted]
Tracking Technology Unit
Operational Technology Division
[redacted]

From: [redacted]
Sent: Tuesday, April 21, 2009 2:09 PM
To: [redacted]
Cc:
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Please provide a brief statement in the last column about how each funding stream contributed to the [redacted] initiative and reply back to me. I will merge the responses into one and pass to [redacted]

b6
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From TTU, please respond to the 50% [redacted] and the redirected TTU funding, unless you had some of the [redacted] funding.

CELLSITE-13516
CELL/OTD 009447
CELL/OTD 009

Thanks,

From:
Sent: Tuesday, April 21, 2009 1:24 PM
To:
Cc:
Subject:

b6
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b7E

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

I have completed what I could on the chart with the info provided to me. Please fill in the "Projects Contribution to Initiative" column and return to all three of us when done.
Thanks,

<< File: ppt >>

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20190422
SECRET//NOFORN

CELL/OTD 009448

CELLSITE-13517

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-31-2012 BY 65179 DMH/SIW

[redacted] b6

From: [redacted] b7C
Sent: Tuesday, April 21, 2009 1:59 PM b3
To: [redacted] b7E
Cc:
Subject: RE: [redacted]igures

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

K that's why I sent the revised numbers.

As you can see we are way behind in the funding world!!

SSA [redacted]
Tracking Technology Unit
Operational Technology Division
[redacted] b6 b7C b3 b7E

From: [redacted]
Sent: Tuesday, April 21, 2009 1:14 PM
To: [redacted]
Subject: RE: [redacted]igures

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Thanks !!

We are going to be fielding [redacted] questions quite frequently in the future. I would suggest segregating that funding out to make reporting a lot easier.

From: [redacted]
Sent: Tuesday, April 21, 2009 12:47 PM
To: [redacted]
Subject: FW: [redacted]igures

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b6 b7C b7E b3

Best I can do after looking at the req's.. Just cannot come up with the [redacted] When [redacted] called I was in LA and tried to do this over the phone.. Sorry

SSA [redacted]
Tracking Technology Unit
Operational Technology Division
[redacted]

From: [redacted]
Sent: Tuesday, April 21, 2009 12:36 PM
To: [redacted]

CELL/OTD 08-458 CELLSITE-13519

Subject: RE: [redacted]igures

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

b3
b7E

From: [redacted]
Sent: Tuesday, April 21, 2009 10:53 AM
To: [redacted]
Subject: FW: [redacted]gures
Importance: High

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Can you help me on this..
SSA [redacted]
Tracking Technology Unit
Operational Technology Division
[redacted]

b6
b7C
b3
b7E

From: [redacted]
Sent: Tuesday, April 21, 2009 10:13 AM
To: [redacted]
Subject: [redacted]igures
Importance: High

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

CELL/OTD 009451

CELLSITE-13520

[redacted]

Earlier this month, your unit provided tol[redacted] that you spent [redacted] o[redacted] out of your existing base funding.

Can you please give me a breakdown of which requisitions make up this total. I have to complete a report fo[redacted] as soon as possible.

Thanks!!

[redacted]

b6
b7C
b3
b7E

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 009452
CELLSITE-13521

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-31-2012 BY 65179 DMH/STW

[redacted]

From: [redacted] b6 b7C
Sent: Thursday, June 03, 2010 2:20 PM
To: [redacted]
Subject: RE: SUPPLEMENTAL

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Greetings,

Sure thing. I have also attached what FD sent to DOJ/OMB on the [redacted]
Thanks.

[redacted]

[redacted] b6 b7C b7E

From: [redacted]
Sent: Thursday, June 03, 2010 1:06 PM
To: [redacted]
Subject: SUPPLEMENTAL

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted] Can you send me a copy of the submission when completed on the personnel supplemental.. Thanks

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

CELLSITE-13522
CELL/OTD 009487

~~SECRET~~

DATE: 11-08-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C)
DECLASSIFY ON: 11-08-2037

[redacted] (OTD) (FBI)

b3
b6
b7C
b7E

From: [redacted]
Sent: Wednesday, August 01, 2007 4:07 PM
To: [redacted] (OTD) (FBI)
Cc: [redacted]

Subject: FW: WITT

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~UNCLASSIFIED~~
~~NON-RECORD~~

[redacted]

[redacted]

b3
b7E
b6
b7C

[redacted]

b3
b7E

[redacted]

b3
b7E

(S) [redacted]

[redacted] can't train anymore people this year as they're booked up.

b1
b3
b6
b7C
b7E

True through October, don't know about rest of CY 07. We don't depend solely on [redacted] anyway - it is just another course to bring the best training possible to the program. [redacted] has done an outstanding job with his course and his course critiques demonstrate his professionalism.

[redacted]

~~SECRET~~

[redacted]

b3
b7E

[redacted]

b3
b7E
b6
b7C

[redacted]

-----Original Message-----
From: [redacted]
Sent: Wednesday, August 01, 2007 8:58 AM
To: [redacted]
Subject: [redacted]

b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

FYI
SSA [redacted]

Tracking Technology Unit
Operational Technology Division

[redacted]

b6
b7C
b7E

-----Original Message-----
From: [redacted]
Sent: Tuesday, July 31, 2007 5:29 PM
To: [redacted]
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

b3
b6
b7C
b7E

[redacted]

~~SECRET~~

[redacted] b7E

Ok... talk to you later. .

-----Original Message-----
From: [redacted]
Sent: Monday, July 30, 2007 11:04 AM
To: [redacted]
Subject [redacted]

~~UNCLASSIFIED~~
~~NON-RECORD~~

SSA [redacted] b6 b7C b7E
Tracking Technology Unit
Operational Technology Division
[redacted]

-----Original Message-----
From: [redacted]
Sent: Friday, July 27, 2007 1:37 PM
To: [redacted]
Cc: [redacted]
Subject [redacted]

~~UNCLASSIFIED~~
~~NON-RECORD~~

[redacted] recently [redacted] was tasked to come up with a [redacted] budget for year end money FY2007. We had a two hour response time to FD and you were out of the country so we did the best we could with what we had. Basically, we assumed we would stick with [redacted] and put together enough money to cover the purchase of [redacted] b3 b6 b7C b7E

[redacted]

[redacted]

[redacted]

~~SECRET~~

~~SECRET~~

[redacted]

[redacted]

b3
b6
b6
b7E

Training)

Grand Total [redacted]

Total cost [redacted]

[redacted]

[redacted]

b3
b6
b7C
b7E

[redacted]

[redacted]teamwork is a great thing. We've had a great time working with you and your unit and appreciate your efforts.

[redacted]

b6
b7C

~~UNCLASSIFIED~~

~~UNCLASSIFIED~~

~~UNCLASSIFIED~~

~~UNCLASSIFIED~~ ~~SECRET~~

CELL/OTD 008895

CELLSITE-13526

UNCLASSIFIED

UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-31-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Wednesday, August 30, 2006 4:32 PM
To: [redacted] (OTD) (FBI)
Cc: [redacted] (OTD) (FBI)
Subject: [redacted] Acquisitions EC

b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

[redacted]

Per your request, here's a copy of the EC and other documents that I produced to to the [redacted] equipment buy.

[redacted]

b3
b6
b7C
b7E

UNCLASSIFIED

CELL/OTD 008923 CELLSITE-13528

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-31-2012 BY 65179 DMH/STW

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY **Date:** 07/13/2006

To: Finance **Attn:**

Criminal Investigative **Attn:** Rm 3867

From: Operational Technology
QT-ERF
Contact:

b6
b7C
b7E

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To request the procurement of

b3
b6
b7C
b7E

Enclosure(s):

Details:

b3
b7E

060713.wpd

[redacted]

b3
b7E

Sole Source Justification

[redacted]

b3
b7E

[redacted]

b3
b7E

The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

b6
b7C
b3
b7E

To: Finance From: Operational Technology
Re: 268-HQ-1068430, 07/13/2006

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

The Engineering Contracts Unit is requested to initiate the procurement of [redacted]

b3
b7E

Set Lead 2: (Action)

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

The Criminal Investigative Division is requested to approve the procurement of [redacted]

CC: [redacted]

b3
b6
b7C
b7E

♦♦

CELL/OTD 008926 CELLSITE-13531

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-31-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Friday, September 26, 2008 3:28 PM
To: [redacted]
Cc: [redacted] (OTD) (FBI)
Subject: Critical unfunded witt 09

b6
b7C
b7E

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Attached...

[redacted]

Critical Unfunded
WITT 09.wpd

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 008060

CELLSITE-13537

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-02-2012 BY 65179 DMH/STW

Critical Unfunded

Unit:	TTU
Short Title:	WIRELESS INTERCEPT AND TRACKING TEAM (WITT)
Shortfall Amount:	[redacted] b7E
Account(s):	
Cost Center:	
One-Time or Recurring Requirement	One Time
Existing Contract(s):	YES
Unit Rank:	1
SC Rank:	
AD Rank:	

Description of your shortfall: [redacted] b3 b7E

specific amplifiers. This request shall provide capability not currently available and identified as a critical gap in locating/tracking wireless devices.

Why is this critical? [redacted] b3 b7E

[redacted] b3 b7E

[redacted]

b3
b7E

Why can't you cover this with your current base funding? [redacted] although has insufficient funding available to cover [redacted] The cost of [redacted] far exceeds current base funding as required.

b7E

What is the impact if you are unable to obtain funding for this?

[redacted]

b3
b7E

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[DATE], 20[YY]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-02-2012 BY 65179 DMH/SIW

[redacted] b7E

Re: [redacted] and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

Dear [redacted]

We have been advised by [redacted] of the [redacted] b3 b7E

[redacted] Consistent with the conditions on the equipment [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted] b7E

[redacted]

and

Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, Virginia 22135

[redacted]

b7E

CELL/OTD 014564
CELLSITE-13549

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative [redacted] b7E

Sincerely,

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

b7E

Acknowledged and agreed to this _____ day of _____ [redacted]

[redacted] b7E

CELL/OTD 014565
CELLSITE-13550

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-02-2012 BY 65179 DMH/STW

[redacted]

b6
b7C
b7E

Re: [redacted] and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

Dear [redacted]

We have been advised by [redacted] of the [redacted]

[redacted]

b3
b6
b7C
b7E

[redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

b7E

CELLSITE-13551

CELL/OTD 014566

and

Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, Virginia 22135

b7E

[redacted]

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below or an authorized representative and [redacted]

Sincerely,

b7E

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this _____ day of _____ [redacted]

[redacted]

b6
b7C
b7E

CELLSITE-13556

CELL/OTD 014571

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-02-2012 BY 65179 DMH/STW

b6
b7C
b7E

[redacted]

Re [redacted] and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

Dear [redacted]

We have been advised by [redacted] of the [redacted] Consistent with the conditions on the equipment [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

b6
b7C
b7E
b3

[redacted]

b7E

CELLSITE-13557

CELL/OTD 014578

Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, Virginia 22135

b7E

CELL/OTD 014582

CELLSITE-13561

b7E

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative and wireless collection equipment operators of the [redacted]

Sincerely,

_____
Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this _____ day of _____ [redacted]

[redacted]

[redacted] _____

b6
b7C
b7E

[redacted] _____

[redacted] _____

[redacted] _____

[redacted] _____

CELLSITE-13562
CELL/OTD 014583

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-02-2012 BY 65179 DMH/STW

[redacted]

b6
b7C
b7E

Re: [redacted] and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

Dear [redacted]

b3
b6
b7C
b7E

We have been advised by [redacted] of the [redacted] Consistent with the conditions on the equipment [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

b7E

Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, Virginia 22135

b7E

CELLSITE-13567
CELL/OTD 014588

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative [redacted] b7E

Sincerely,

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this _____ day of _____ [redacted]

[redacted]

[redacted]

b6
b7C
b7E

[redacted]

[redacted]

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-02-2012 BY 65179 DMH/STW

b6
b7C
b7E

[redacted]

Re: [redacted] and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

Dear [redacted]

We have been advised by [redacted] of [redacted] Consistent with the conditions on the equipment [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

b3
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b7C
b7E

[redacted]

b7E

CELLSITE-13577

CELL/OTD 014599

Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, Virginia 22135

b7E

[redacted]

CELL/OTD 014603

CELLSITE-13581

b7E

The [redacted] acceptance of the above conditions shall be evidenced by the signature below of an authorized representative.

Sincerely,

_____

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this _____ day of _____ [redacted]

[redacted]

b6
b7C
b7E

[redacted] _____

[redacted] _____

CELLSITE-13582
CELL/OTD 014604

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

b6
b7C
b7E

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-02-2012 BY 65179 DMH/STW

[redacted]

Re: [redacted] and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

b3
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b7E

Dear [redacted]

We have been advised by [redacted] of the [redacted]

[redacted] Consistent with the conditions on the equipment [redacted]

[redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

b7E

CELLSITE-13585

CELL/OTD 014607

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative [redacted]

Sincerely,

b7E

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this _____ day of _____ [redacted]

[redacted]

[redacted]

b6
b7C
b7E

[redacted]

[redacted]

[redacted]

CELL/OTD 014611

CELLSITE-13589

(Rev. 05-01-2008)

DATE: 11-14-2012
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 11-14-2037

~~SECRET//20350224~~

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 02/24/2010

To: Finance **Attn:** [redacted] QT-ERF

From: Operational Technology Division
[redacted] QT-ERF
Contact: [redacted]

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

b6
b7C
b7E

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: (U) 268-HQ-1068430 (None)

Title: (S) [redacted]

(S) **Synopsis:** [redacted]

b1
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b7E

~~**Derived From :** Multiple Sources~~
~~**Declassify On:** 20350224~~

(U) **Enclosure(s):** ~~(S)~~ Statement of Work and FD369 (E00xxxx).

Details: (S) [redacted]

(S) [redacted]

b1
b7E

~~SECRET//20340909~~

To: Finance From: Operational Technology Division
Re: (U) 268-HQ-1068430, 02/24/2010

(S) [redacted]

(U) ~~(S)~~ It is requested that the Engineering Contracts Unit initiate contractual action to [redacted] as further detailed on the attached SOW.

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(U) The Contracting Officer Technical Representative (COTR) for this procurement is Electronics Engineer (EE) [redacted] and can be contacted at the Engineering Research Facility, located in Quantico, Virginia, for any questions.

LEAD(s):

Set Lead 1: (Action)

FINANCE

AT WASHINGTON, DC

(U) ~~(S)~~ The Finance Division, Engineering Contracts Unit, is requested to initiate contractual action for the development of technologies to [redacted], as specified on the attached FD-369 and attached SOW.

Set Lead 2: (Action)

b3
b7E

CRIMINAL INVESTIGATIVE

AT WASHINGTON, DC

(U) ~~(S)~~ The Criminal Investigative Division is requested to approve contractual action for the development of technologies to [redacted] as specified on the attached FD-369 and attached SOW.

♦♦

~~SECRET//20351202~~

STATEMENT OF WORK

DATE: 11-14-2012
CLASSIFIED BY 65179 DMH/SIW
REASON: 1.4 (C, G)
DECLASSIFY ON: 11-14-2037

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

FEDERAL BUREAU OF INVESTIGATION

~~Derived From: NSISCG-20080301~~
~~Declassify On: 20351202~~

~~SECRET//20351202~~

FEDERAL BUREAU OF INVESTIGATION

STATEMENT OF WORK

(U) INTRODUCTION

(U) This purpose of this paper is to provide the vendor with a statement of work that describes requirements for conducting research and development of products. The following shall provide an overall description and scope of the task set forth in this STATEMENT OF WORK.

(U) (S) BACKGROUND and SCOPE

(S)

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b3
b7E

(S)

b1
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b7E

(S)

(U) DESCRIPTION AND REQUIREMENTS

(U) (S) The following headings shall provide specific tasks that are required for the fulfillment of

developing a SYSTEM as described above.

(U) ~~(S)~~ **TASK DESCRIPTIONS**

(S)

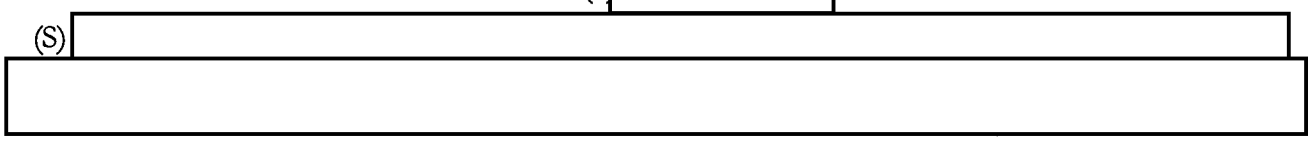
b1
b3
b7E

(S)

(S)

Table 1: (S)

(S)



b1
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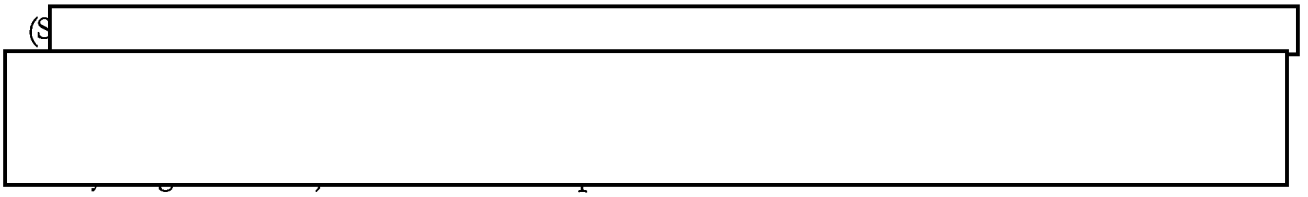
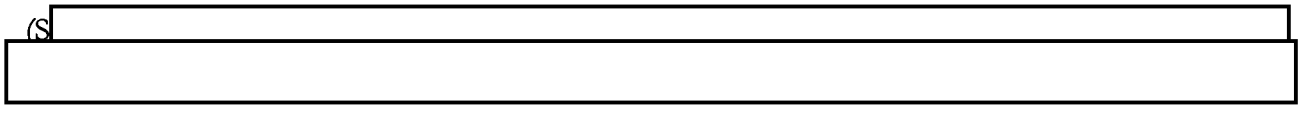
b7E

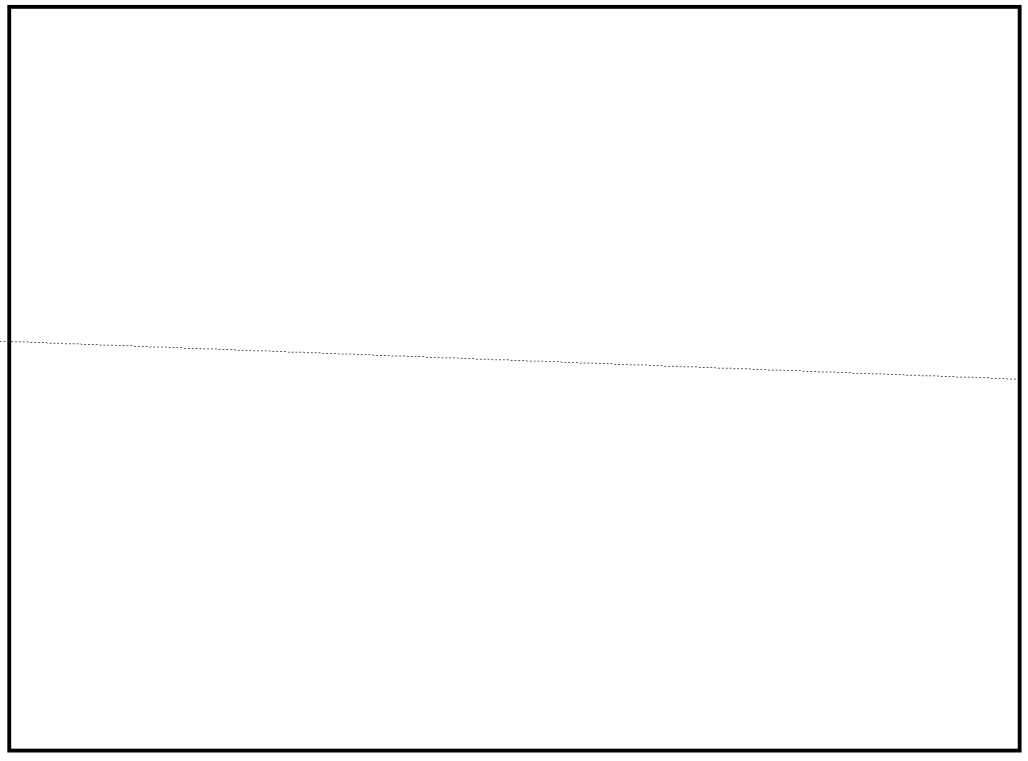
(S)



(U) SYSTEM DESCRIPTION

(S)

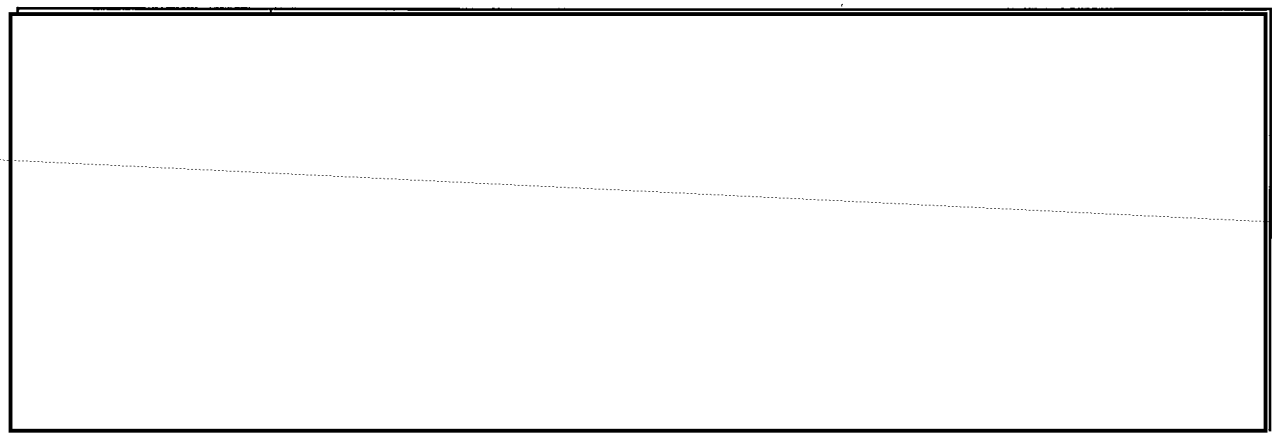




(S) b1 b3 b7E

(U) ~~(S) Figure 1: SYSTEM Diagram~~

(S)



(S) b1 b3 b7E

(S)

b1
b3
b7E

(S)

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(U) DELIVERABLES

(U) (S) The following section provides for a delivery schedule as listed in Table 2 below, as well as details concerning each delivery requirement.

(U) DELIVERY SCHEDULE

ITEM	Time Frame
Monthly Project Status Reports	NLT Five (5) Business Days of each new month upon project inception, to include the following: • Schedules • Financial Status • Overall description of Issues/Concerns
BETA System	Reoccurring - BETA updates delivered as development and productization of functions permit.
Testing, Verification, and Demonstration	Testing and Verification shall be performed throughout the development lifecycle as required. A government Acceptance test shall be performed prior to final product delivery.
FINAL SYSTEM Delivery	NLT than 548 days (1.5 Years) after project inception
SYSTEM Training	Ongoing – Provided during delivery of initial BETA System and following updates Final – Provided to FBI personnel on FINAL SYSTEM Delivery NLT 548 days (1.5 Years) after project inception
SYSTEM Documentation	NLT 30 days after FINAL SYSTEM Delivery

(U) (S) **Table 3: Delivery Schedule**

(U) DELIVERY ITEM DESCRIPTIONS

(U) (S) The following provides **further** descriptions of items described above in Table 3.

- (S)

- (S)

b1
b3
b7E

(S)

b1
b3
b7E

- (S)

- (S)

- (S)

b1
b3
b7E

- (S)

(U) OTHER REQUIREMENTS

The following sections shall describe other requirements related to the development and delivery of the SYSTEM described in this STATEMENT OF WORK.

(U) SPACE REQUIREMENTS

(S)

b1
b3
b7E

OTHER DIRECT COSTS

(U) ~~(S)~~ Vendor shall provide the FBI with costs for equipment, to include all hardware and software, required for the development and delivery of the SYSTEM.

(U) GOVERNMENT FURNISHED EQUIPMENT

(U) ~~(S)~~ Vendor shall provide the FBI with listing of required GFE in response to this SOW.

(U) CONTRACT TYPE

(S) [redacted]

b1
b3
b7E

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FBI Project Reviews

[redacted]EE

Tracking Technology Unit

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b6
b7C

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[redacted]

b3
b7E

CELL/OTD 009878

FBI001: [redacted]

b3
b7E

(S//NF) OVERVIEW

Text – Arial 14

A

6/28/2010 0010/1133

~~SECRET~~ b3 b7E

~~SECRET//NOFORN~~

FBI001:

~~(S//NF)~~ PROJECT IDENTIFICATION

PERFORMANCE SUMMARY

(S)

b1 b3 b7E

COST/FUNDING (,000)

RISKS & ISSUES

Risks:
Text – Arial 14

(S)

b1 b3 b7E

Issues:
Text – Arial 14

B

~~SECRET//NOFORN~~

(U) 13608

~~SECRET~~

CELL/OIO 009880

FBI001

b3
b7E

(S//NF) DEPENDENCIES & COLLABORATION

SCHEDULE

Text – Arial 14

(S)

b1
b3
b7E

MISSION IMPACTS & SUCCESSES

Mission Impacts:
Text – Arial 14

Success Stories:
Text – Arial 14

C

CELL/OTD 009881

SECRET//NOFORN

FBI001:

b3
b7E

(S//NF)

DELIVERABLES

Deliverable Description:
Text – Arial 14

(S)

Quantity:

b1
b3
b7E

Customers	Deliverable Type	Capability Maturity Level	Maturity Date
Text – Arial 10			

TECHNICAL PERFORMANCE

Text – Arial 14

D

SECRET//NOFORN

288600 010/7130 00982

(11)(20)(11)-13610

FBI015:

b3
b7E

(S//NF)

OVERVIEW

Text – Arial 14

A

CELL/OTD 009883

-13611

FBI015:

b3
b7E

(S//NF)

PROJECT IDENTIFICATION

PERFORMANCE SUMMARY

(S)

b1
b3
b7E

COST/FUNDING (,000)

SOURCE	APPROP	FY10	FY1

RISKS & ISSUES

Risks:
Text – Arial 14

b1
b3
b7E

Issues:
Text – Arial 14

(S)

B

CELL/OTD 009884

~~SECRET~~

FBI015:

~~(S//NF)~~ DEPENDENCIES & COLLABORATION

(S)

Collaboration\Level:
N/A

SCHEDULE

Text – Arial 14

b1
b3
b7E

CUSTOMERS & REQUIREMENTS

Customers/Users:
OTD/TTU

Requirements:

MISSION IMPACTS & SUCCESSES

Mission Impacts:
Text – Arial 14

Success Stories:
Text – Arial 14

C

CELL/OTD 000885

-13613

~~SECRET~~

FBI015:

(S//NF)

DELIVERABLES

b1
b3
b7E

Deliverable Description:
Text – Arial 14

(S)

Quantity:

Customers	Deliverable Type	Capability Maturity Level	Maturity Date
Text – Arial 10			

TECHNICAL PERFORMANCE

Text – Arial 14

D

CELL/OTD 098986

~~SECRET~~

~~SECRET//NOFORN~~

FBI016:

b3
b7E

~~(S//NF)~~ OVERVIEW

Text – Arial 14

A

~~SECRET//NOFORN~~

~~SECRET~~

CELL 010/7133 009887

SECRET

FBI016:

(S//NF) PROJECT IDENTIFICATION

PERFORMANCE SUMMARY

(S)

b1
b3
b6
b7C
b7E

COST/FUNDING (,000)

SOURCE	APPROP	FY10	FY11
COST			
FUNDING			

(S)

RISKS & ISSUES

Risks:

Text – Arial 14

Issues:

Text – Arial 14

b1
b3
b7E

B

SECRET

888600 010/1733

013011-13616

~~SECRET~~

FBI016:

b1
b3
b7E

~~(S//NF)~~ DEPENDENCIES & COLLABORATION

(S)

Collaboration\Level:
N/A

SCHEDULE

Text – Arial 14

CUSTOMERS & REQUIREMENTS

Customers/Users:
OTD/TTU

Requirements:

MISSION IMPACTS & SUCCESSES

Mission Impacts:
Text – Arial 14

Success Stories:
Text – Arial 14

C

CELL/OTD 009889

~~SECRET~~

FBI016:

(S//NF)

DELIVERABLES

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Text – Arial 14

Quantity:

Customers	Deliverable Type	Capability Maturity Level	Maturity Date
Text – Arial 10			

b1
b3
b7E

(S)

TECHNICAL PERFORMANCE

Text – Arial 14

D

FBI020:

b3
b7E

~~(S//NF)~~

OVERVIEW

Text – Arial 14

A

SECRET

FBI020:

(S//NF) PROJECT IDENTIFICATION

PERFORMANCE SUMMARY

(S)

b1
b3
b6
b7C
b7E

COST/FUNDING (,000)

RISKS & ISSUES

Risks:
Text – Arial 14

(S)

b1
b3
b7E

Issues:
Text – Arial 14

B

SECRET

FBI-13620

268900 010/1133

SECRET

FBI020:

b1
b3
b7E

(S//NF) DEPENDENCIES & COLLABORATION

(S)

Collaboration\Level:
N/A

SCHEDULE

Text – Arial 14

CUSTOMERS & REQUIREMENTS

Customers/Users:
OTD/TTU

Requirements:

MISSION IMPACTS & SUCCESSES

Mission Impacts:
Text – Arial 14

Success Stories:
Text – Arial 14

C

CELL/OTD 009893

SECRET

b3
b7E

FBI020:

(S//NF)

DELIVERABLES

Deliverable Description:
Text – Arial 14

(S)

Quantity:

Customers	Deliverable Type	Capability Maturity Level	Maturity Date
Text – Arial 10			

b1
b3
b7E

TECHNICAL PERFORMANCE

Text – Arial 14

D

EELU/OTO 009894

SECRET

FBI022:

b3
b7E

(S//NF)

OVERVIEW

Text – Arial 14

A

SECRET

~~SECRET~~

~~SECRET//NOFORN~~

FBI022:

~~(S//NF)~~ PROJECT IDENTIFICATION

PERFORMANCE SUMMARY

(S)

b1
b3
b6
b7C
b7E

COST/FUNDING (,000)

RISKS & ISSUES

(S)

Risks:
Text – Arial 14

Issues:
Text – Arial 14

b1
b3
b7E

CELL/OTD 009896

B

~~SECRET//NOFORN~~

(U) FBI-13624

~~SECRET~~

~~SECRET~~

FBI022:

~~(S//NF)~~ DEPENDENCIES & COLLABORATION

(S)

SCHEDULE

Text – Arial 14

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b6
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CUSTOMERS & REQUIREMENTS

Customers/Users:
OTD/TTU

Requirements:

MISSION IMPACTS & SUCCESSES

Mission Impacts:
Text – Arial 14

Success Stories:
Text – Arial 14

C

CELL/OTD 009897

(U) 2011-13625

~~SECRET~~

b3
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FBI022:

(S//NF)

DELIVERABLES

Deliverable Description:
Text – Arial 14

Quantity:

Customers	Deliverable Type	Capability Maturity Level	Maturity Date
Text – Arial 10			

(S)

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CELL/OTD 009898

TECHNICAL PERFORMANCE

Text – Arial 14

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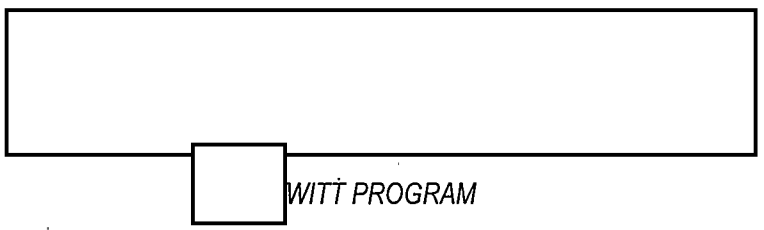

b3
b7E

WITT PROGRAM

Concept of Operations

[redacted] *WITT PROGRAM*

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[redacted]

Sent: Tuesday, June 19, 2012 1:45 PM
Subject: FOIA [redacted] SECRET//NOFORN

Classification: SECRET//NOFORN

~~Classified By: F28M47K93~~
~~Declassify On: 20370619~~
~~Derived From: Multiple Sources~~
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[redacted] this email and the attached slides are all we have that reference [redacted]

b3
b6
b7C
b7E

From: [redacted]
Sent: Friday, June 03, 2011 2:51 PM
To: [redacted]
Subject: RE: [redacted] info based on FAQs --- SECRET//NOFORN

Classification: SECRET//NOFORN

~~Classified By:~~ [redacted]
~~Declassify On: 20360603~~
~~Derived From: Multiple Sources~~
==========

[redacted]

Very good write up [redacted]

[redacted]

From: [redacted]
Sent: Friday, June 03, 2011 1:33 PM
To: [redacted]
Subject: [redacted] info based on FAQs --- SECRET//NOFORN

Classification: SECRET//NOFORN

~~Classified By:~~ [redacted]
~~Declassify On: 20360603~~
~~Derived From: Multiple Sources~~
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[redacted]

CELLSITE-19318

[redacted]

(S) [redacted] b1 b3 b5 b7E

[redacted]

Lastly, if there is a question, please do not hit reply all. Reply to me and I will answer it for everyone. Any questions or concerns, contact me.

[redacted]

[redacted] b6 b7C

Federal Bureau of Investigation

[redacted]

[redacted]

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Classification: SECRET//NOFORN

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Classification: SECRET//NOFORN

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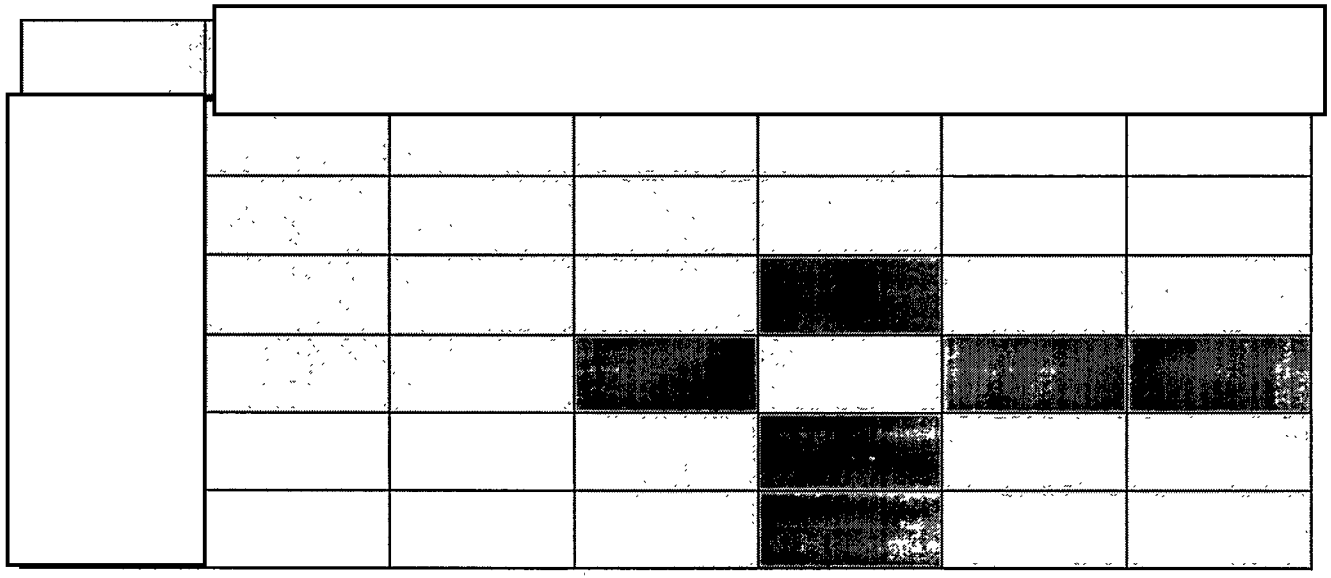

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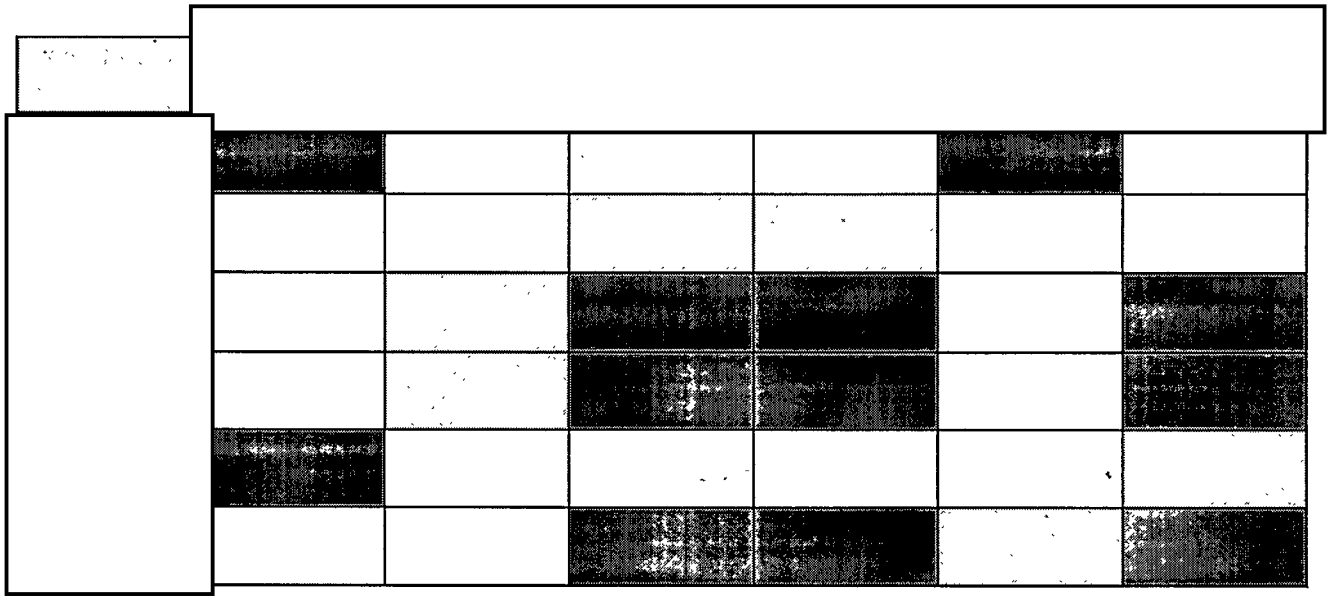
b7E



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(U) Derived from: FBI NSISC Guide

(U) Declassify on: 20360428

Technical Status Briefing

Author:

Federal Bureau of Investigation

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CELLSITE 01831

[redacted] Presentation:

[redacted] Technologies, and [redacted]

Presented by EE [redacted]

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Background:

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CELL/OTD 018317

Model

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CELL/OTD 018318

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Disclaimer

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does not have knowledge of case specifics It is a tool which was developed for in conjunction with WITT are for local CDC and FBI Field Office Management to address.

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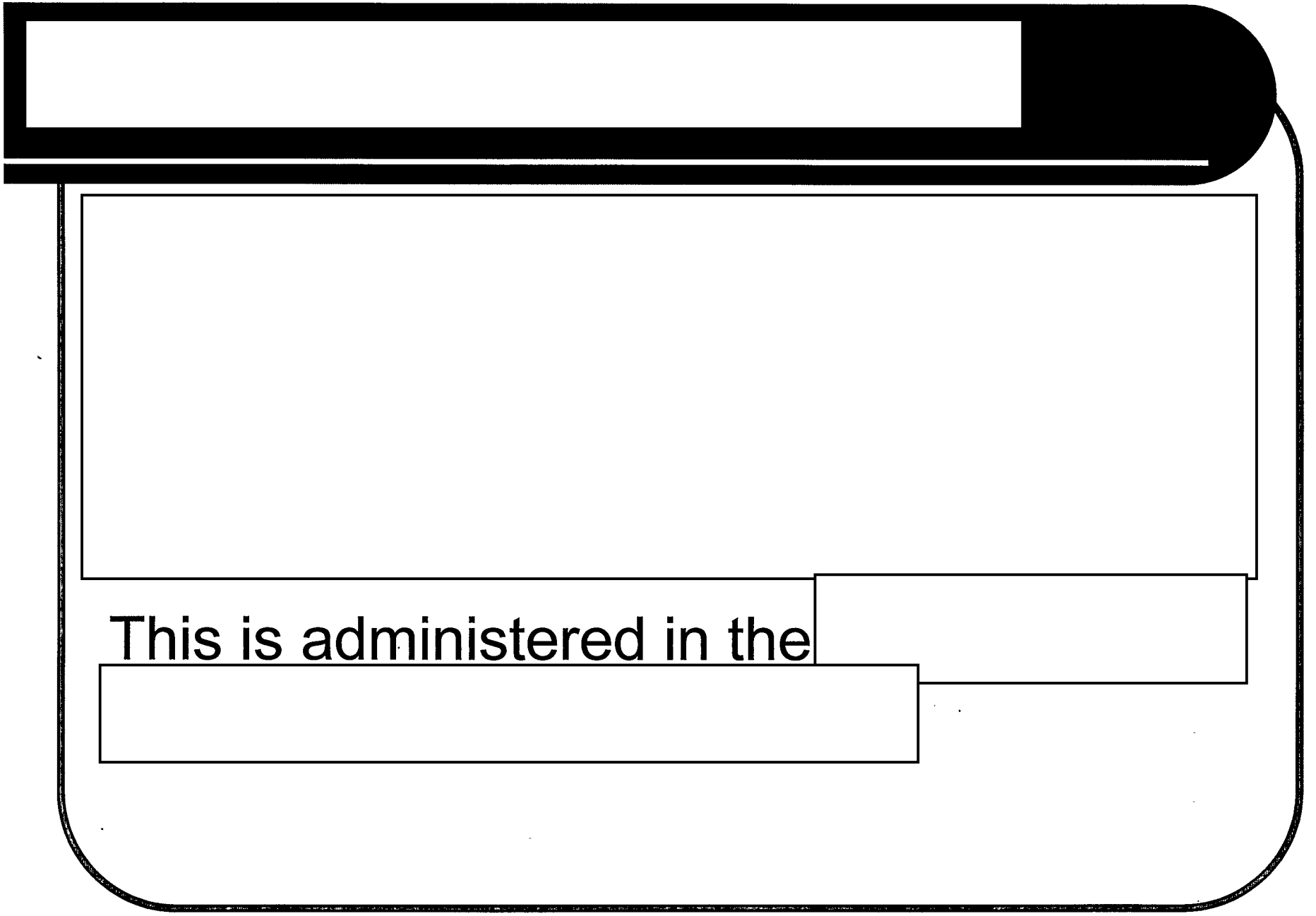

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CELL/OTD 018324

Technologies

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In addition

any information given to us about these services.

CELL/OTD 018331

Technology

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NOTE:

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CELL/OTD 018332

Tools

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CELL/OTD 018333

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Tools

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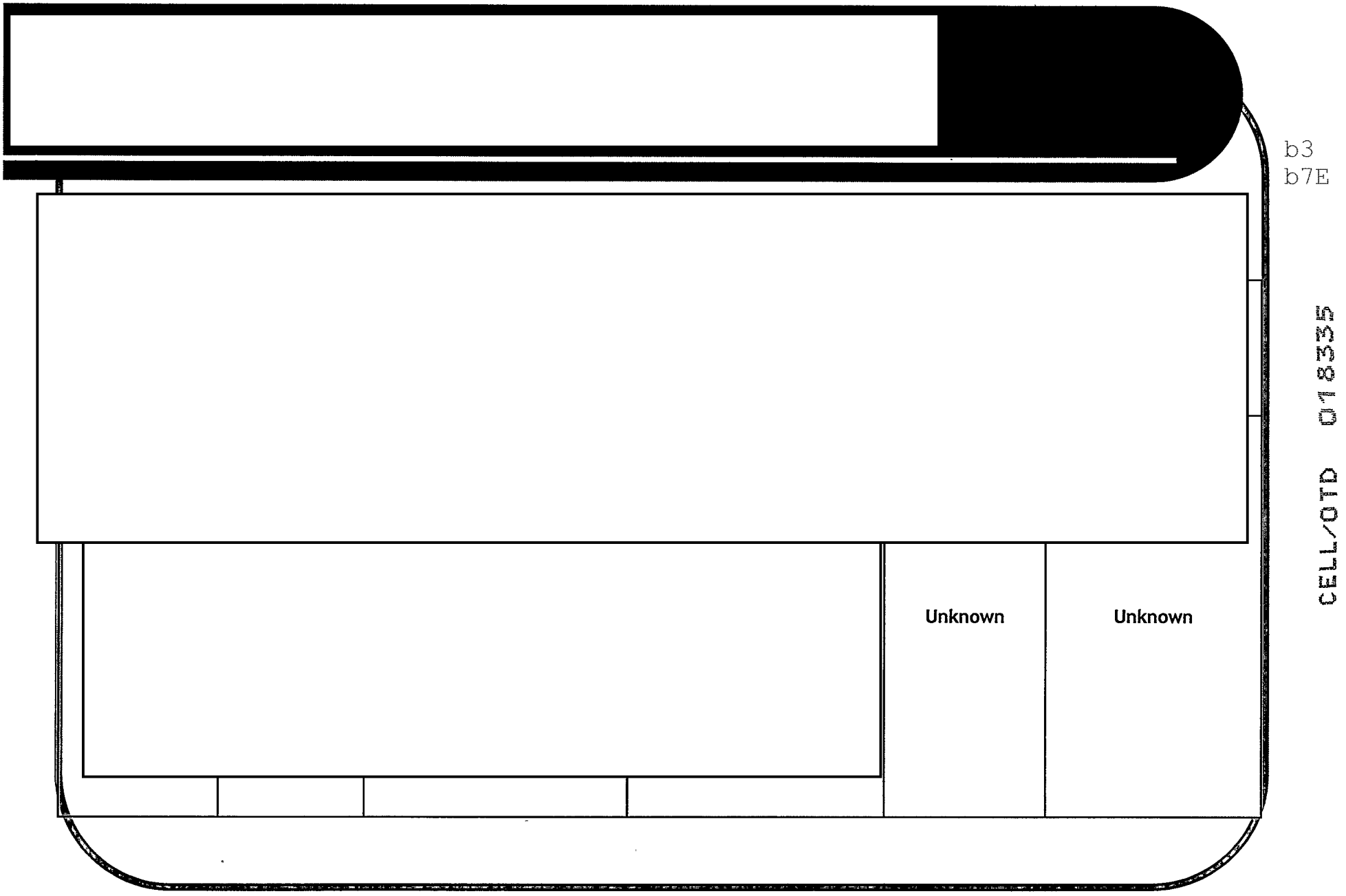

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	N/A	N/A	N/A	N/A
	N/A	N/A	N/A	N/A
	N/A	N/A	N/A	N/A

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- We do not
- We do
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- We control

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Questions?

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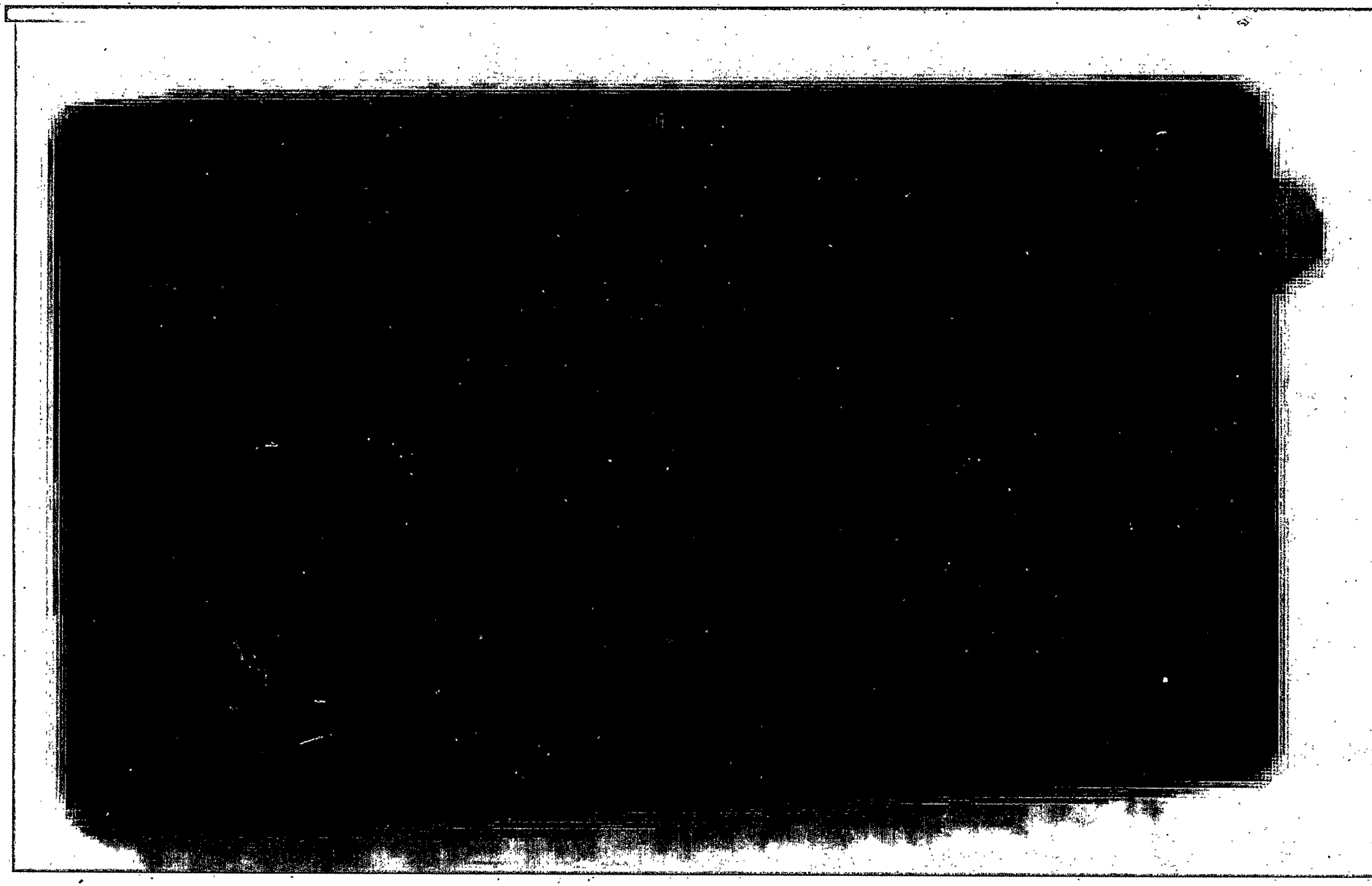

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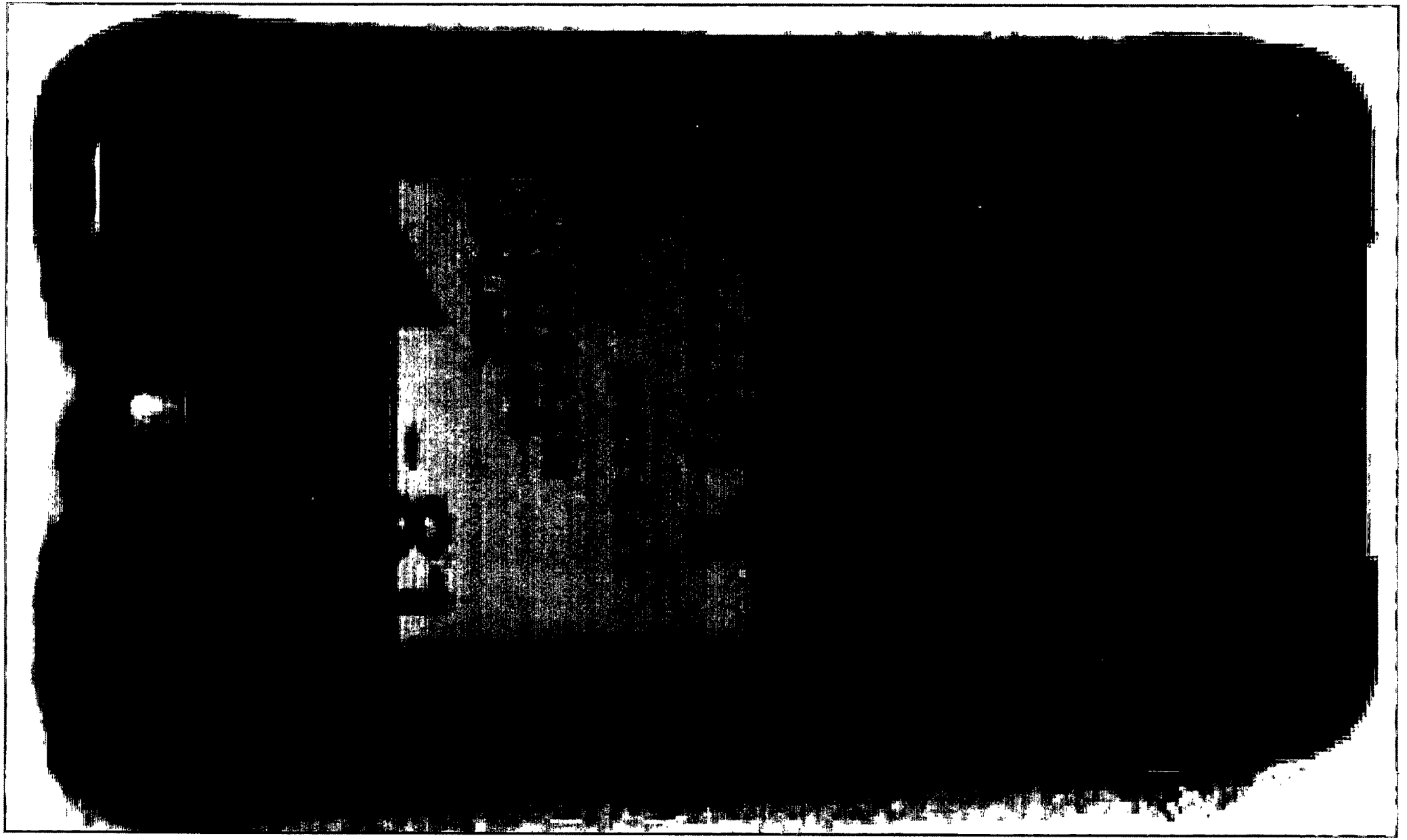

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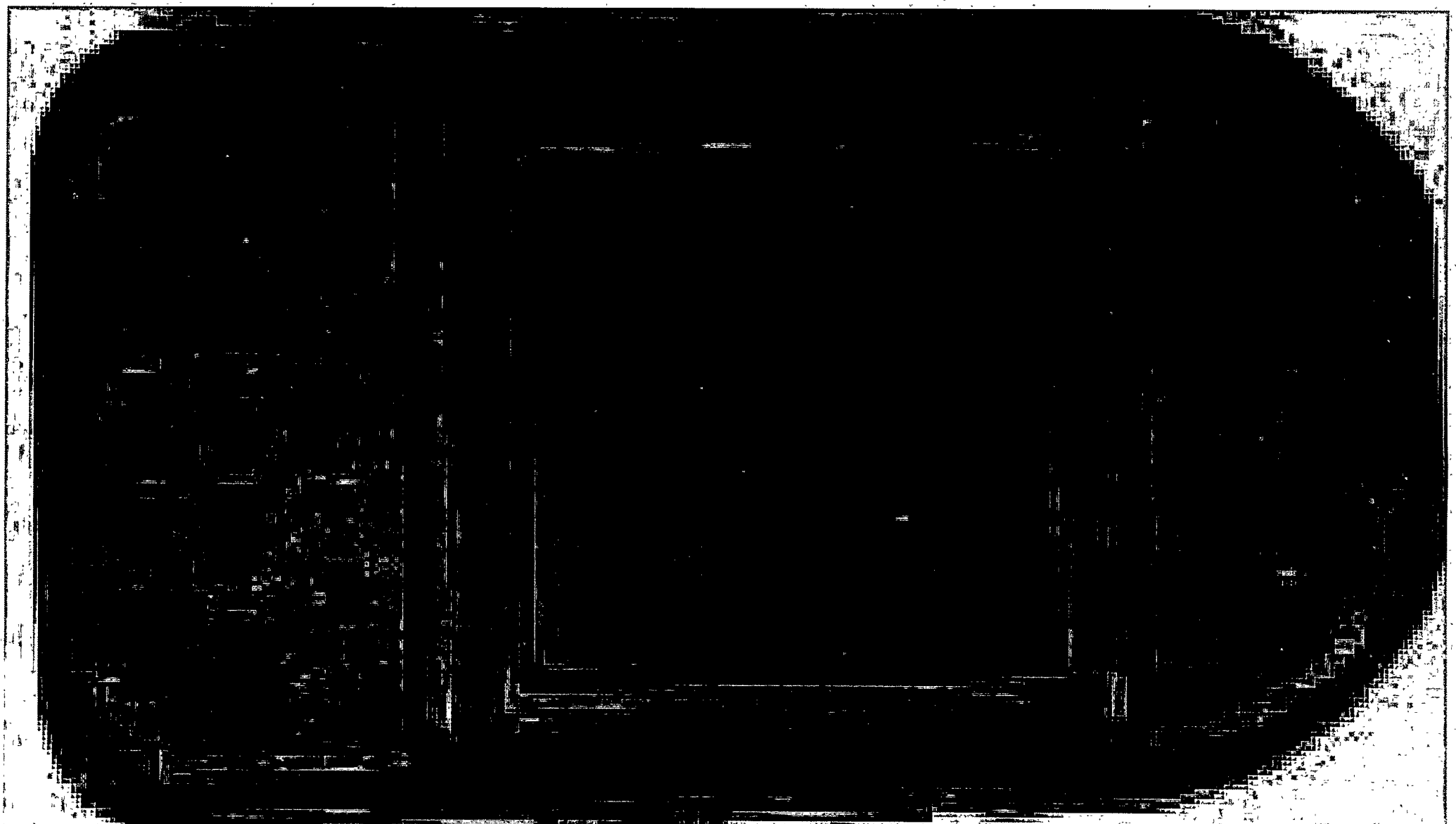

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 02/02/2011

To: Director's Office **Attn:** UC
Advisor

Training **Attn:** AD Thomas J. Browne
DAD Tim Delaney
PM
UC

From: Operational Technology

Contact:

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430 SUB C

Title: Wireless Intercept and Tracking Team (WITT)

Synopsis: The purpose of this communication is to request an immediate launch of for WITT in the

Reference: 268-HQ-1068430 SUB C Serial 18, "Wireless Intercept and Tracking Team (WITT)

Details: Part of the of the is to provide training on issues related to In response to this mission created the for WITT This is one part of the process for WITT Operator. The module was created using the e-

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CELL/OTD 018624

(Rev. 05-01-2008)

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 02/24/2010

To: Training **Attn:** AD Brian D. Lamkin
A/DAD Mary F. Rook
PM
UC

From: Operational Technology
Contact

Approved By:

Drafted By:

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Case ID #: 268-HQ-1068430 Sub C

Title: Wireless Intercept and Tracking Team

Synopsis: The purpose of this communication is to request the launch of course titled Legal Issues for WITT and provide the necessary launch details to insure a successful implementation.

Details: The Operational Technology Division and the Training Division (TD) have worked together on the Legal Issues for WITT project which has resulted in the development of the Legal Issues for WITT The Operational Technology Division has worked with TD to complete the formal content and functionality reviews of the course. The Operational Technology Division is satisfied that the meets all of its content and functional requirements and requests launch of the

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The purpose of the is to review important concepts regarding legal and policy issues for the WITT program and is intended for use by . This course will be optional training.

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WIT wpd

CELL/OTD 018627

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To: Training From: Requesting Division
Re: EC NUMBER ON PROJECT REQUEST EC, MM/DD/YYYY

The Operational Technology Division is aware that the TD is required to submit certain course information and training records to other government agencies which requires the course classification markings to be correct. The content of the course is unclassified, but is intended for Official Use Only and is portion marked appropriately. The catalog information for the course, specifically the title and the description supplied to TD, are classified as unclassified and are portion marked appropriately.

The Marketing and Communication Plan will include reference to the course on the [redacted] WITT training section of our web site and announcements made at [redacted] meetings etc. Operational Technology Division agrees to allow the [redacted] to vett any marketing and communication materials prior to release if they contain any [redacted] specific information.

Students completing this course will receive 0.5 hours hours of credit on their [redacted] transcript.

Operational Technology Division has designated [redacted] U/C [redacted] as the executive sponsor of the Legal Issues for WITT [redacted] and [redacted] as the courseware point of contact. If discrepancies arise regarding the scope or accuracy of the content, users will be directed to the courseware point of contact for resolution.

The Operational Technology Division acknowledges its responsibility for formally reviewing the course content when there are upgrades or changes in functionality, policy, or procedures and providing to the [redacted] appropriate updates via a change request EC. The Operational Technology Division understands that courseware must be kept current else it will be subject to removal from the system after appropriate notification. The Operational Technology Division plans to review this [redacted] on a yearly basis.

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CELL/OTD 018628

CELLSITE-12897

To: Training From: Requesting Division
Re: EC NUMBER ON PROJECT REQUEST EC, MM/DD/YYYY

LEAD(s):

Set Lead 1: (Action)

TRAINING DIVISION

AT QUANTICO, VA.

The TD is requested to launch the Legal Issues for WITT [redacted] by making the course available on [redacted]

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Wireless Intercept Tracking Team

Charting the course through FY 2008 and beyond.

CELL/OTD 018123

WITT
Wireless Intercept and Tracking Team

Group Overview

- Team Members, Mission & Capabilities
- Goals & Objectives
- Engineering & Research Endeavors
- Assets & Product Line
- [redacted]
- [redacted]
- Accomplished Mission [redacted]

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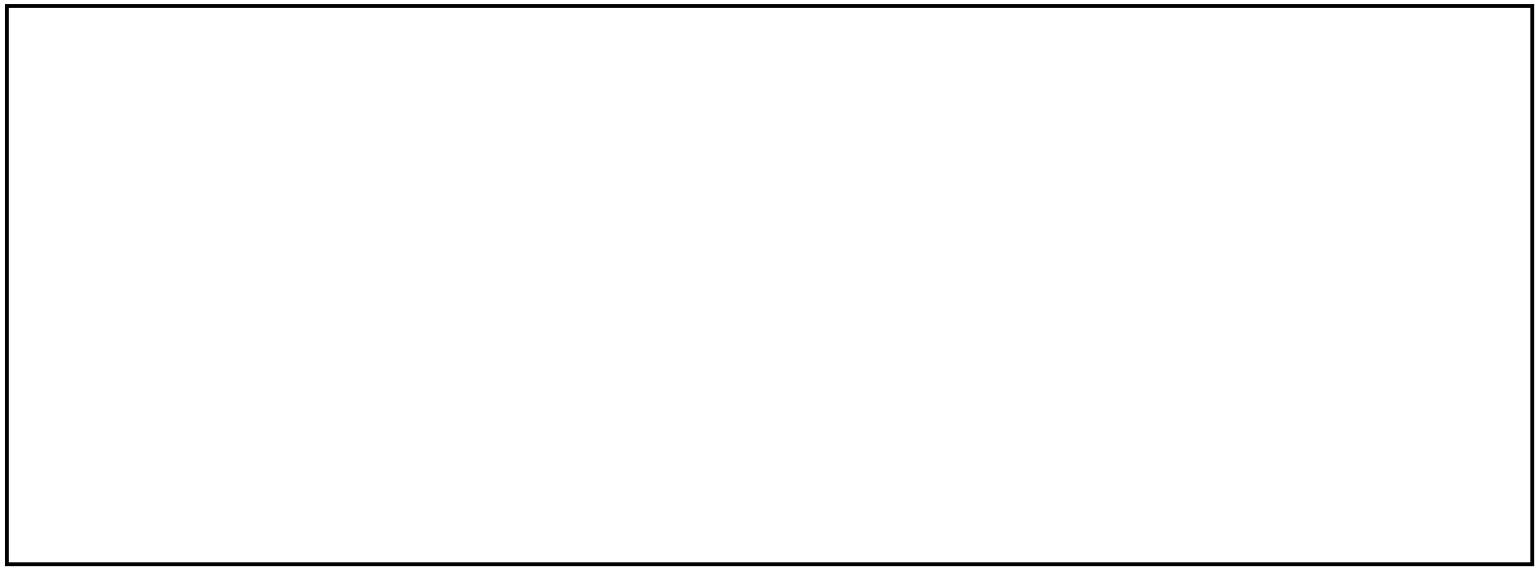
CELL/OTD 018124

Wireless Intercept and Tracking Team

WITT's Mission

The Wireless Intercept and Tracking Team (WITT)



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Wireless Intercept and Tracking Team

CELL/OTD 018126

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Mission Capabilities

WITT mission capabilities include all of the following:

- [redacted]
- [redacted]
- [redacted]
- [redacted]

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WITT [redacted]

- [redacted]
- [redacted]
- [redacted]

WITT
Wireless Intercept and Tracking Team

Mission Capabilities

WITT [redacted] are available for:

- [redacted]
- [redacted]
- [redacted]

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CELL/OTD 018128

WITT
Wireless Intercept and Tracking Team

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WITT's Objectives

The Goals

-
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Performance Measurement

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WITT
Wireless Intercept and Tracking Team

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Engineering Endeavors

The Goals

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The Gleanings

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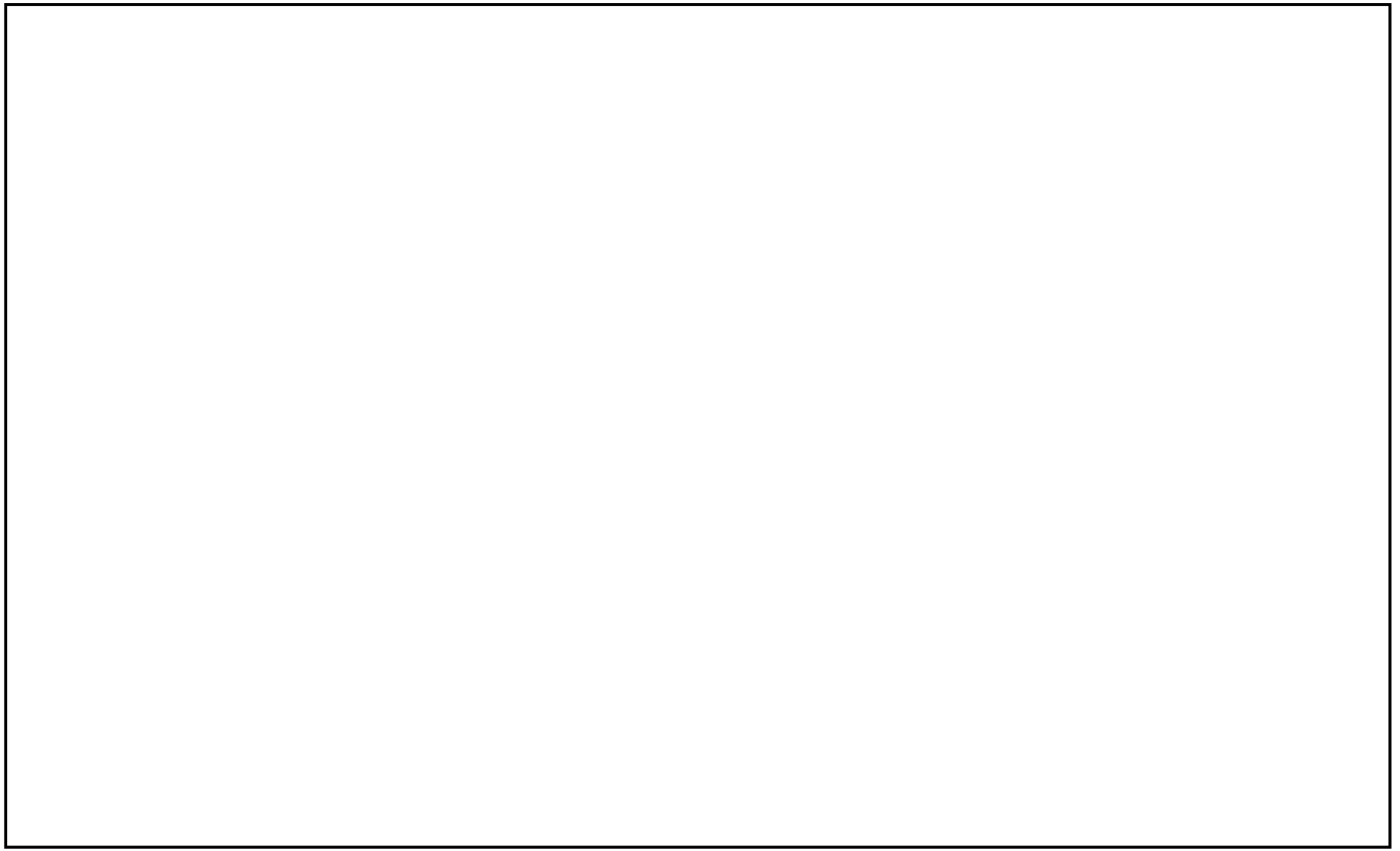
WITT
Wireless Intercept and Tracking Team

Equipment Deployment Status



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Questions or Comments

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WITT
Wireless Intercept and Tracking Team

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3/16/2006
DATE

ORDERING OFFICE/COST CODE

Page 1 OF 1

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Supply Technician:
Program Manger:
Funding Approved:
COTR:
Room# & Ext:

Contract Specialist:
Date Received:
PPMS Approval:
Purchase Order#

ITEM #	NATIONAL STOCK NUMBER	SER #	FULL DESCRIPTION	UNIT OF ISSUE	QTY.	SUBOBJECT CLASS	BI#	UNIT PRICE	TOTAL
1									
2									
3									
4									
5									
			Recommend by: Unit Chief						
			Requested by/Deliver to: Federal Bureau of Investigation						
			ERF Building 27958A, Quantico, VA22135					Total	
			Attn:						

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SPECIAL INSTRUCTION:
Ship to Code:
Delivery Restrictions: M-F, 8am-4:30pm, except holidays
Government's Estimate:
Previous PO #
Previous Contract #

JUSTIFICATION FOR THE PURCHASE OF NONEXPENDABLE ITEM:
See Attached EC

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Efforts

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Research & Evaluation Efforts

- Making the leap from [redacted]
- Increasing the efficiency of WITT [redacted]
- [redacted]

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Wireless Intercept Tracking Team

WITT Capabilities Briefing

WITT
Wireless Intercept and Tracking Team

CELLSITE-12949

CELL/OTD 0181 of 85

In Overview

- The WITT Team
- The WITT's Mission
- WITT [redacted] b3 b7E
- WITT's [redacted]
- WITT [redacted]

CELL/OTD 018176

WITT
Wireless Intercept and Tracking Team

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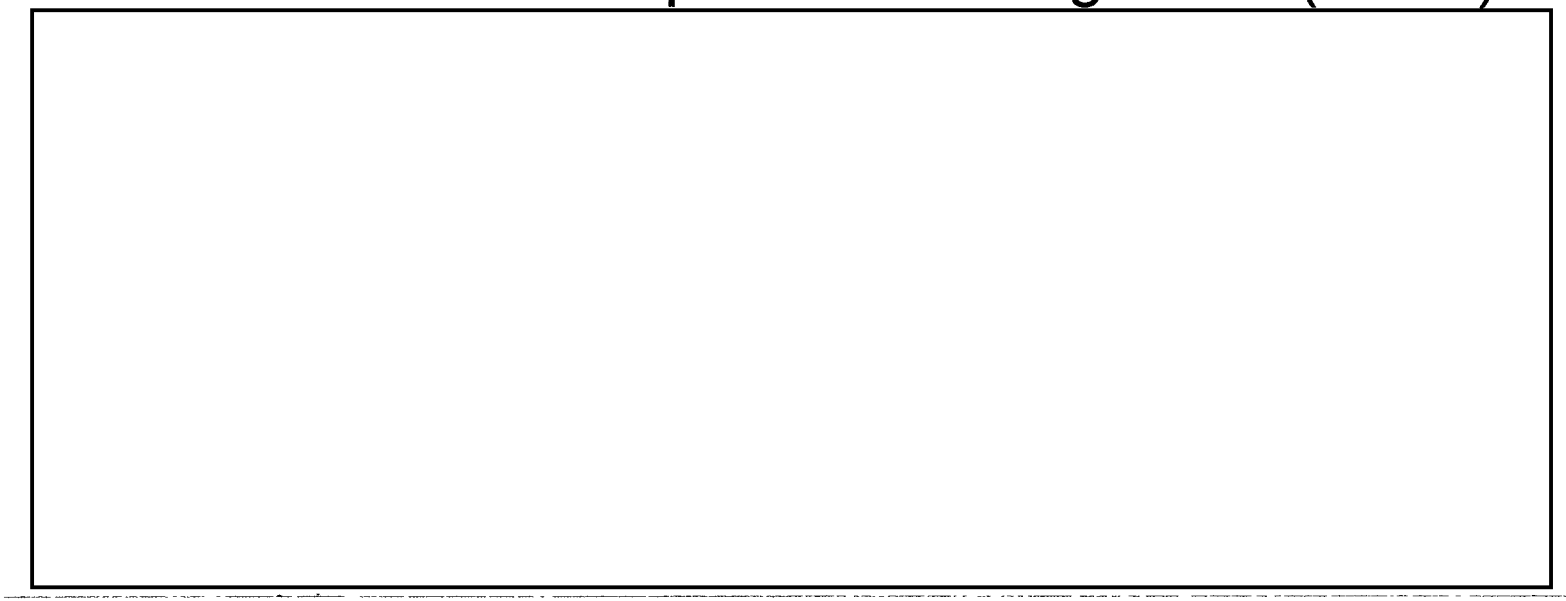
WITT's Mission

The Wireless Intercept and Tracking Team (WITT)



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WITT
Wireless Intercept and Tracking Team

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Engineering Endeavors

The Goals

The Gleanings

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WITT
Wireless Intercept and Tracking Team

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Mission Capabilities

WITT [redacted] are available for:

- [redacted]

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WITT
Wireless Intercept and Tracking Team

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WITT
Wireless Intercept and Tracking Team

Wireless Intercept & Tracking Team

Technology Overview

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WITT
Wireless Intercept and Tracking Team

Team Mission

The FBI's WITT has been chartered to:

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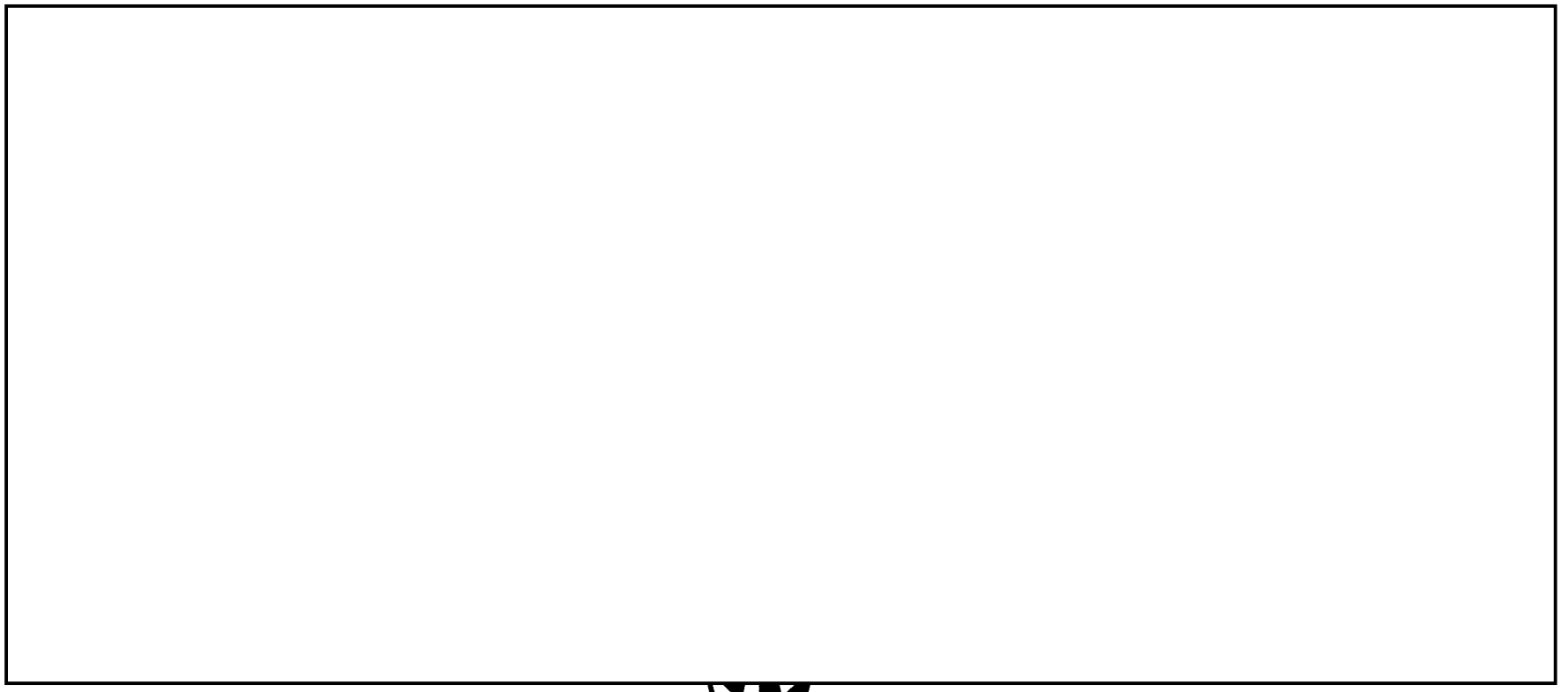

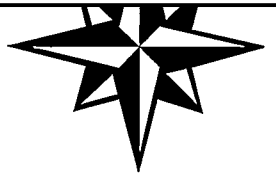

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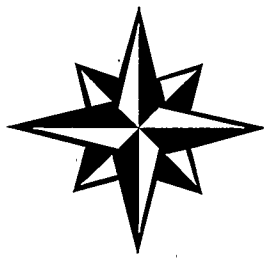
Questions and Comments



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[redacted] WITT PROGRAM

[redacted]ON

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WORKBOOK

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ON 11-28-2012

[redacted]

From: [redacted]
Sent: Monday, August 23, 2010 1:50 PM
To: [redacted]
Subject: [redacted] Tech proposal

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~~RECORD 268-HQ-1068430~~

[redacted]

Here is the Tech Proposal. Please look at section 3.2 before starting at the beginning. I think there are still a few technical questions that will come out of it, but at first glance it looks to meet Phase 1.

[redacted]

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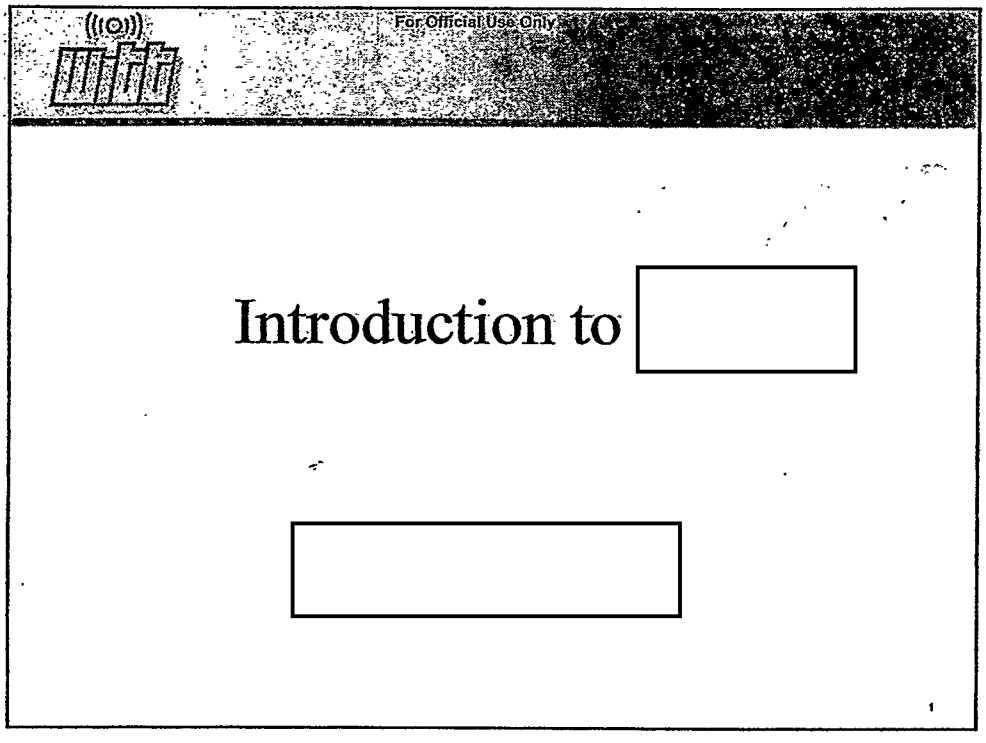

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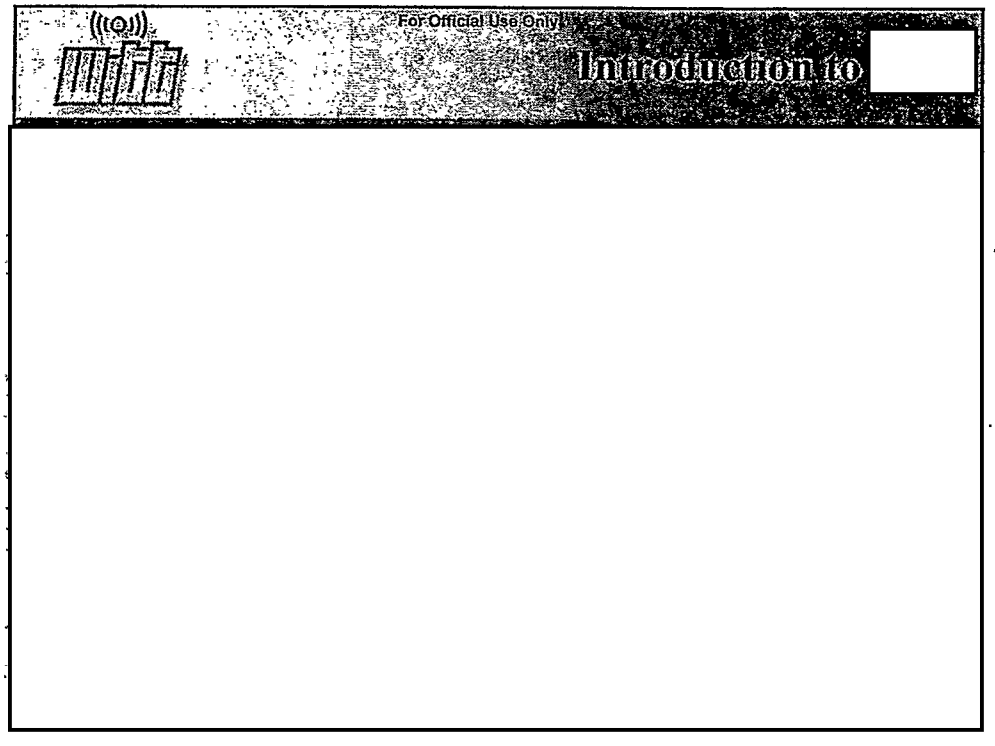

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Advanced Field Exercise

ERF

Quantico, Va.

April 7-10, 2008

CELL/OTD 018922

Questions?

- Next Presentation
  - [redacted] Work Book

b3
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Exercise Overview
Co-op Missions
Day 2

2.01

Equipment Day 1 and Day 2

- [redacted]
- Student Disk

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Questions / Comments

Questions and Comments

Next Steps... Field Exercises

Note: Make sure you [redacted]

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13

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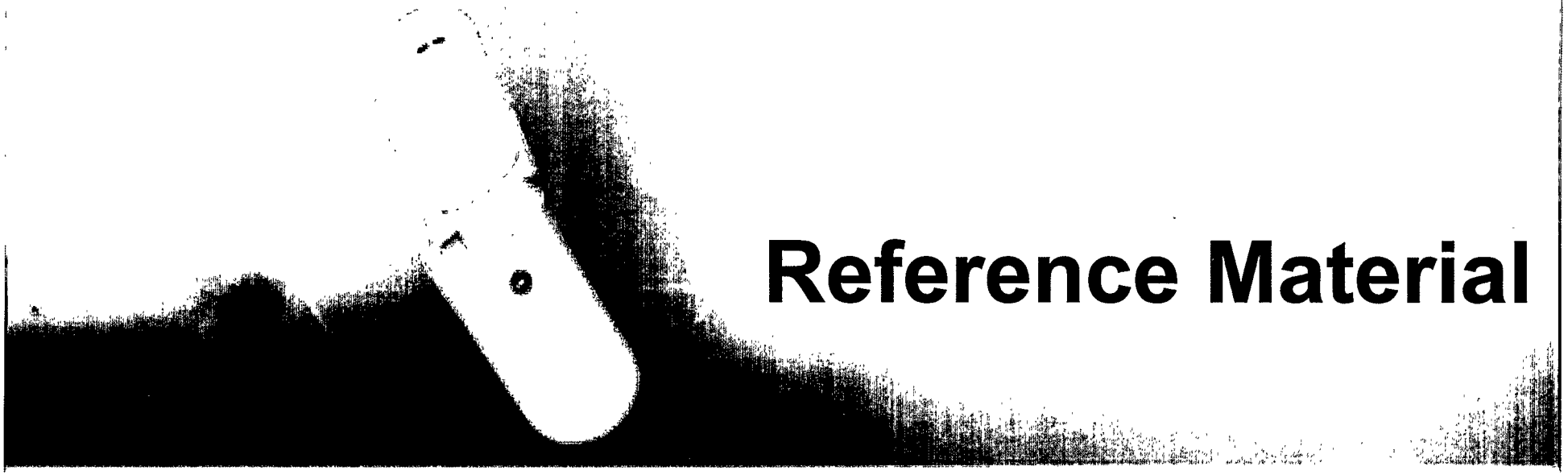

Reference Material

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Technology Matrix

024386 CELL/OTD

TECH	NATIONWIDE SERVICE PROVIDERS	WITT EQUIPMENT

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StingRay Overview

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Introduction to StingRay

StingRay is a

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CELL/OTD 024465

CELL/OTD

CELLSITE-8022

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StingRay

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Normal StingRay Setup

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CELL/OTD 02446?

CELLSITE-8024

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CELL/OTD 024468

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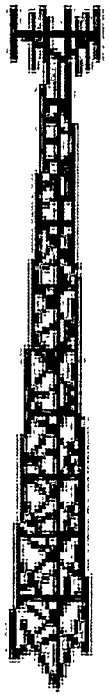
StingRay Missions



[redacted] missions will use the StingRay-

[redacted]

StingRay won't help you

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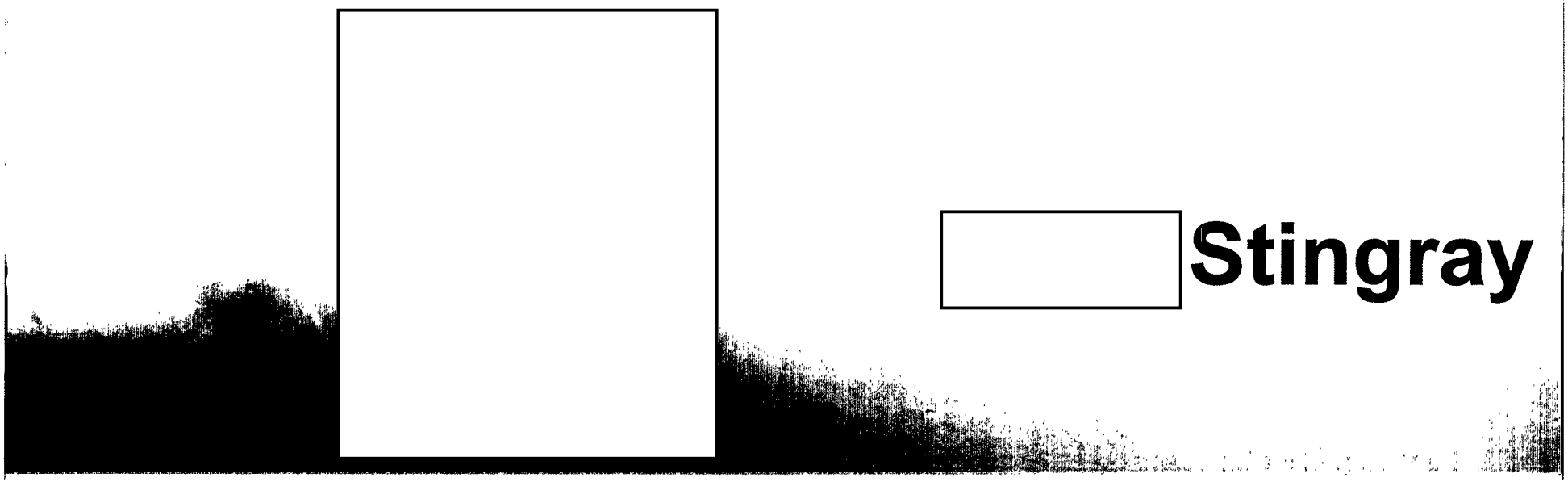
[redacted]

Stingray



CELLSITE-8027

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Stingray Training Guide

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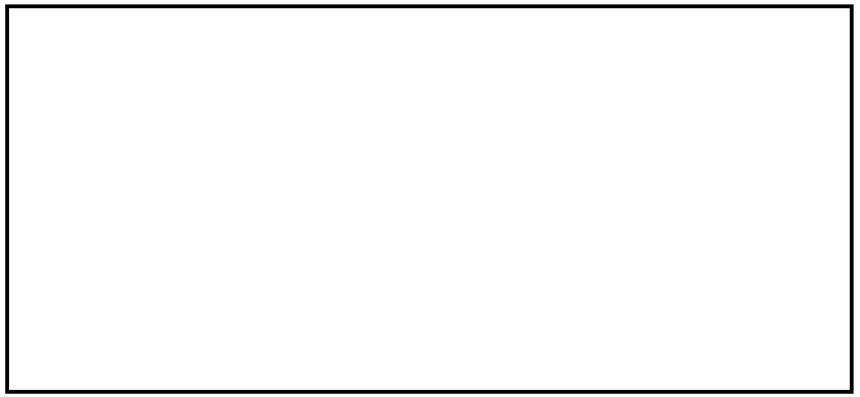
- Go to Stingray Training Guide



CELL/OTD 024471

CELLSITE-8028

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Reference Materials

- The following are technical reference materials

CELL/OTD 024472

CELLSITE-8029

- Use CALEA Information
-
- CALEA

FBI/DOJ 024484
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Questions

CELL/OTD 02450

CELLSITE-8061

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CELL/OTD 024546

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[redacted]

StingRay

STINGRAY TRAINING GUIDE

CELLTD 024548
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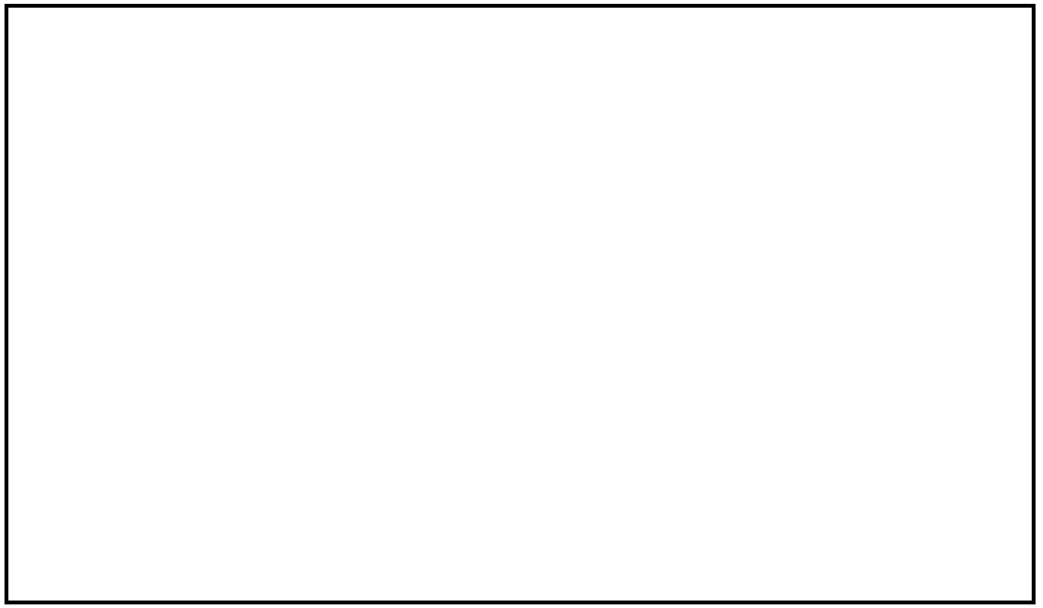
- Go to the STINGRAY Training Guide



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STINGRAY TRAINING GUIDE

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CELL/0

- Go to the STINGRAY TRAINING GUIDE

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Reference Materials

- THE FOLLOWING MATERIAL IS FOR TECHNICAL REFERENCE

CELL/GTD

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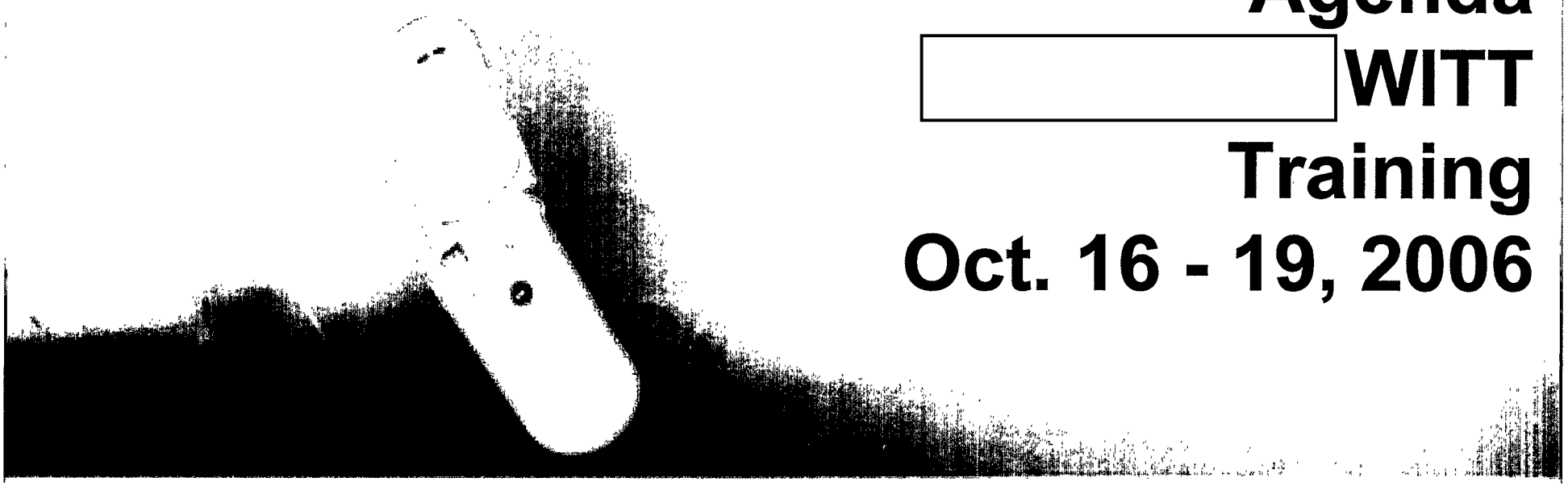

Agenda
[redacted] WITT
Training
Oct. 16 - 19, 2006

WITT
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Agenda

CELL/OTD 024389

Day 1:

- Introductions
- [redacted] StingRay Overview
- [redacted]
- [redacted]
- [redacted]

Day 2:

- [redacted]

Day 3:

- Legal Brief
- [redacted]

Day 4:

- [redacted]
- Wrap up and course review

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The Federal Bureau of Investigation,

[redacted] presents:

[redacted]

Overview

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Course Overview

This course intends to provide an understanding of the information needed in order to [redacted]

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CELL/OTD 024391

CELLSITE-8079

Course Overview

- The course organization is as follows:
  - Antennas and Antenna Sectors
  - Cellular Network Architecture
  - Frequency Bands and the Cellular Air Interface
  - Introduction to [redacted]
  - Introduction to [redacted]
  - Introduction to [redacted]
  - Reference materials
  - Course exam

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CELL/OTD 02439

Antennas and Antenna Sectors

CELL/OTD 024393

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Why do they call it Cellular?

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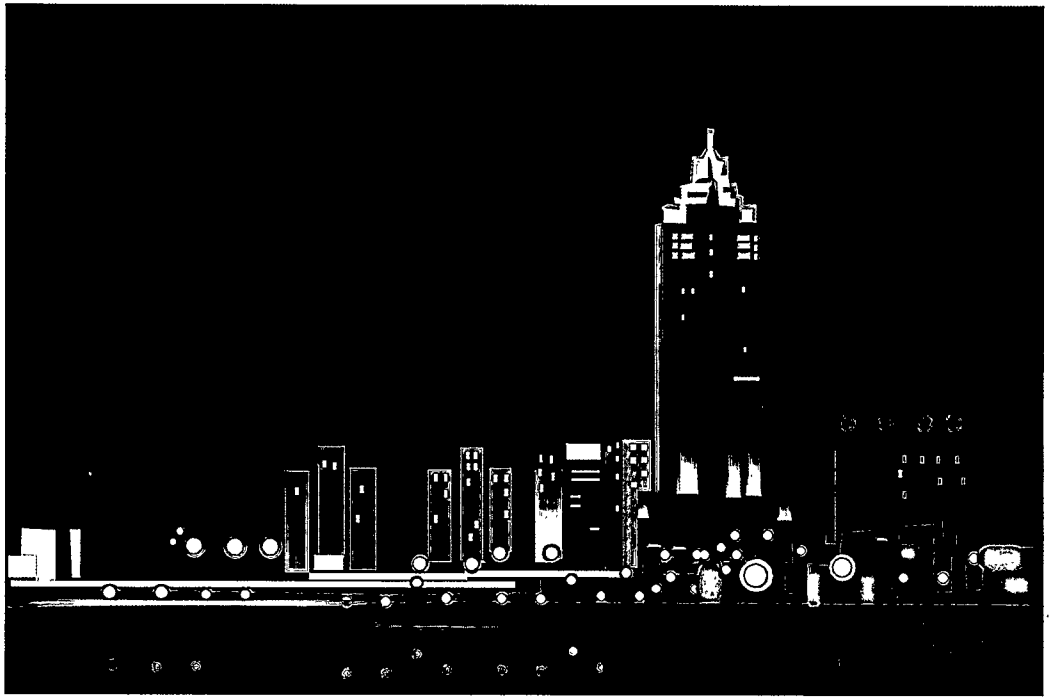
During the early days of mobile communications, systems used high powered transmitters and very tall antenna sites. Equipment was expensive and bulky. One tower might service an entire city. This proved to be very inefficient use of the radio frequencies available. For instance, during the 1970s the entire mobile phone system in New York City could handle only twelve simultaneous calls.



CELL/OTD 024396

During the early 80's, the FCC made additional frequencies available for use in mobile communications. It was after this addition that the cellular systems began to come into being. A cellular system uses shorter towers spaced closer together and lower powered equipment.

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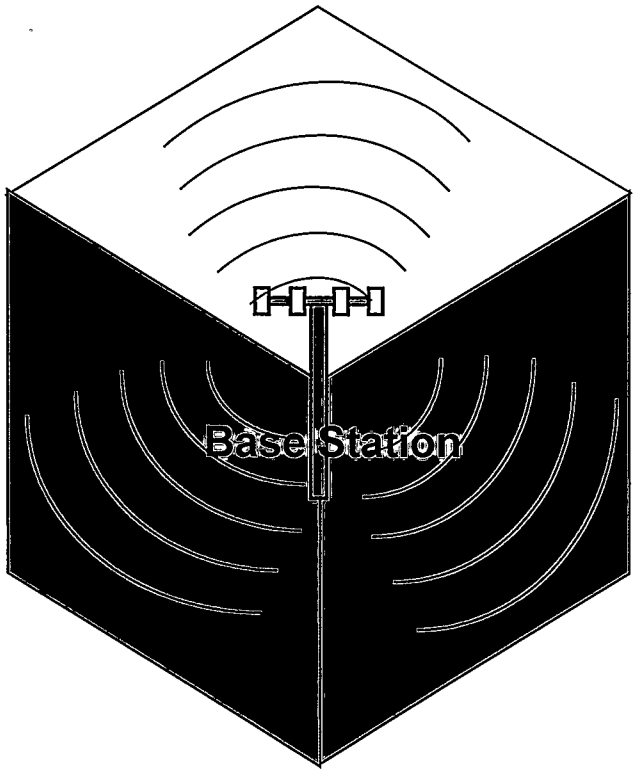
Makeup of a Cell Site



Most Cell Sites transmit in three equal sectors from the tower. Each sector can send different information to the users. A Cell site is also known as a Base Transceiver Station, or BTS.

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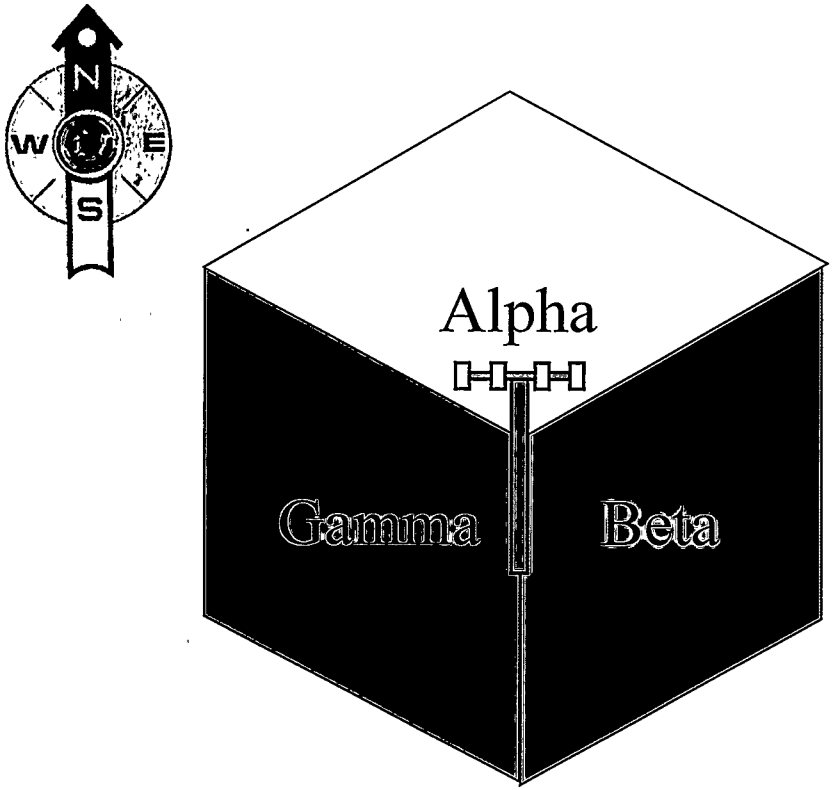
Cell Sector ID's



The cell sectors of a tower are numbered sequentially, usually with the designators: Alpha, Beta, and Gamma. The Alpha sector usually faces North. Sometimes, the service provider uses other means, such as 1,2,3, or a,b,c. to identify sectors. Each Tower site will have a unique number identifier in the system.

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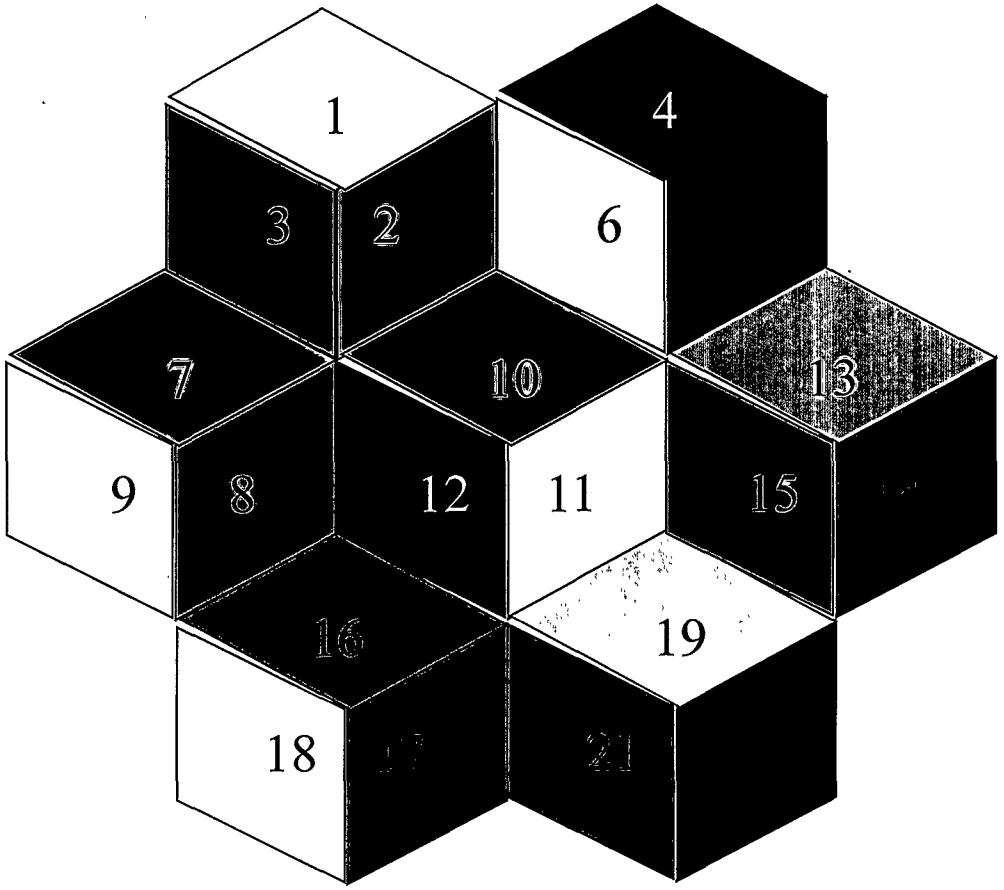
Pattern Reuse



- This seven tower layout uses twenty one different sectors.

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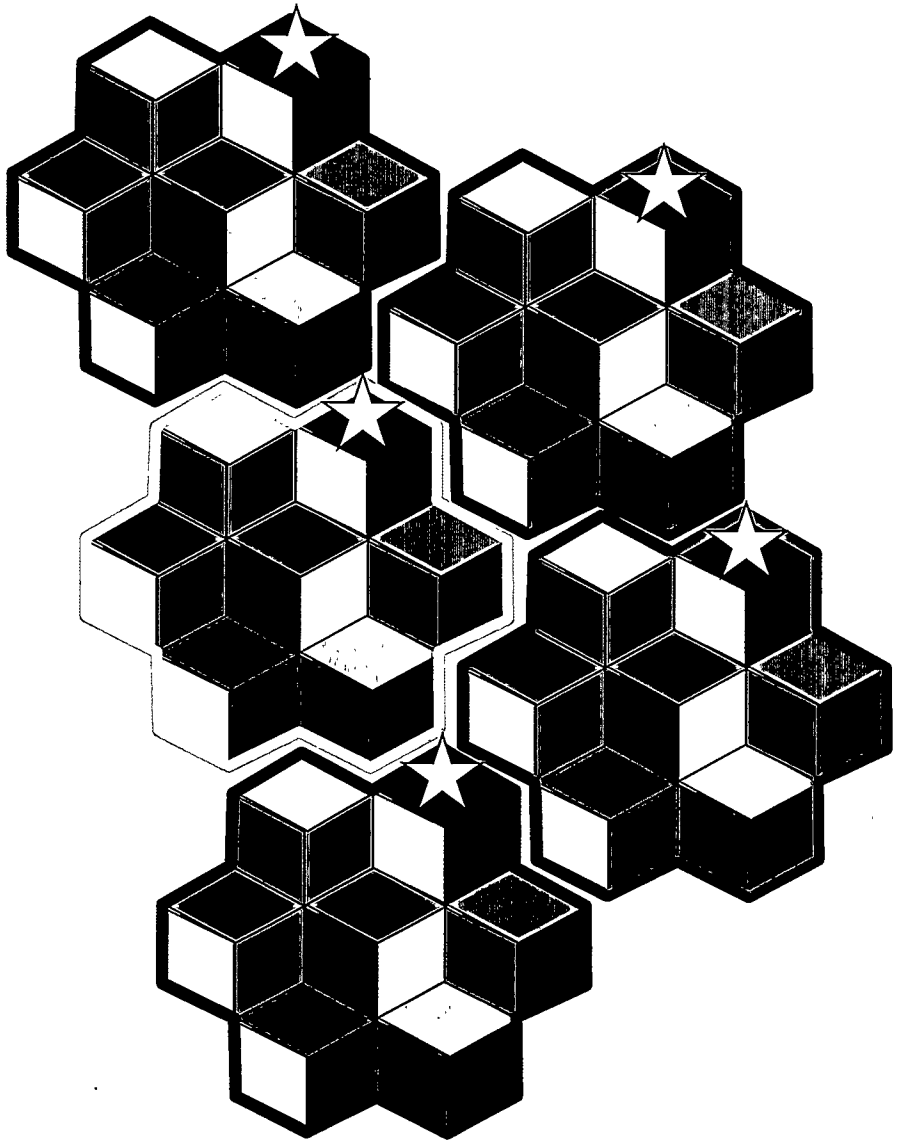
Cell Sites and Sectors



The benefit of having multiple low powered towers allows for the same RF channel to be reused over a relatively short distance. This increases the number of users that the system can process.

☆ - Same RF channel

CELL/OTD 024400

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Metropolitan Coverage

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Cell sites are not always evenly distributed. Service providers have to account for the topography of the area, as well as high usage areas, such as urban areas or along expressways.

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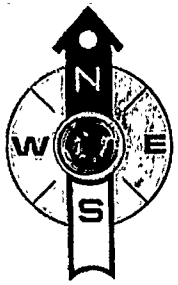
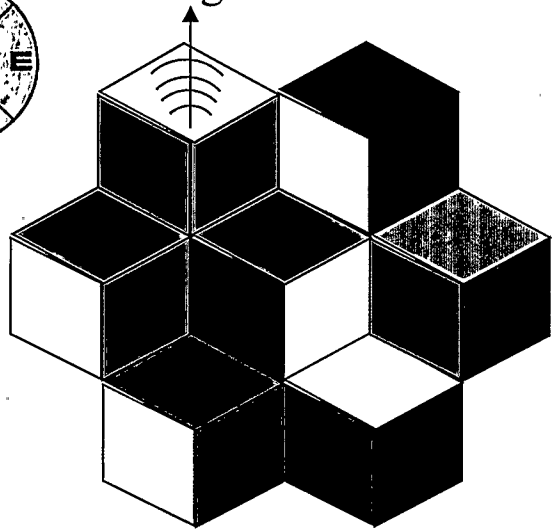
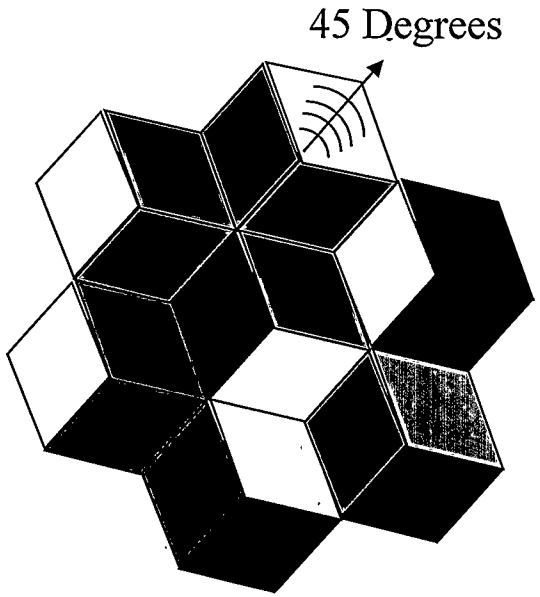
Cell Tower Orientation







Service providers can arrange their systems any way they choose. Some systems have the Alpha tower face pointing Northward, while others may rotate their antennas away from true North.

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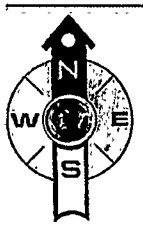
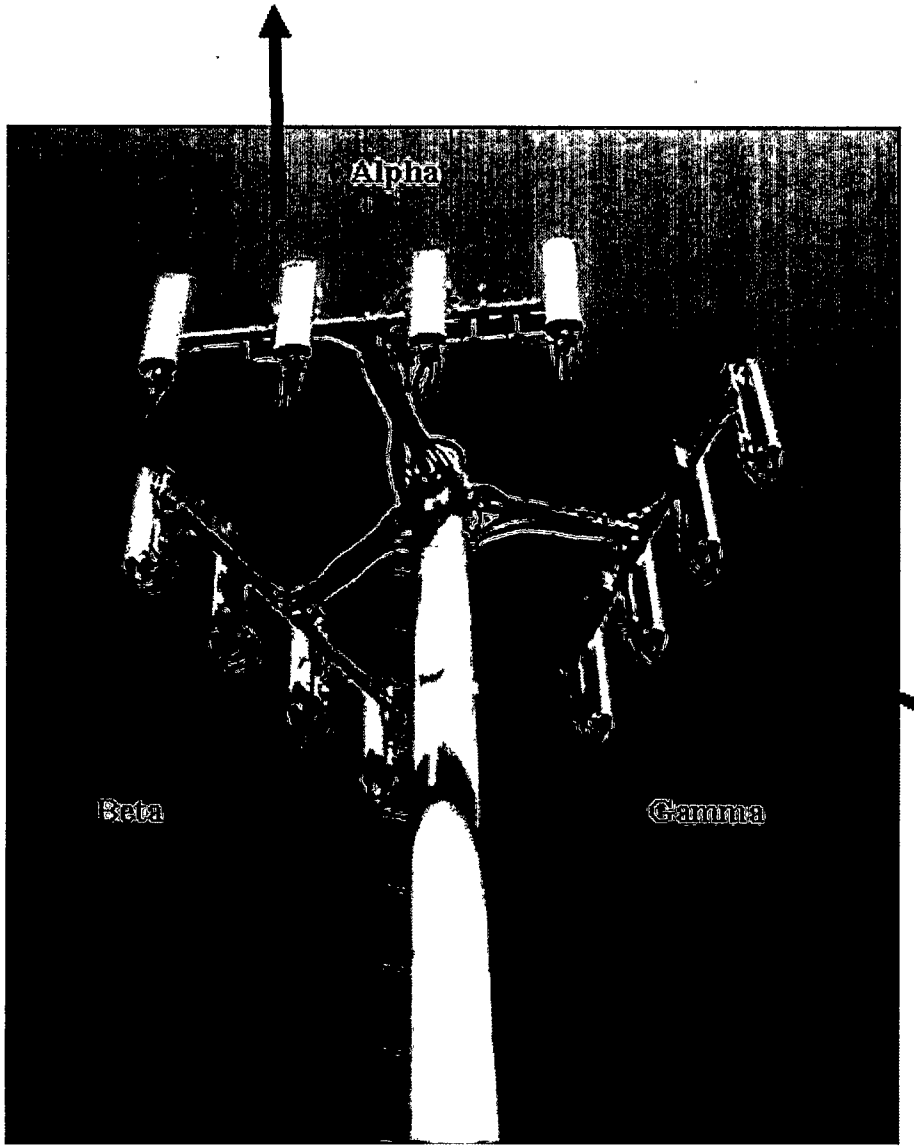
Cell Towers

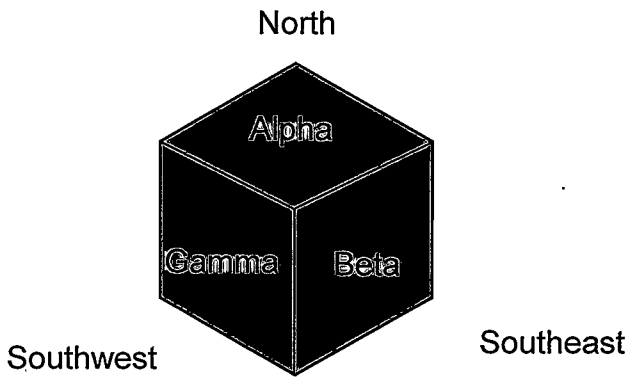




A typical three sector tower antenna arrangement

If the Beta and Gamma sectors seem reversed in the photo, remember that you are looking up at the tower from below. Cell maps are drawn as if you are looking at the towers from above

CELL/OTD 024403



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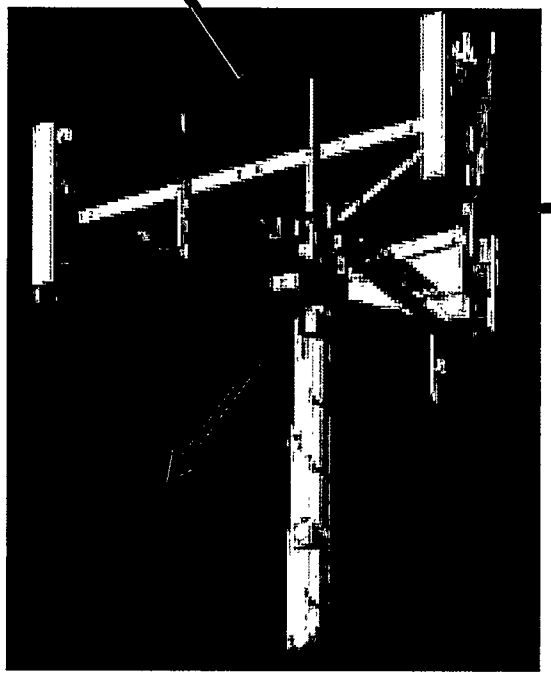
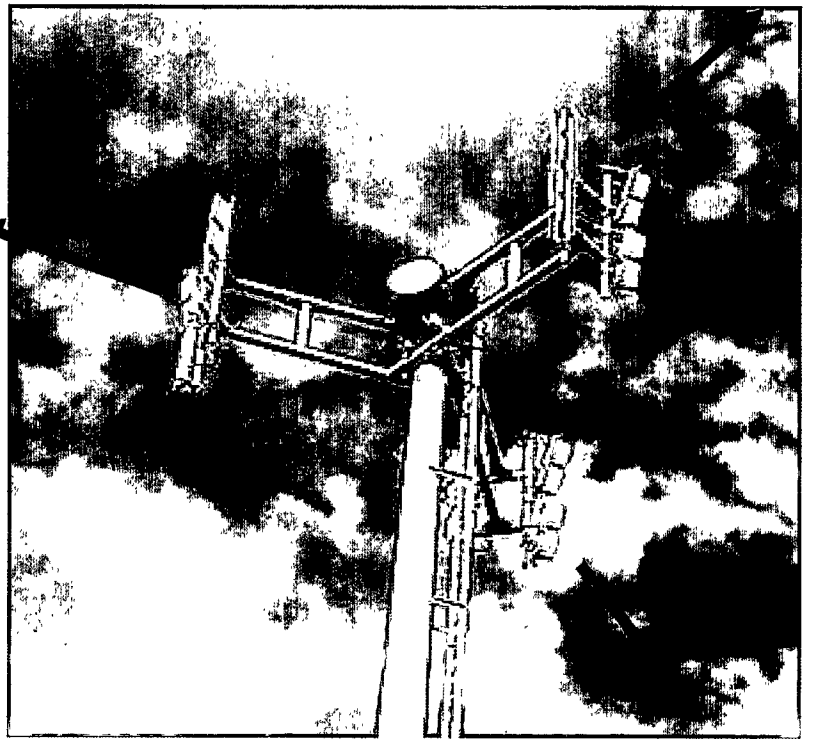
Cell Towers

Direction of Coverage



Antenna



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When observing towers that just have antennas on the tips of the triangle pay close attention to which direction the broader side of the panel is facing. This is the direction indicator for the sector.

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Cell tower examples

Panel antennas on roofs are common

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Cell tower examples

Pole top antennas

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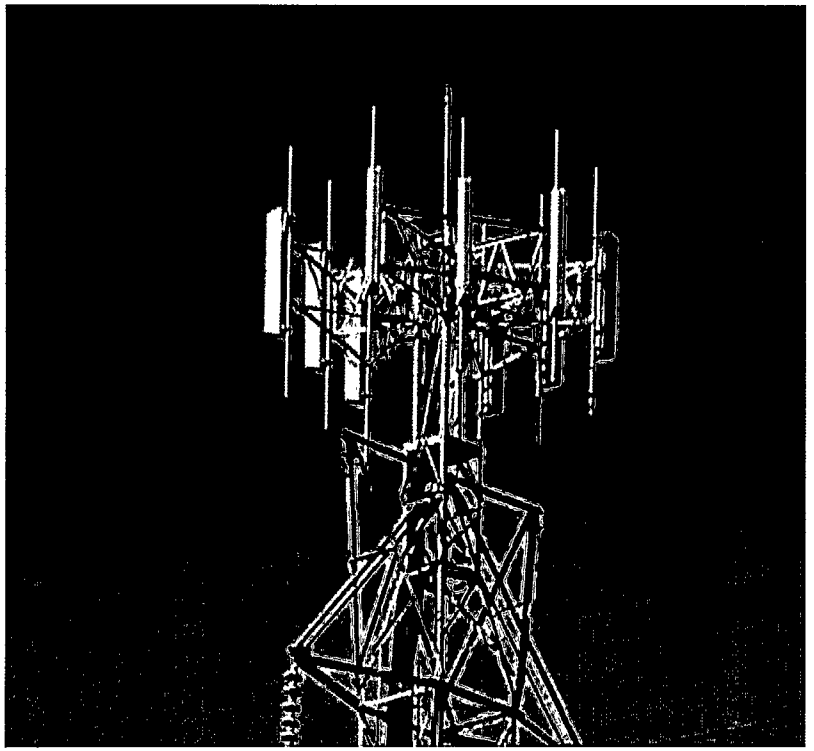
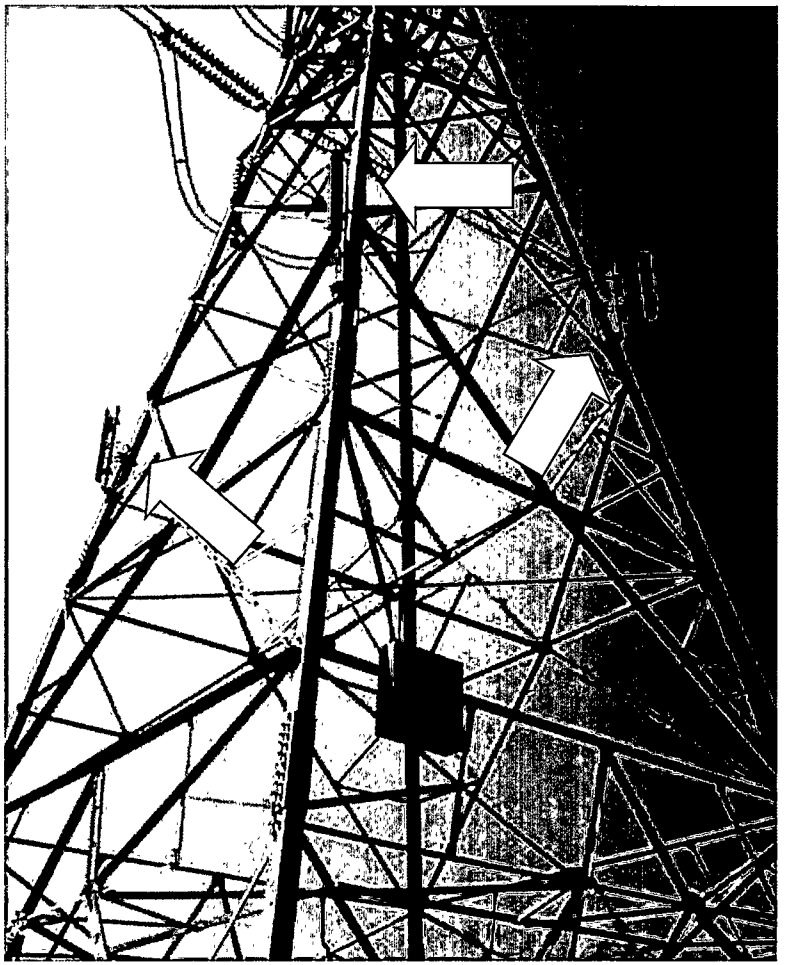
Cell tower examples

High Tension line towers being used for sites





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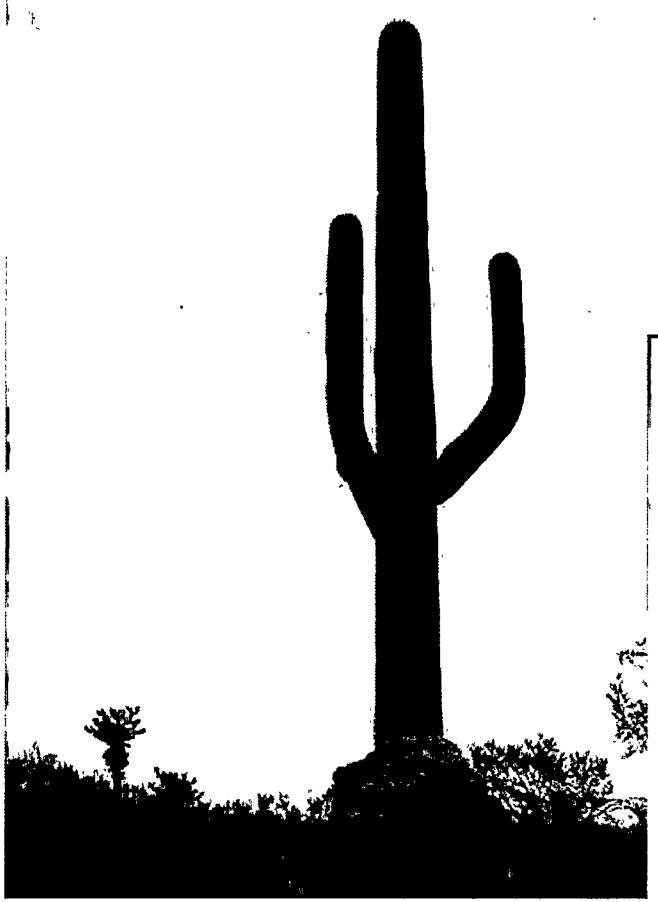
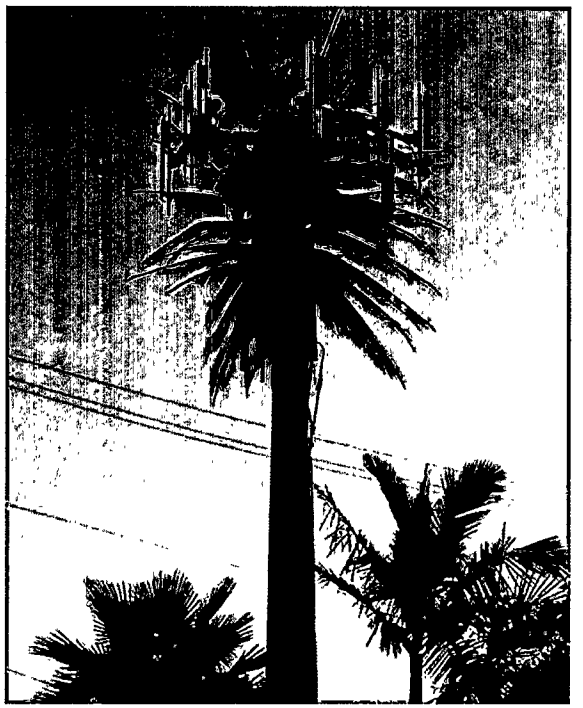
Cell tower examples

With strict zoning laws, antenna makers are becoming more creative





CELL/OTD 024408

CELLSITE-8096

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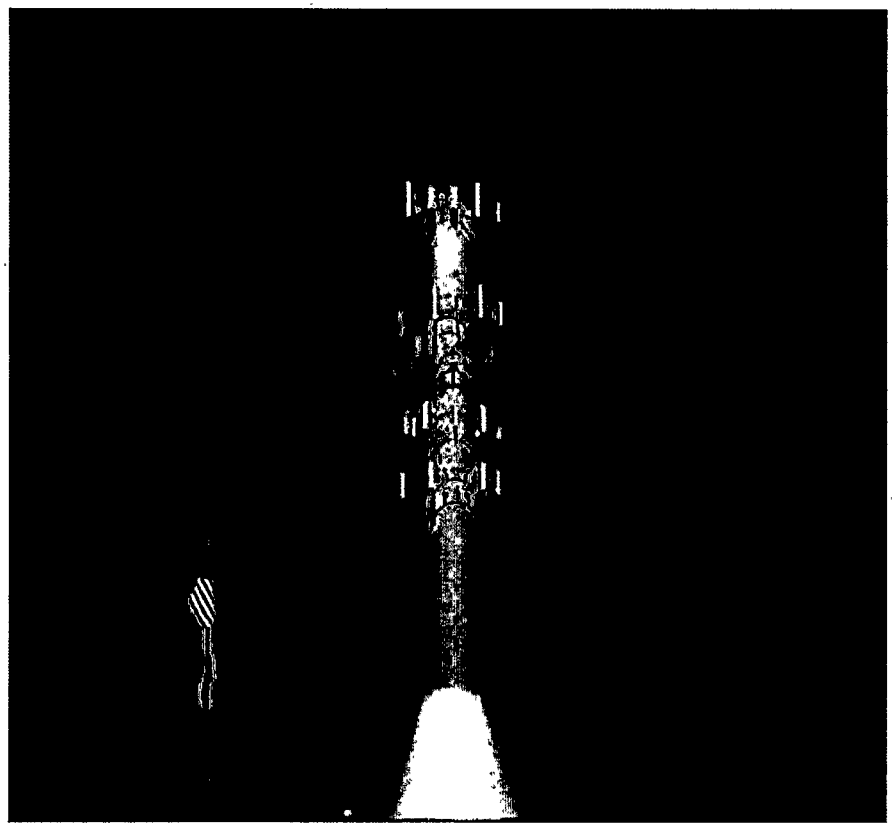
Cell tower examples



Water Towers

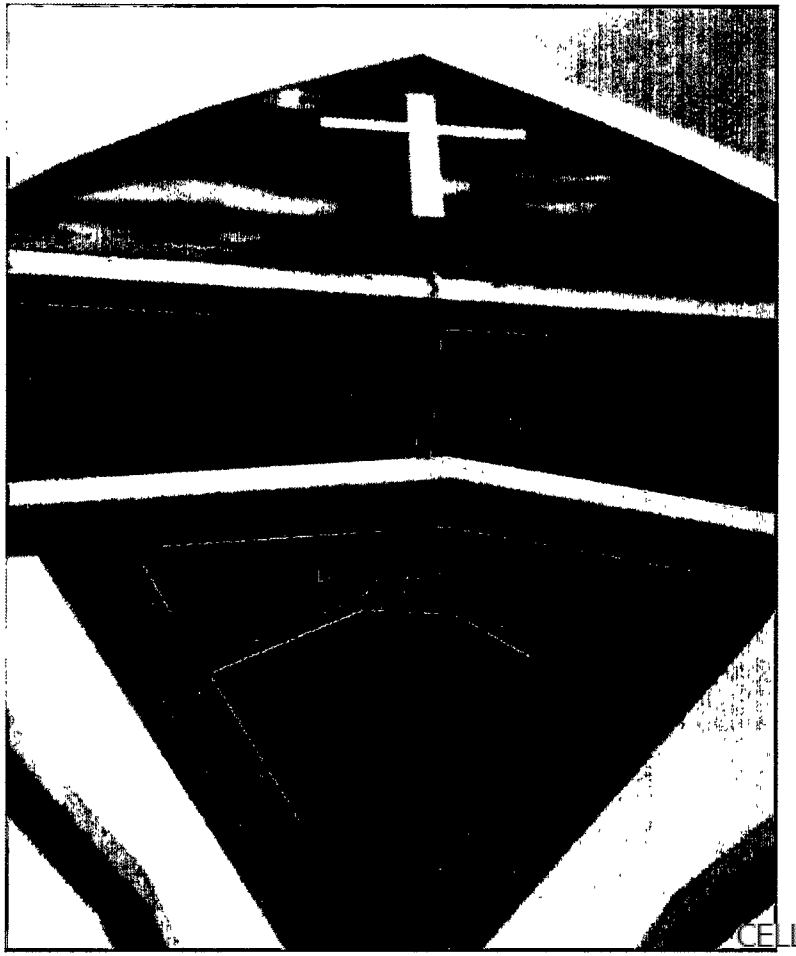
CELLSITE-8097

WITT
Wireless Intercept and Tracking Team

Cell tower examples

Entire cell site including base electronics and power supply housed inside a fiberglass boulder

Church Steeple



CELL/OTD 024410

CELLSITE-8098

Cellular Network Architecture

CELL/OTD 024411

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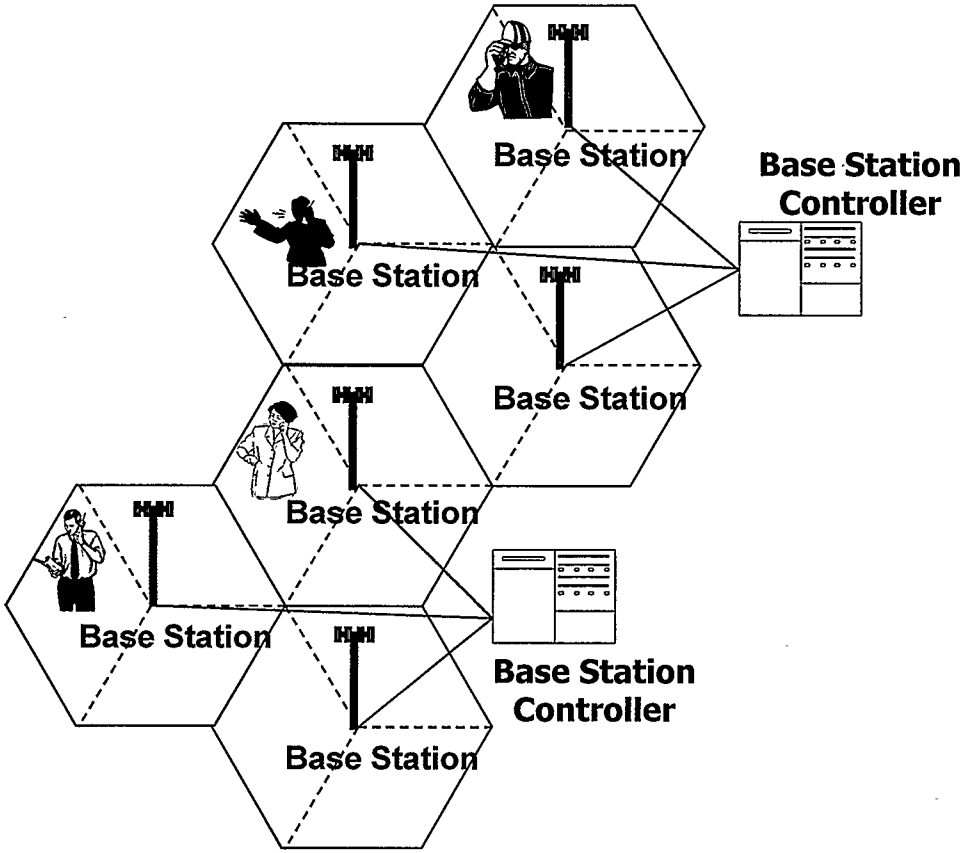
Cellular Network Architecture



Cell towers blanket an area of coverage. Each tower is equipped with a base station transceiver. Multiple towers connect to a Base Station Controller. This link may consists of a hardwire connection or by microwave.

CELL/OTD 024412

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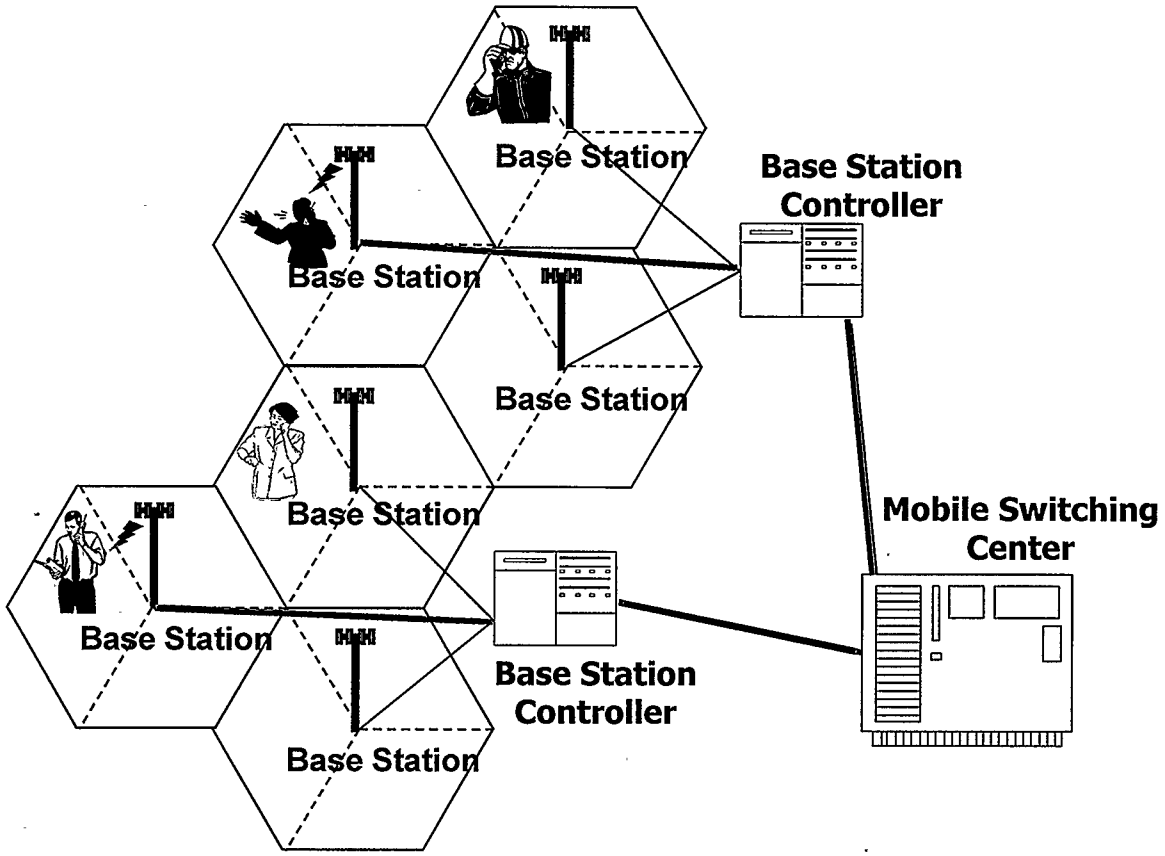
Cellular Network Architecture



Multiple Base Station controllers connect to the Mobile Switching Center (MSC) (also referred to as a Mobile Telephone Switching Office, MTSO). The MSC controls the call traffic in the system.

CELL/OTD 024413

CELLSITE-8101

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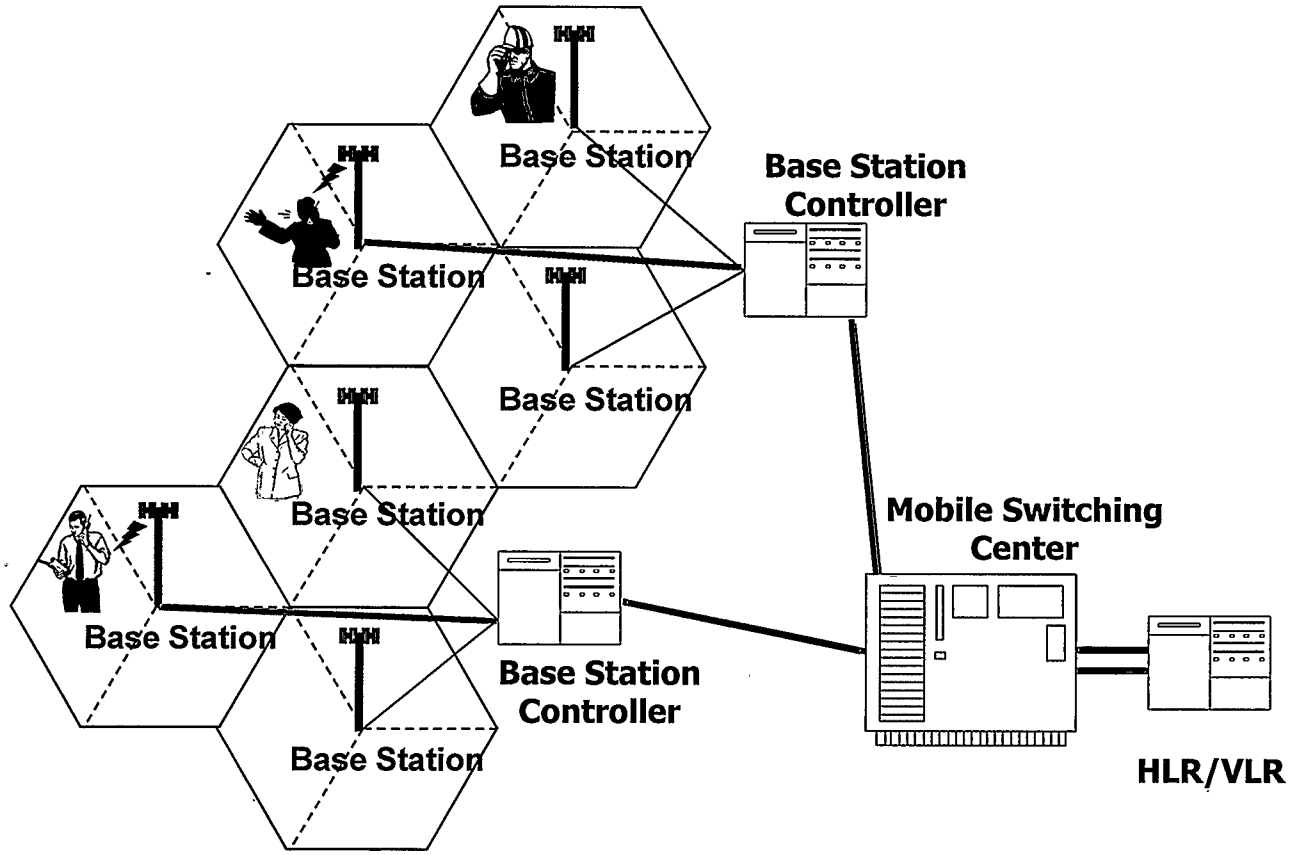
Cellular Network Architecture



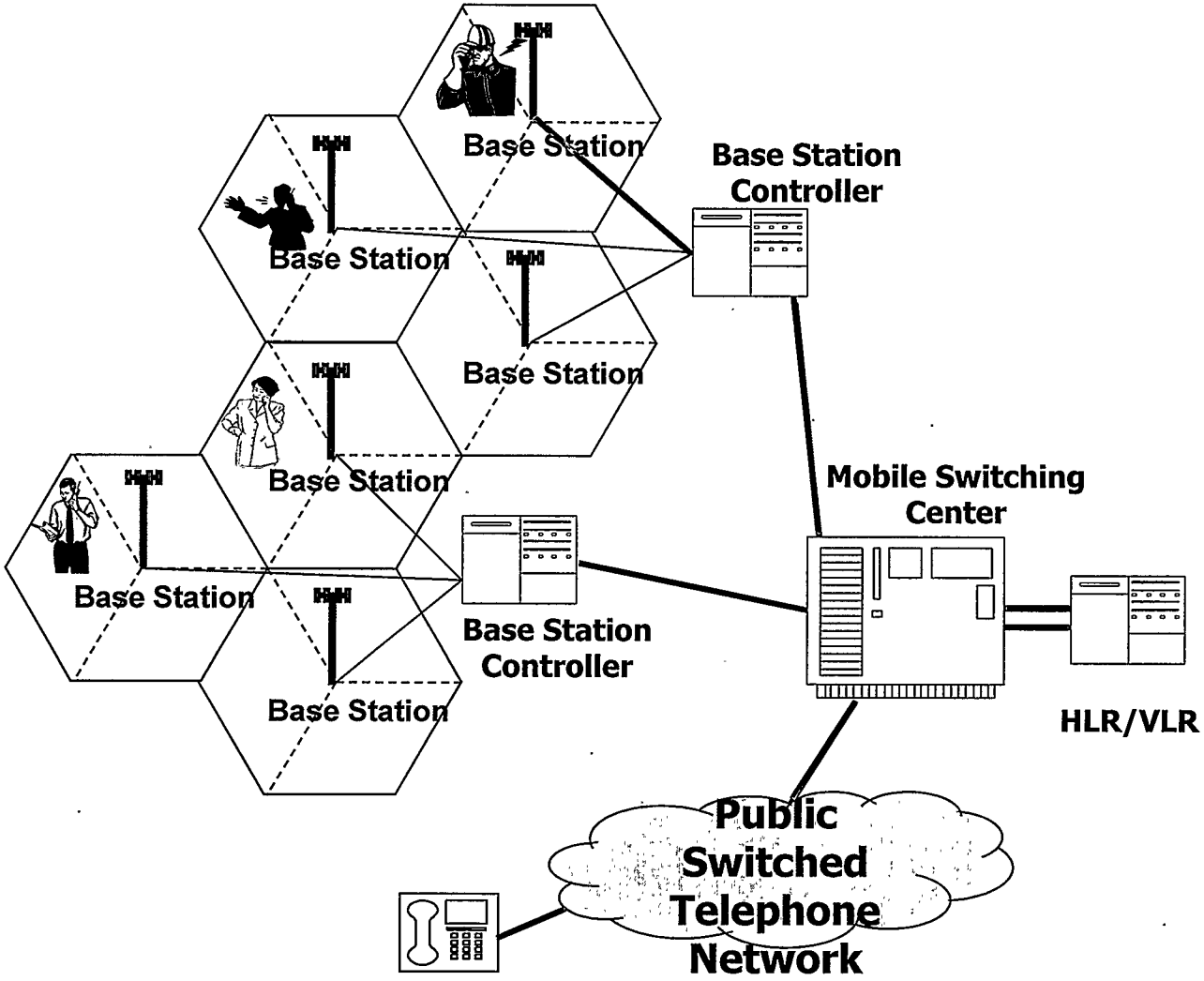
When a Mobile Station (cell phone) powers on and off, it sends a message to the system with it's identity and parameters. This is called a registration. The information is recorded in the HLR. The handset repeats sending a registration message periodically as determined by the network.

Within the MSC resides the Home Location Register, (HLR) and the Visitor Location Register (VLR). (HLR is a separate entity and is not part of the MSC however the VLR is often integrated into the MSC.) Each time a call is placed, the subscriber record is checked to see that the subscriber requesting service has a valid account and the prescribed service features are made available to them.

CELL/OTD 024414

CELLSITE-8102

Cellular Network Architecture



The MSC provides connectivity to the Public Switched Telephone Network (Landline phones), as well as connectivity to data services such as web, email, and multimedia for people with high speed data capable phones or cellular data cards.

CELL/QTD 024415

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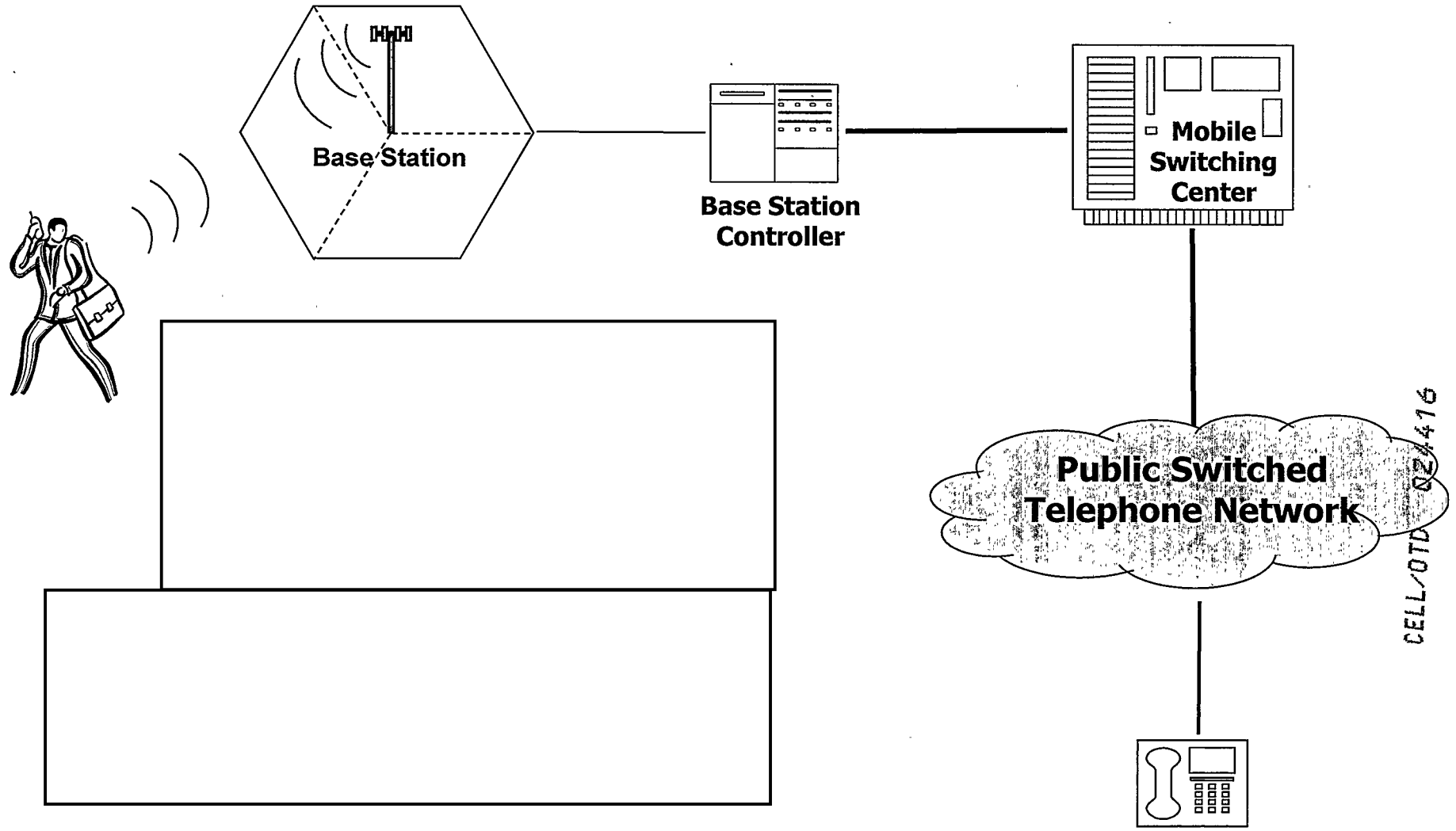
Cellular Network Architecture



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CELLSITE-8104

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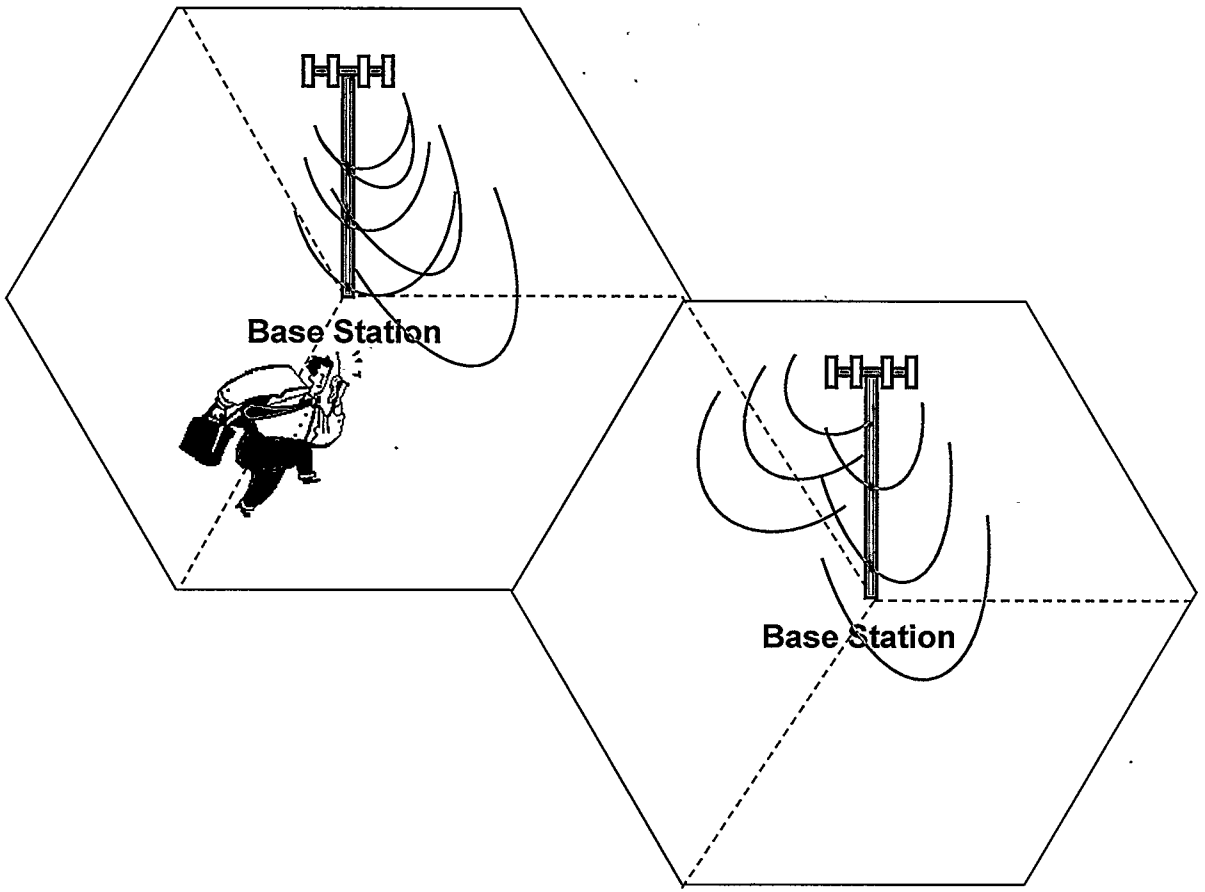
Cell handoffs



- Once a call is placed or received, the cellular user communicates with their service provider's closest cell tower
- As the user moves geographically, "handoffs" will occur between cell towers

CELL/OTD 024417

Frequency Bands and the Cellular Air Interface

CELL/OTD 024418

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Frequency Bands

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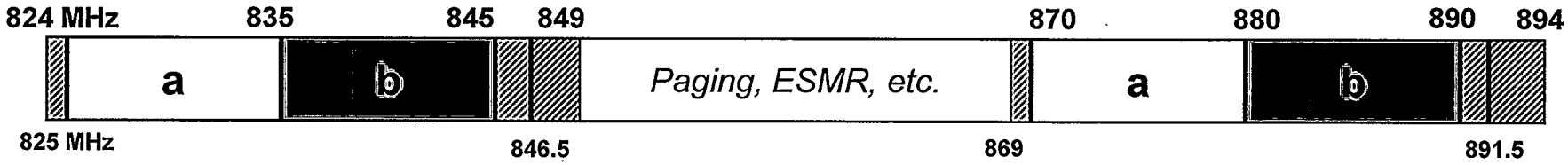
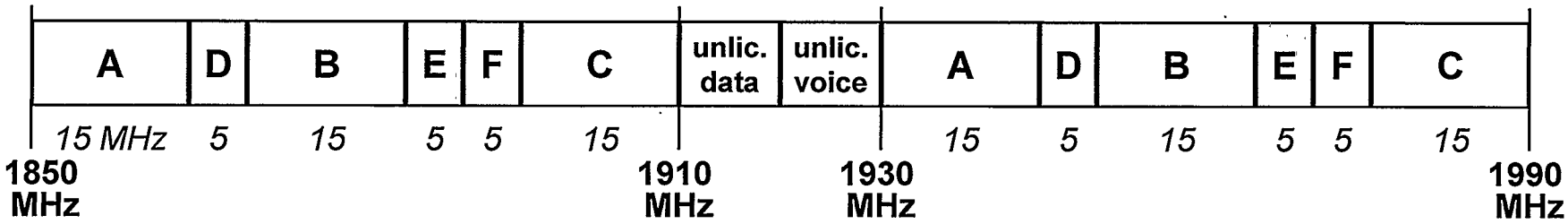
Communication between the mobiles and the network occur in two frequency bands in the United States, (800 & 1900MHz).* Overseas networks operate in the 900 & 1800MHz bands.

Cellular Spectrum Allocations in North America



Personal Communications System (PCS) Spectrum Allocations in North America



*

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CELLSITE-8107

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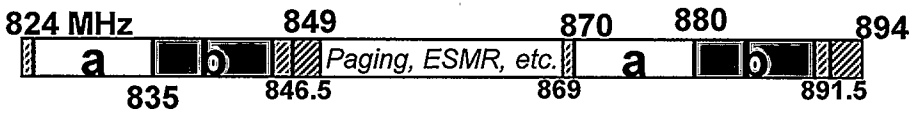
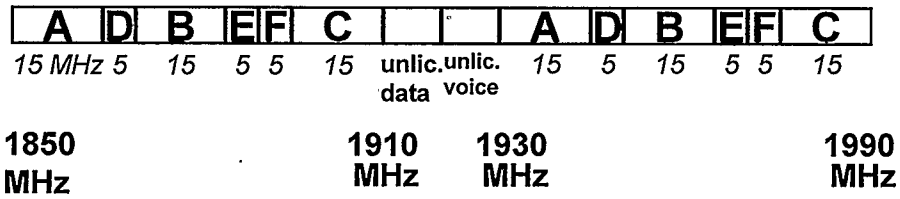
Frequency Bands

Cellular Spectrum



PCS Spectrum



- The 800 MHz Cellular band has two sections, small "a" and small "b". These were the original cellular frequencies.
- The PCS band is divided into six bands, large A-F. Bands A-C are 15 MHz wide, D-F are 5 MHz wide.
- Ownership of these blocks are not uniform. A service provider might operate in "b" in one market and "C" in another.

CELL/OTD 024420

CELLSITE-8108

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RF Channels

Cellular and PCS frequency bands are subdivided into Radio Frequency (RF) channels for communication between base stations and mobiles. Mobiles transmit on one frequency and listen on another.

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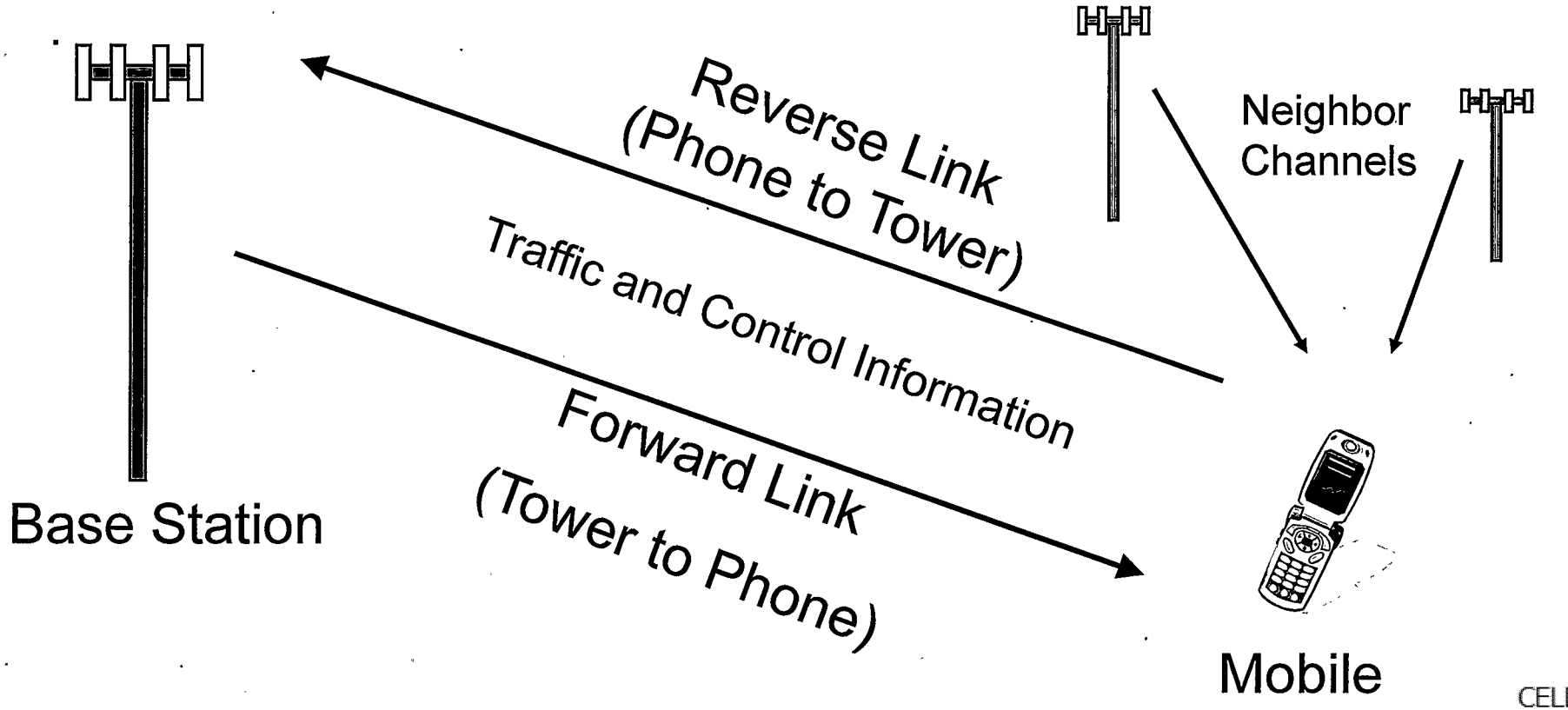

CELL/OTD 024421

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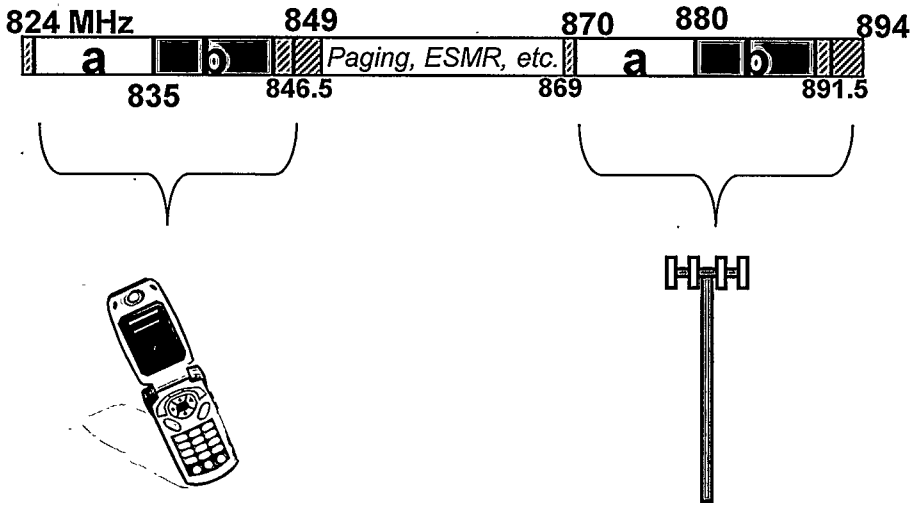
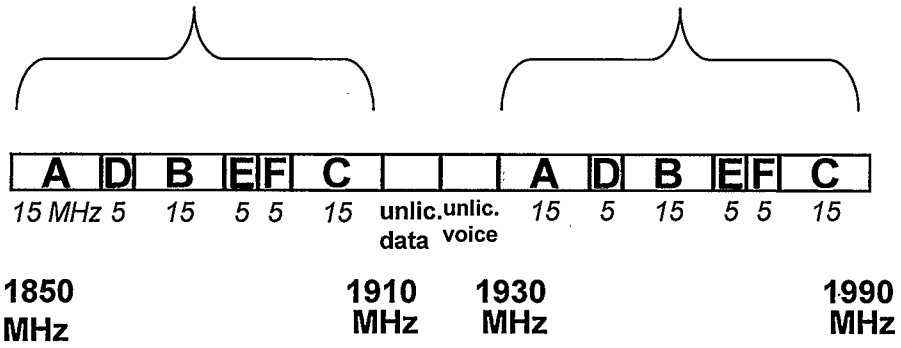
Frequency Bands

Cellular Spectrum





PCS Spectrum

The lower set of spectrum in both the cellular and PCS bands correspond to the reverse channels transmitted by the cell phone to the tower. The upper regions correspond to the frequencies transmitted by the towers to the phones

CELL SITE 024422

CELLSITE-8110

WITT

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Basic Cellular Telephone Technology Overview

Introduction to [redacted]

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CELL/OTD - 024437

CELLSITE-8125

WITT

Wireless Intercept and Tracking Team

Basic Cellular Telephone Technology Overview

Introduction to [redacted]

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Reference Materials

CELL/OTD 024454

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FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 03/07/2007

To: Operational Technology

From: Operational Technology
[redacted]/ERFE
Contact: [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To report the results of the meeting with Harris [redacted] on 01/29/2007.

Details: Electronics Engineers (EE) [redacted] and [redacted] traveled to [redacted] Harris to discuss [redacted]

To Harris knowledge, [redacted]

[redacted] Harris concluded from [redacted]

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CELL/OTD 020649

To: Operational Technology From: Operational Technology
Re: 268-HQ-1068430, 03/07/2007

LEAD(s):

Set Lead 1: (Info)

OPERATIONAL TECHNOLOGY

AT QUANTICO, VA

Read and clear.

CC:

[redacted] QT-ERF
[redacted] QT-ERF
[redacted] QT-ERF-E
[redacted] QT-ERF-E
[redacted] QT-ERF-E
[redacted] QT-ERF

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CELL/OTD 020651

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Precedence: ROUTINE **Date:** 06/13/2007

To: Operational Technology

From: Operational Technology
[redacted]/ERF-E
Contact: [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 268-HQ-1068430

Title: WIRELESS INTERCEPT AND TRACKING TEAM

Synopsis: To report details of travel to Atlanta, Georgia from 05/28/2007 - 05/31/2007.

Details: During the period of 05/29-31/2007, Electronics Engineer (EE) [redacted] Harris Corporation's StingRay equipment. [redacted] which Harris made available upon request [redacted] Harris has advised [redacted]

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[redacted] effectiveness of WITT [redacted] Harris Corporation's StingRay equipment.

EE [redacted]

[redacted]

[redacted]

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Version 7.0

25 March 2010

Law Enforcement Sensitive

CELL/OTD 020596

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(i) Already known to the contractor prior to the commencement of the contract

(ii) Required by law, regulation, subpoena or government or judicial order to be disclosed, including the Freedom of Information Act.

No release of information shall be made without the prior written consent of the Office of Public Affairs and the Contracting Officer. The contractor and the author are warned that disclosure is not without potential consequences. The FBI will make every effort to review proposed publication in a timely manner to accommodate theses and other publications. Where appropriate, in accordance with established academic publishing practices, the FBI reserves the right to author/coauthor any publication derived from this contract. These obligations do not ease upon the completion of the contract.

CELL/OTD 020597

CELLSITE-8158

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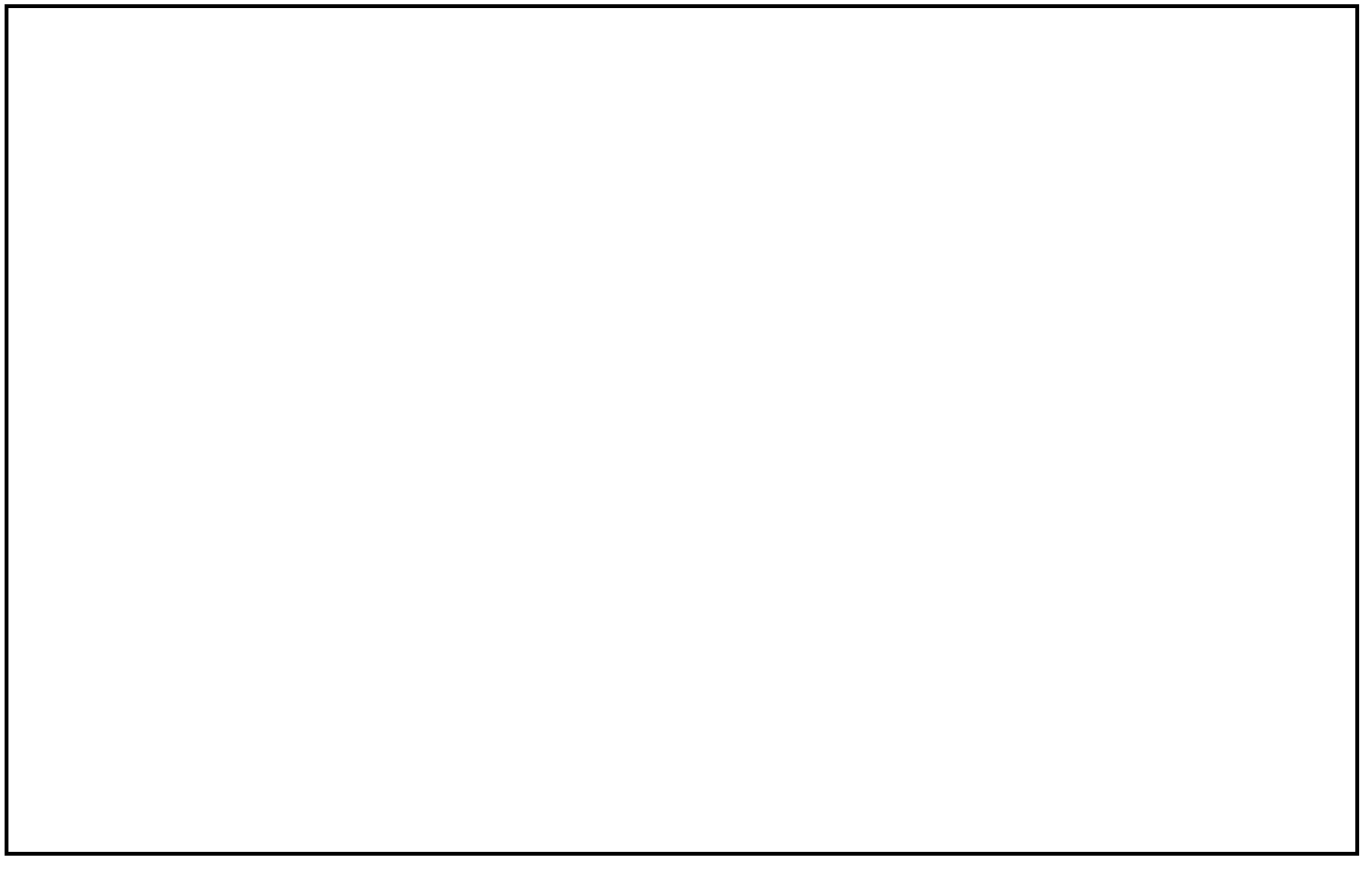

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EE[redacted]

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March 28, 2012

CELL-0118 021389

WITT Technologies

WITT
Wireless Intercept and Tracking Team

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Harris Corp's Loggerhead.

WITT Technologies

WITT
Wireless Intercept and Tracking Team

Harris Corp's StingRay. [redacted] the StingRay is capable [redacted]

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[redacted]

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Calendar
Contacts

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Drafts
Inbox
Junk E-Mail [2]
Sent Items

Click to view all folders

[redacted]
move

Manage Folders...

Reply | Reply to All | Forward | Move | Delete | Close

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b7C
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RE: [redacted] Enhancement Task Order

[redacted]

Sent: Wednesday, August 24, 2011 10:37 AM
To:
Cc: [redacted]

Here's an addendum to the email I sent yesterday which includes a [redacted] task (Sub Task 3) that may be of interest. We can fit this into the prop by the Sept 6 delivery date.

Sub Task 1, [redacted]

- Scope: Build the [redacted] to support [redacted]
- No formal reviews; monthly review to provide status.
- No formal acceptance testing. Analysis / demonstration at the end of the program to prove the [redacted]
- Final report documenting the results of the results and analysis and demonstration

Sub Task 2, [redacted]

- Scope: Demonstrate [redacted] with the next generation [redacted]
- We will provide a technical write up of the proposed effort but not a price. We will provide a ROM at a later date. Give me an additional week or so to get that to you.

Sub Task 3, [redacted]

- Scope: Provide a proof of concept implementation of [redacted] This is the first step in implementing [redacted] We already have a concept that we've researched [redacted] but have not been able to try.
- Will require [redacted] to demonstrate the concept.
- No formal reviews; monthly review to provide status.
- No formal acceptance testing. Demonstration at the end of the effort.
- Final report documenting the results of the research and demonstration.

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[redacted]

From: [redacted]
Sent: Tuesday, August 23, 2011 3:54 PM
To: [redacted]
Cc:
Subject: RE: [redacted] Enhancement Task Order

[redacted]

To do what you're asking is going to take much more time than we have to reply to the RFP and I know you're on a tight schedule with year end funds. What we had originally ROM'd for [redacted] at [redacted] was to [redacted] and then demonstrate it would work in the [redacted] [redacted] There was no PDR/CDR or any kind of test program. There was no [redacted]

CELL/OTD 030280 CELLSITE-16444

[redacted]

For this RFP, we would like to propose the following:

- We provide you with a prop to do essentially what we told [redacted] we were going to do when we gave him the ROM. Essentially we propose doing subtask 1 with a small [redacted] effort to [redacted] is a small adder to the original ROM but would be useful for providing a demo of the [redacted] capabilities. [redacted] would meet all the requirements you call out for Sub Task 1 in the RFP. The only difference is we would not have formal design reviews and no acceptance test. We would have monthly reviews to provide progress and details of the design as it matures. The end product of this subtask would be analysis / demonstration that the [redacted] meets all the requirements necessary to support [redacted] for all specified [redacted]
- For Sub Task 2 we propose to provide you a ROM on the cost to implement [redacted] for all [redacted] listed in the RFP. We're probably going to need more time to get this ROM together as there is a good bit of [redacted] tasking to be considered.

b3 b6 b7C b7E

Hopefully this provides you what you need to award work within the range of the original ROM while also providing bogies for the [redacted] work should you wish to fund [redacted]

[redacted]

From: [redacted]
Sent: Tuesday, August 23, 2011 10:15 AM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted] Enhancement Task Order

b3 b6 b7C b7E

Hi [redacted]

Just to follow up - we have a confirmation from all parties concerned. We would like to review a proposal with work packages or the requirements broken down into smaller portions for our review and evaluation.

Thank you for your assistance,

[redacted]
Contracting Officer
Quantico Contracts Unit
Federal Bureau of Investigation
HQ: (O) [redacted]
QT: (O) [redacted]

From: [redacted]
Sent: Tuesday, August 23, 2011 9:55 AM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted] Enhancement Task Order

b3 b6 b7C b7E

Hi [redacted]

Per our conversation a moment ago: Please divide the proposal into work packages for our review and evaluation. Should funding become an issue this will enable us to prioritize work. As I said, we're trying to get you a more detailed answer; however in light of your upcoming meeting in 30 minutes I wanted to provide some guidance.

CELL/OTD 030291 CELLSITE-16445

Thanks.

[redacted]

Contracting Officer
Quantico Contracts Unit
Federal Bureau of Investigation
HQ: (O) [redacted]
QT: (O) [redacted]

b3
b6
b7C
b7E

From: [redacted]
Sent: Monday, August 22, 2011 8:48 AM
To: [redacted]
Cc: [redacted]
Subject: [redacted] Enhancement Task Order

[redacted]

We've received the RFP for the new task order. After the first read, this looks like more than [redacted] worth of work. We knew that [redacted] was anticipating funding something like this task order and thought he had way less than [redacted]

I need to know if we're totally off base in our initial assessment of the scope of work for this task order. I would hate to go through all the work to propose something that is way beyond your expectations.

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[redacted]

Connected to Microsoft Exchange

CELL/OTD 030282

CELLSITE-16446

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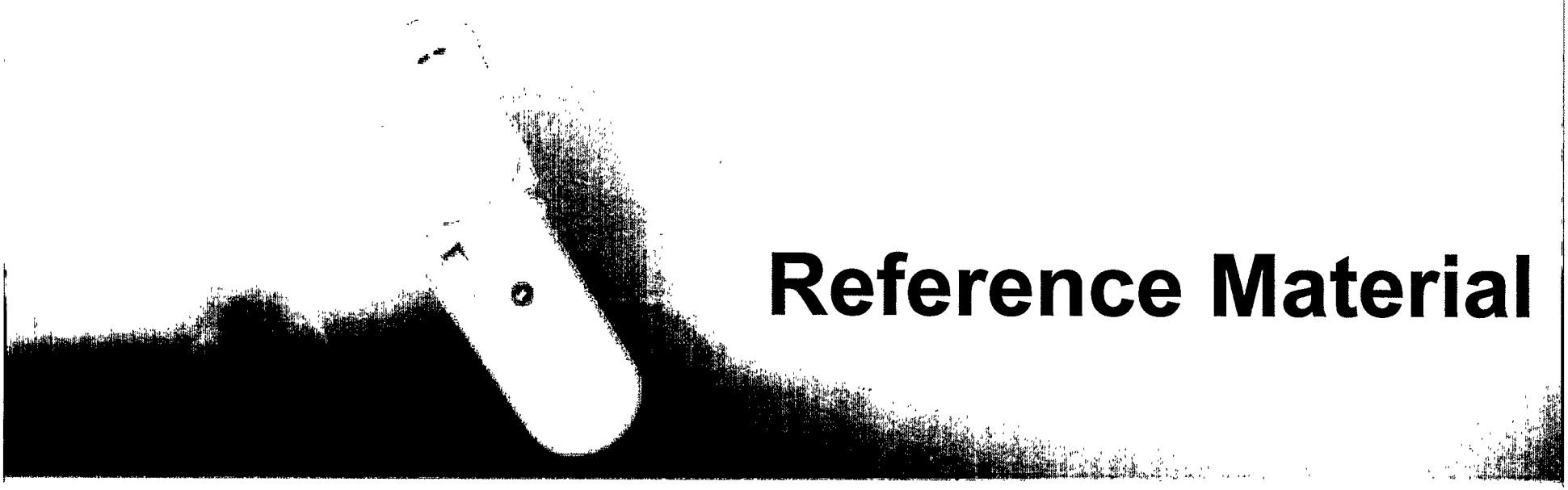
WITT

Wireless Intercept and Tracking Team



Reference Material

NW0D 023178

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5 Steps Process for [redacted]

[redacted]

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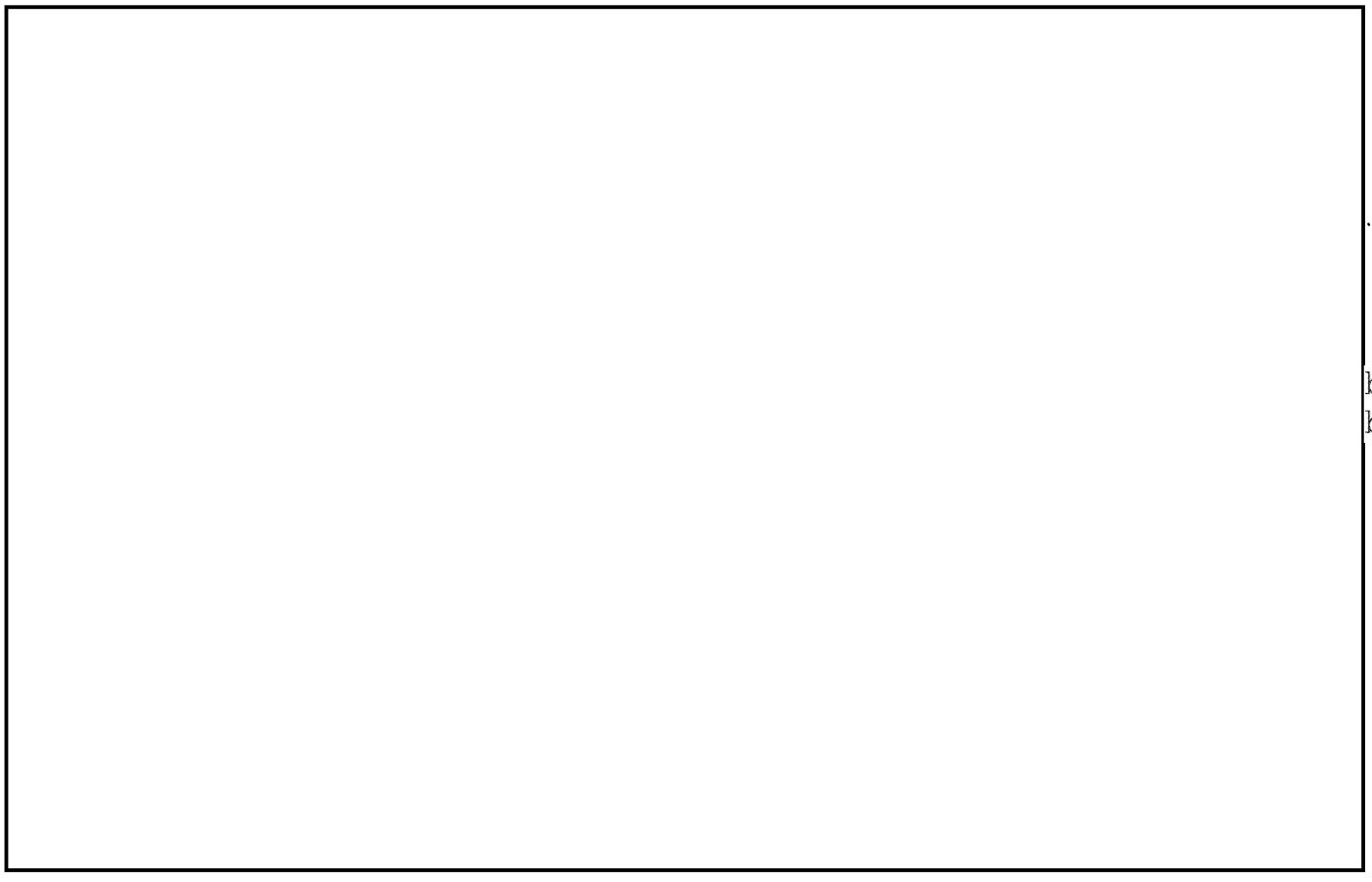
3.



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(For correction, comments, inputs email to [redacted]

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5 Steps Process for [redacted]

[redacted]

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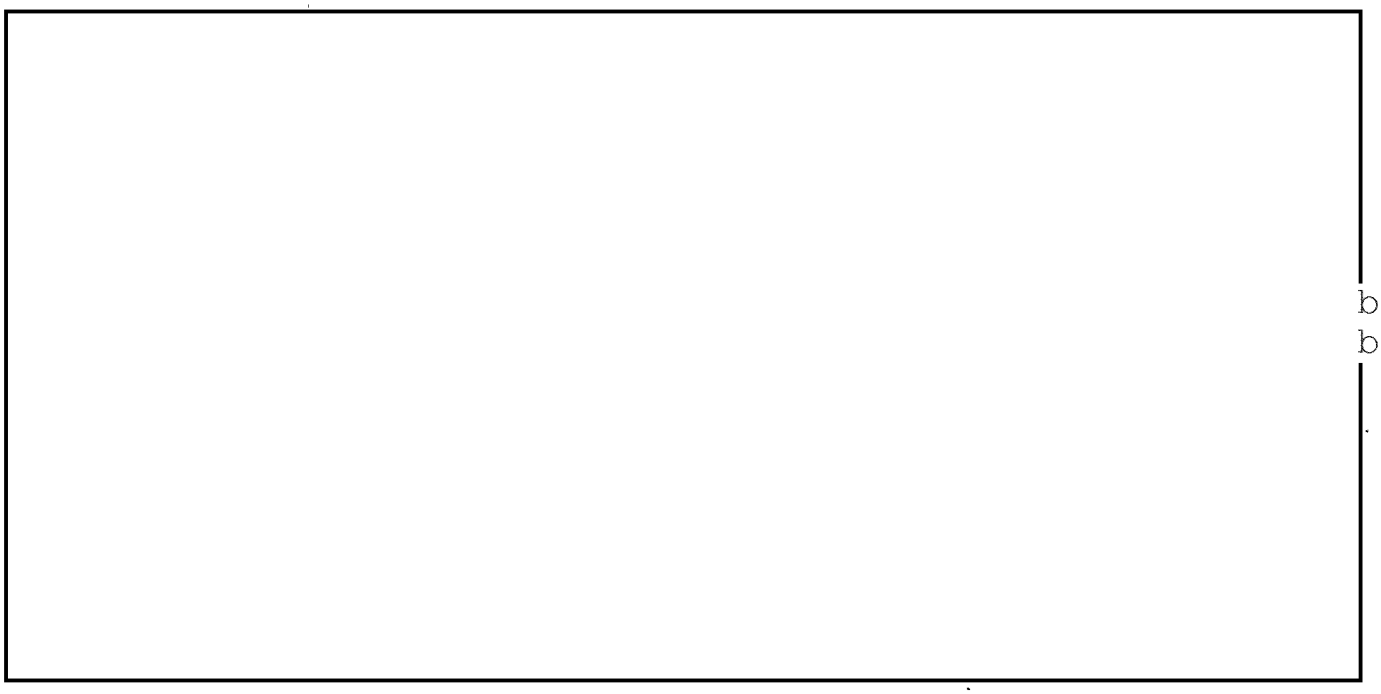
CELL/OTD 023198



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(For correction, comments, inputs email to [redacted]

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CELL-OTD 02/3/00

CELLSITE-16543

ALL INFORMATION CONTAINED
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5 Steps Process for [redacted]

[redacted]

1

2

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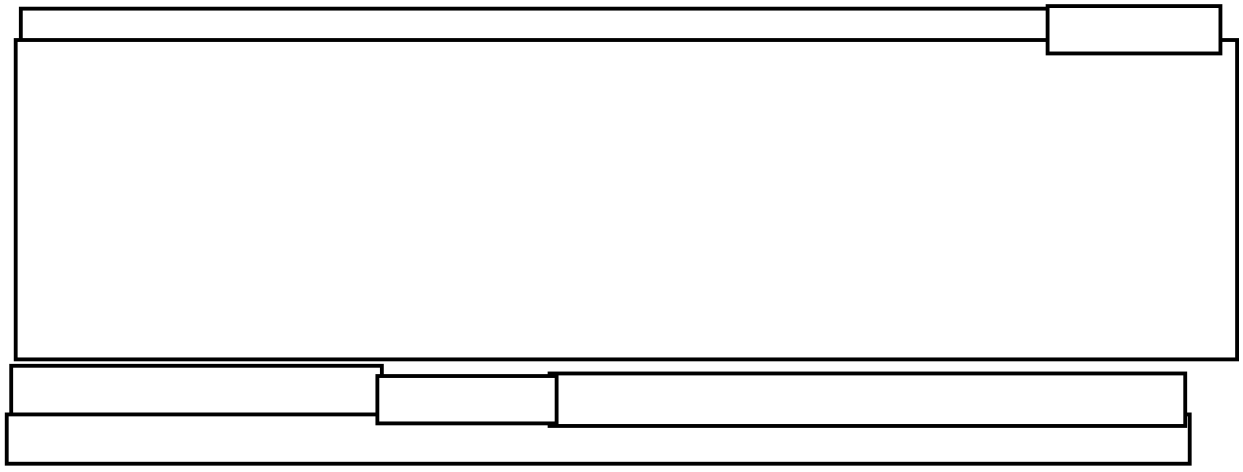
Note:

[redacted]

CELL/OTD 023201



(For correction, comments, and inputs email to:

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DATE 12-03-2012 BY 65179/dmh/stp/as

5 Steps Process for

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Note:

(For correction, comments, and inputs email to:

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DATE 12-03-2012 BY 65179/dmh/stp/as

5 Steps Process

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4.

5.

Sidenote:

[redacted]

1. [redacted]

2. [redacted]

3. [redacted]

4. [redacted]

5. [redacted]

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(for correction, comments, inputs email to: [redacted]

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ALL INFORMATION CONTAINED
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DATE 12-03-2012 BY 65179/dmh/stp/as

5 Steps Process

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4.

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Sidenote:

[redacted]

1. [redacted]

2. [redacted]

[redacted]

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3. [redacted]

4. [redacted]

5. [redacted]

(for correction, comments, inputs email to: [redacted]

b6
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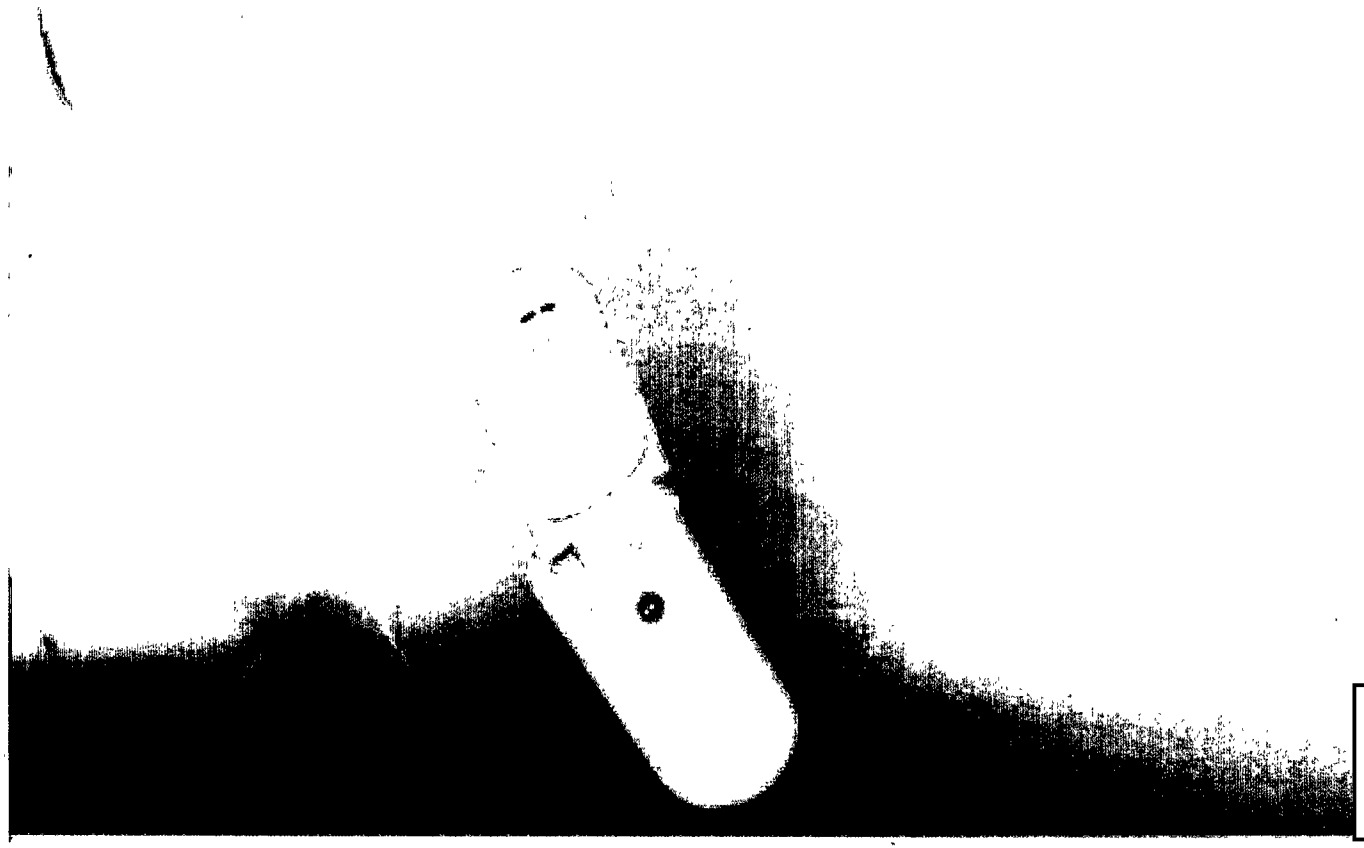
DATE 12-03-2012 BY 65179/dmh/stp/as

Tracking Technology Unit

WITT
Wireless Intercept and Tracking Team



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Agenda

CELL/OTD 023247

WITT
Wireless Intercept and Tracking Team

Objectives

- Day 1
  - Agenda Overview
  - [redacted] (Work Book Exercises)
  - [redacted]
- Day 2 (8:30am – Late)
  - 8:30 – 9:30am
    - Classroom (Mission Overview)
  - Field Exercises
    - Team 1 and Team 2 [redacted]
- Day 3 & 4 (8:30am – Late)
  - 8:30 – 9:30am
    - Classroom (Mission Overview)
  - Field Exercises
    - Team 1 and Team 2 [redacted]
- Day 5
  - 8:30 – 10:30
    - [redacted] Overview (Classroom)
    - [redacted] Overview (Classroom)
  - 10:30 – Late
    - Field Exercise [redacted]

b3
b7E

CELL/OTD 02352488

CELLSITE-16568

WITT
Wireless Intercept and Tracking Team

Goals

- Day 1 and 2
  - Learn to
    -
    -
    -
  -
    -
    -
  - Scenario Overview
    - Field Exercise w/
    - Team 1 and Team 2

b3
b7E

CELL/OTD 023249

CELLSITE-16569

WITT
Wireless Intercept and Tracking Team

Goals

- Day 3 & 4
  - Scenario Overview
    - [redacted]
  - Field Exercises
    - [redacted]
    - [redacted]
  - Team 1 and Team 2
    - [redacted]

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CELL/OTD 023250

CELLSITE-16570

- Day 5
  - Overview of
    -
  - Overview of
    -
  - Field Exercise

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CELL/OTD 023251

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DATE 12-04-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Monday, December 19, 2011 5:24 PM
To: [redacted]
Cc:

Subject: RE: [redacted] Website Changes

Classification: UNCLASSIFIED//FOUO
==========

Hi [redacted]

See below for the materials to be updated / added to the [redacted] I also included quick start guides I received from Harris. These guides contains Harris proprietary information. Let us know if there's anything else you need.

Additional Material:

[redacted]

b3
b6
b7C
b7E

CELL/OTD 022383

CELLSITE-5824

Classification: UNCLASSIFIED//FOUO
==========

Have you assigned the Website updates yet? [redacted] will want an update the first week in January and I will be off the week next week. Let me know. Thanks.

From: [redacted]
Sent: Wednesday, December 07, 2011 10:00 AM
To: [redacted]
Subject: [redacted] Website Changes

Classification: UNCLASSIFIED//FOUO
==========

[redacted]—per our discussion here is the list of areas that need to be addressed and who is responsible for completing. Please meet with your team and set a deadline of when items are due since you are familiar with each person's workload. Just let me know the deadline set so I can set a tickler and send reminders periodically. I briefed [redacted] on our discussions and with [redacted] upstairs yesterday, so he can provide more guidance to the areas with his/your names. If I missed anything, let me know. :0)

b3
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b7C
b7E

<< File: Website Changes 2011.docx >>

Thank you and have a glorious day!

[redacted]
Management & Program Analyst
[redacted]

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Classification: UNCLASSIFIED//FOUO

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Classification: UNCLASSIFIED//FOUO

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Classification: UNCLASSIFIED//FOUO

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Classification: UNCLASSIFIED//FOUO

CELL/OTD 022385

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DATE 12-04-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Monday, October 31, 2011 2:45 PM
To: [redacted]
Subject: RE: Revised ECs for [redacted]

Classification: UNCLASSIFIED
==========

[redacted]

You may want to review the test attached—the question for number 1 is missing, and I altered the classification line—double check to ensure it is correct. I also fixed some of the grammatical and punctuation errors, but you may want to review one more time before submitting. :0)

[redacted] Written Exam v1.0.doc

b3
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From: [redacted]
Sent: Monday, October 31, 2011 1:27 PM
To: [redacted]
Subject: Revised ECs for [redacted]

Classification: UNCLASSIFIED
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[redacted]

Below docs are fo[redacted] request.
<< File: COURSE AGENDA.docx >>
<< File[redacted] Written Exam v1.0.doc >>
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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

CELL/OTD 022372

DECLASSIFIED BY 65179/dmh/stp/as
ON 12-04-2012

[redacted]

From: [redacted]
Sent: Tuesday, November 02, 2010 9:38 AM
To: [redacted]
Subject: FW: [redacted] FY11

~~SECRET~~
~~RECORD~~ [redacted]

SSA [redacted]
Unit Chief
[redacted]

From: [redacted]
Sent: Thursday, September 23, 2010 3:31 PM
To: [redacted]
Subject: RE [redacted] FY11

~~SECRET~~
~~RECORD~~ [redacted]

Yes, [redacted] for base funding. It stands for [redacted]

b3
b6
b7C
b7E

From: [redacted]
Sent: Thursday, September 23, 2010 3:07 PM
To: [redacted]
Subject: RE: [redacted] FY11

~~SECRET~~
~~RECORD~~ [redacted]

[redacted] Is that what we are reporting we are using from our base funds?

SSA [redacted]
Unit Chief
[redacted]

From: [redacted]
Sent: Thursday, September 23, 2010 2:21 PM
To: [redacted]
Cc: [redacted]
Subject: FW: [redacted] FY11

CELL-OTD 015892

~~SECRET~~
~~RECORD~~

Here is the estimated 2011 cost/funding info we received from back in July or August. It appears that has sufficient funding to cover expenses for all approved projects for FY2011, so we won't have to make any tough choices.

I will arrange a meeting in the next few weeks to discuss funding activity with each unit. Since I am obligated to report

Thanks.

From:
Sent: Tuesday, September 21, 2010 4:47 PM
To:
Cc:
Subject: FY11

~~SECRET~~
~~RECORD~~

Here is FY11 costs and funding, let me know if you need anything else.

Project Name	Funding Type	Funding	Cost

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b7C
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CELL14-OTD 015895

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From:
Sent: Tuesday, September 28, 2010 9:05 AM
To:
Cc:
Subject: RE: Legal question

UNCLASSIFIED
NON-RECORD

I agree with

SSA
Unit Chief

b3
b5
b6
b7C
b7E

From:
Sent: Tuesday, September 28, 2010 8:56 AM
To:
Cc:
Subject: RE: Legal question

UNCLASSIFIED
NON-RECORD

I don't see how the FBI

From:
Sent: Monday, September 27, 2010 3:58 PM
To:
Subject: RE: Legal question

Hi I just want to follow-up regarding the below

CELL-OTD 015926
CELLSITE-5916

[redacted]

From: [redacted]
Sent: Friday, September 10, 2010 11:28 AM
To: [redacted]
Subject: RE: [redacted] Legal question

UNCLASSIFIED
NON-RECORD

[redacted]

You win the prize for the most interesting question of the week. Hmm. I don't know off the top of my head. [redacted] b3 b5 b6 b7C b7E

I am interested in knowing what your CDC's office thinks about this as well.

Thanks for the unique question. I will come back to you with an answer, whatever it turns out to be.

[redacted]

From: [redacted]
Sent: Friday, September 10, 2010 2:09 PM
To: [redacted]
Subject: [redacted] Legal question

Hi [redacted]

[redacted]

~~SECRET~~

DATE: 12-05-2012
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OPERATIONAL TECHNOLOGY DIVISION

[redacted]

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Wireless Intercept and Tracking Team

FY09 Accomplishments / Update
Part 2

04 AUG 2009

UNCLASSIFIED-5937

~~SECRET~~

QUESTIONS??

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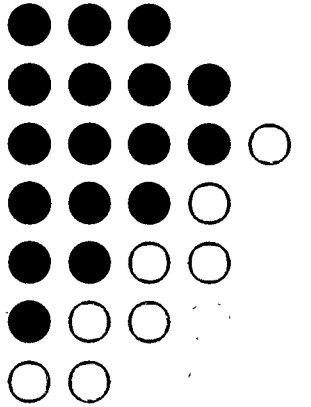
DATE 12-05-2012 BY 65179/dmh/stp/as

Wireless Intercept Tracking Team

WITT Program Briefing

October 2006



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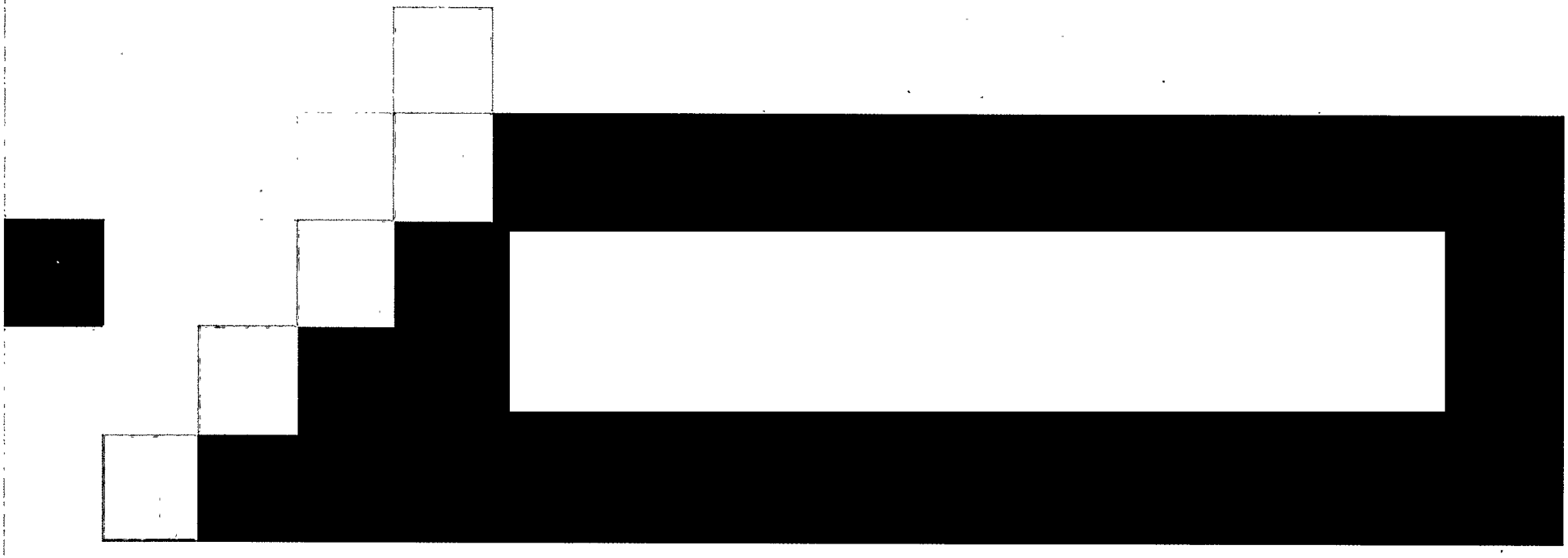

OVERVIEW

b7E

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WITT

Wireless Intercept and Tracking Team

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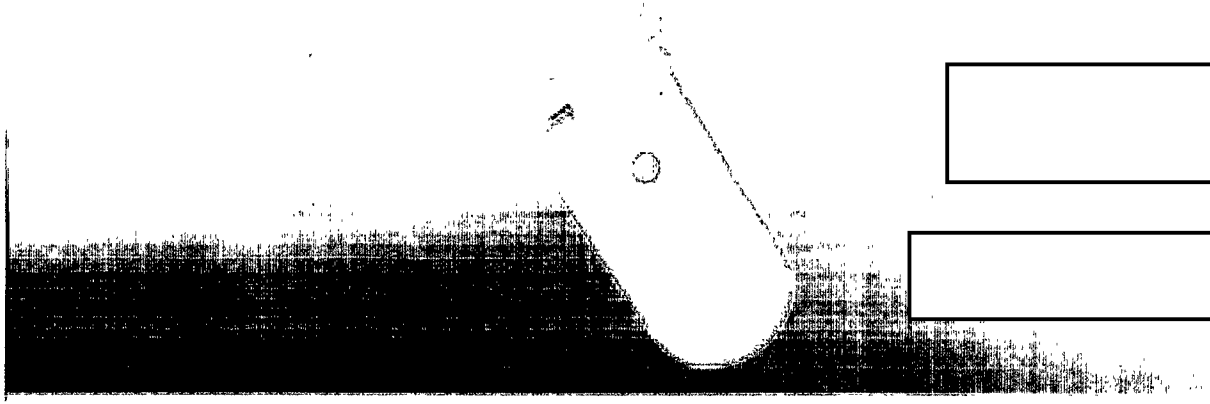

CELL/OTD 015459

CELLSITE-14578

DECLASSIFIED BY 65179/dmh/stp/as
ON 12-05-2012

Tracking Technology

Progress Report

21 May 2007

~~Derived from: FBI SCG #1~~
~~Declassify on: May 05, 2017~~

CELL/OTD 020431

Overview

- Background

[redacted]

b7E

- Technologies

[redacted]

- Future Focus

CELL/OTD 020432

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DATE 12-05-2012 BY 65179/dmh/stp/as

Federal Bureau of Investigation

Wireless Intercept Tracking Team

WITT Program Briefing

WITT
Wireless Intercept and Tracking Team

Overview and Program Milestones

- Program Mission
- WITT Team
- [redacted]
- Equipment
- Legal
- Training
- [redacted]
- Interactive Website
- Future Focus

b7E

WITT
Wireless Intercept and Tracking Team

WITT Training

Stats:

b7E

- Currently over [redacted]
- [redacted] trained to date.

CELL/OTD 021496

Contact Information

- Supervisory Special Agent [redacted]
- [redacted] office
- [redacted] cell
- [redacted] 24/7 HOTLINE!!!!!

b6
b7C

Questions or Comments

WITT
Wireless Intercept and Tracking Team

CELL/OTD 021504

CELLSITE-14645

DATE: 12-05-2012
CLASSIFIED BY 65179/d
REASON: 1.4 (c,g)
DECLASSIFY ON: 12-05-2037

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Answers to [redacted]

(U) It is acceptable for the [redacted] to include current system capabilities of [redacted] A delivery timetable of the [redacted] however is critical to address immediate needs. b3 b7E

(U) Please identify the resource efforts, costs and overall scheduling impact to perform an investigative studies of [redacted] in the first phase and we shall determine whether it is feasible to accomplish the task in the first phase or consider it for subsequent phase.

(S) [redacted] b1 b3 b7E

DATE: 12-06-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c)
DECLASSIFY ON: 12-06-2037

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New Project Submission Worksheet

(S)

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b3
b7E

CELL-OTD 027975

CELLSITE-1470

(S)

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b4

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DATE 12-06-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Thursday, October 21, 2010 1:59 PM
To: [redacted]
Subject: RE: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b6
b7C
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Sent to you already right after we completed mod.
Here it is again.

[redacted]

Fyi: the [redacted] (proposed in their scope) have been delivered and are here at [redacted]

From: [redacted]
Sent: Thursday, October 21, 2010 1:45 PM
To: [redacted]
Subject: [redacted]
Importance: High

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted] to final version of the slides..

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SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 017582

SECRET

DATE: 12-06-2012
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REASON: 1.4 (c)
DECLASSIFY ON: 12-06-2037

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From:
Sent: Wednesday, August 30, 2006 11:05 AM
To:
Cc:
(S) **Subject:**

b1
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SECRET//NOFORN
RECORD 66f-hq-1410124f

b1
b3
b7E

Wireless Intercept Tracking Teams WITT). WITT WITT WITT

(S)

If you have any questions, please contact me. Please respond to this email with confirmation for attendance. If an alternate agent from your division will attend, please let me know. If you cannot attend, please notify me ASAP as we will

-----Original Message-----
From:
Sent: Tuesday, August 29, 2006 11:29 AM
To:
Cc:
(S) **Subject:**

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SECRET//NOFORN
RECORD 66f-hq-1410124f

Fyi,

(S)

CELL/OTD 009063

CELLSITE-14725

(S) [redacted] b6 b7C b1

Please send a list of names and SSN's so I can get their clearances in, access to the training facilities, and directions out to the students.

Thanks [redacted]

(S) [redacted]

(S) [redacted] b6 b7C b1

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REASON: 1.5[c]
DECLASSIFY ON: 20160829
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CLASSIFIED BY: 74484,OTD/FO,OTD
REASON: 1.5[c]
DECLASSIFY ON: 20160829
SECRET//NOFORN

~~SECRET~~

Moot court practical exercises (three days.)

From:
Sent: Friday, April 29, 2011 10:41 AM
To:
Cc:
Subject: Curriculum

~~UNCLASS~~

Can you send me the curriculum for the I had asked over here and she gave me an old one said that they did not have one.

b1
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Thanks,

(S)

CELL/OTD 017458

~~SECRET~~

CELLSITE-14745

ALL INFORMATION CONTAINED
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DATE 12-06-2012 BY 65179/dmh/stp/as

From:
Sent: Friday, January 08, 2010 5:47 PM
To:

Cc: b6 b7C b3 b7E

Subject:

UNCLASSIFIED
NON-RECORD

To all WITT Coordinators and WITT operators,

WITT

WITT WITT

WITT

CELL/UID 017463

[redacted] WITT [redacted]

[redacted] WITT [redacted]

[redacted] WITT

[redacted]

Feb 1-5, 2010 Potomac, MD [redacted]
Office, VC
may be able to squeeze a

March 22-26, 2010 San Diego, CA

April 12-16, 2010 Philadelphia, PA b6 b7C b3 b7E

[redacted]

June 14-18, 2010 Norman, OK [redacted]
in.

July 19-23, 2010 Orlando, FL [redacted]
in.

Sept 20-24, 2010 (both) Philadelphia, PA [redacted]
funded by [redacted]

Hopefully you read all of that. [redacted] Please get back to me soon if you can make it to Potomac. If you can make it to one of the others - please let me know and I will put you on the list. If we get too many people - we will go with first come.

Thanks for the support. The way I see it - we should be able to get at least [redacted] of you through the actual live class this year and all of you can take the [redacted] as soon as [redacted] is done.

[redacted]

UNCLASSIFIED

CELL/OTD 917464

CELLSITE-14747

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DATE: 12-06-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c)
DECLASSIFY ON: 12-06-2037

ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

From:
Sent: Thursday, October 23, 2008 8:57 AM
To:
Cc:

Subject: WITT

~~UNCLASSIFIED~~
~~NON-RECORD~~

b1
b6
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b7E

(S)

As for we have been training approximately I'd like to have ten to twelve (10-12) of those slots go to being useful to those who may utilize it is even more important to the street agent who will use the survey process in his/her everyday investigative capacity. With that said, we hope to get between this year. The date is not cemented but we're targeting the third week in January. We hope to have the dates nailed down by weeks end.

(S)

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(S)

CELL/OTD 017471

~~SECRET~~

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b7C

~~UNCLASSIFIED~~

~~SECRET~~

DATE: 12-06-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c)
DECLASSIFY ON: 12-06-2037

ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

From:
Sent: Friday, June 29, 2007 8:23 AM
To:
Cc:

Subject: WITT and VC-WITT

~~UNCLASSIFIED~~
~~NON-RECORD~~

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b7E

called yesterday and told me to supply some info for a tasking that had come down. Please let me know if you need any additional info.

(S)

WITT WITT

WITT WITT

2) We believe the best way to build fully trained is to follow the below building block process:

a.
b. WITT
c. StingRay
d.

We have found that once we trained in all three courses, they can keep up anyone.

Training info as follows:

WITT

the results of our team work are affecting the bottom line on the street. We track and locate targets quickly, efficiently, and by following all the rules and regulations. We have

4) The only office, in my opinion, where the

~~SECRET~~

CELL/OTD 017484

CELLSITE-14750

targets should be plenty. SC [redacted] would like to see the equipment in locations it will be most productive. Any thoughts? All other locations seem to be working extremely well together.

Thank you for your efforts [redacted] We had the opportunity to speak about WITT and [redacted] WITT yesterday and publicized both favorably.

b6
b7C

[redacted]

~~UNCLASSIFIED~~

CELL/OTD 017485

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DATE 12-06-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Wednesday, October 18, 2006 9:28 AM
To: [redacted]
Cc:
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted] sorry, I need to go back to counting school. Totals should read:

SA s

[redacted]

Total [redacted]

[redacted]

Total [redacted]

Total [redacted]

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I've been looking at too many NY inspection numbers. Does this look ok?? Thanks, [redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, October 17, 2006 2:39 PM
To:
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

Here is the info I have.. As I am showing there are [redacted] WITT trained personnel, [redacted] personnel are considered trained under [redacted] Is this accurate?

[redacted]

CELL/OTD 017504

CELLSITE-14754

[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, October 17, 2006 2:36 PM
To: [redacted]
Cc:
Subject:

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UNCLASSIFIED
NON-RECORD

[redacted]

The following offices received [redacted]

[redacted]

[redacted]

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 017505

CELLSITE-14755

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[redacted]

WITT
Wireless Intercept and Tracking Team

CELLSITE 02/08/28

b7E

Scenario Overview 1.0

[redacted]
Training

[redacted]

WITT
Wireless Intercept and Tracking Team

Equipment & Tools

- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted] WITT Training Workbook
- Student Disk

b3
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CELL/OTD 02/05/29

CELLSITE-14784

DECLASSIFIED BY 65179/dmh/stp/as
ON 12-06-2012

[redacted]

From: [redacted]
Sent: Thursday, September 09, 2010 11:14 AM
To: [redacted]
Subject: [redacted]

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~~RECORD 268-HQ-1068430~~

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[redacted]

Here is the [redacted] Anything marked with red is not directly traceable to exact wording. Some may be inferred but not defined, others may not be compliant. These are the areas where we need to question them.

[redacted]

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CELL/OTD 017593

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CELL/OTD 019855

PROGRAM BRIEFING
June 20, 2011

[redacted] (Background)

[redacted] to address sharing of technologies, techniques,

[redacted] is a sharing member in several technical areas of interest

- [redacted] has direct access to [redacted]

Topics for today were not specifically addressed in [redacted] due to [redacted]

Possibly leverage [redacted] to share any information identified in today's meeting, or use as an access method to communicate easily.

b3
b7E

CELL/OTD 019856

Today's Presentation

[redacted]

Discuss suites of tools with requirements for

[redacted]

[redacted]

CELL/OTD 019857

b3
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[redacted] (WITT) BIG PICTURE

[redacted]

"Provide the FBI with technologies to support [redacted]
[redacted] Criminal Investigations involving [redacted]

[redacted]

CELL/OTD 019859

b3
b7E

... (Growing User Base)...

MISSION GOALS

[redacted]

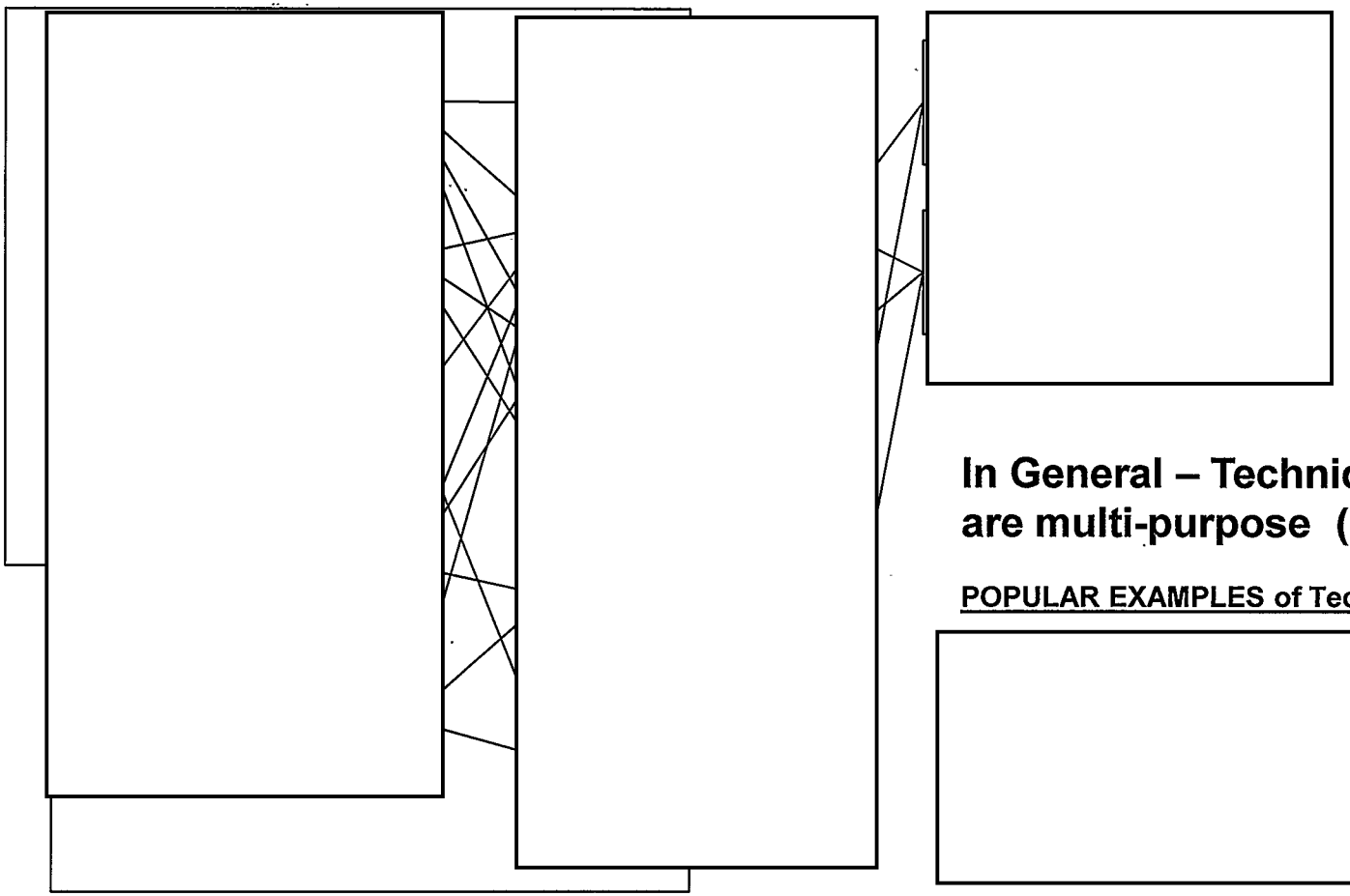
WITT PROGRAM

- Program Management
- R&D and Procurement
- 24x7 Operational Support
- [redacted]
- Liaison (Gov't / Commercial)

[redacted]

CELLSITE-6845

Technology/Capabilities/Tools Mapping to Mission Goals



In General – Techniques/Tools are multi-purpose (Re-use)

POPULAR EXAMPLES of Techniques/Tools

CELL/OTD 019860

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b7E

CELLSITE-6846

Background

[redacted]

CELL/QTD 019861

Before we go into each Mission Goal and Describe Capabilities…

A little about the US [redacted] and the FBI [redacted]

b3
b7E

Current Popular Communications Technologies throughout U.S.

CELL/OTD 019862

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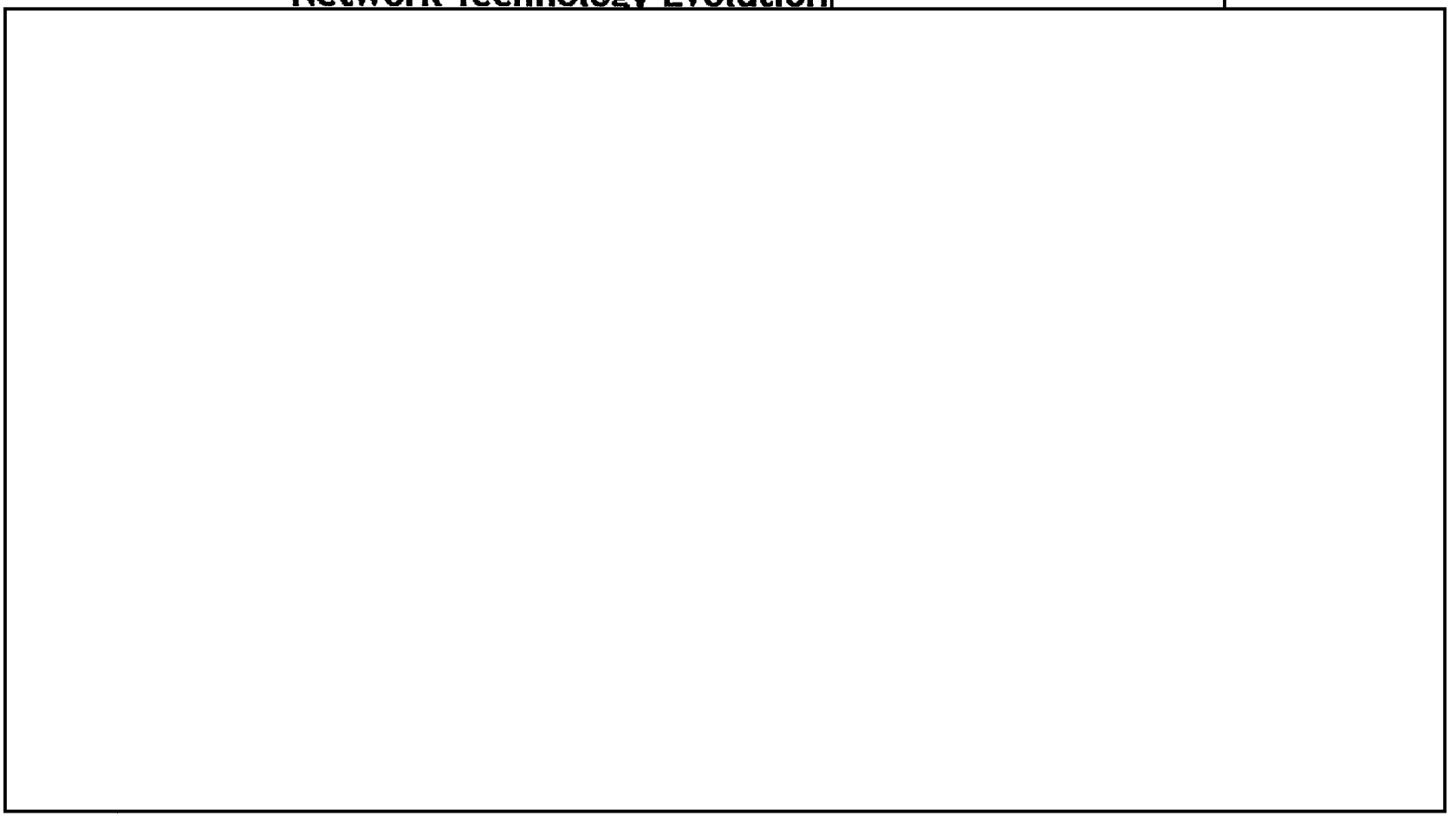
CELLSITE-6848

Protocol Forecasting

Network Technology Evolution



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CELL/OTD 019863

Mission Goals Continued…

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Let's get back to Mission Goals …

CELL/OTD 019866

CELLSITE-6852

Question to [redacted]

[redacted]

What systems are used?

What is widely used format required for [redacted]

[redacted]

What is the [redacted]

[redacted]

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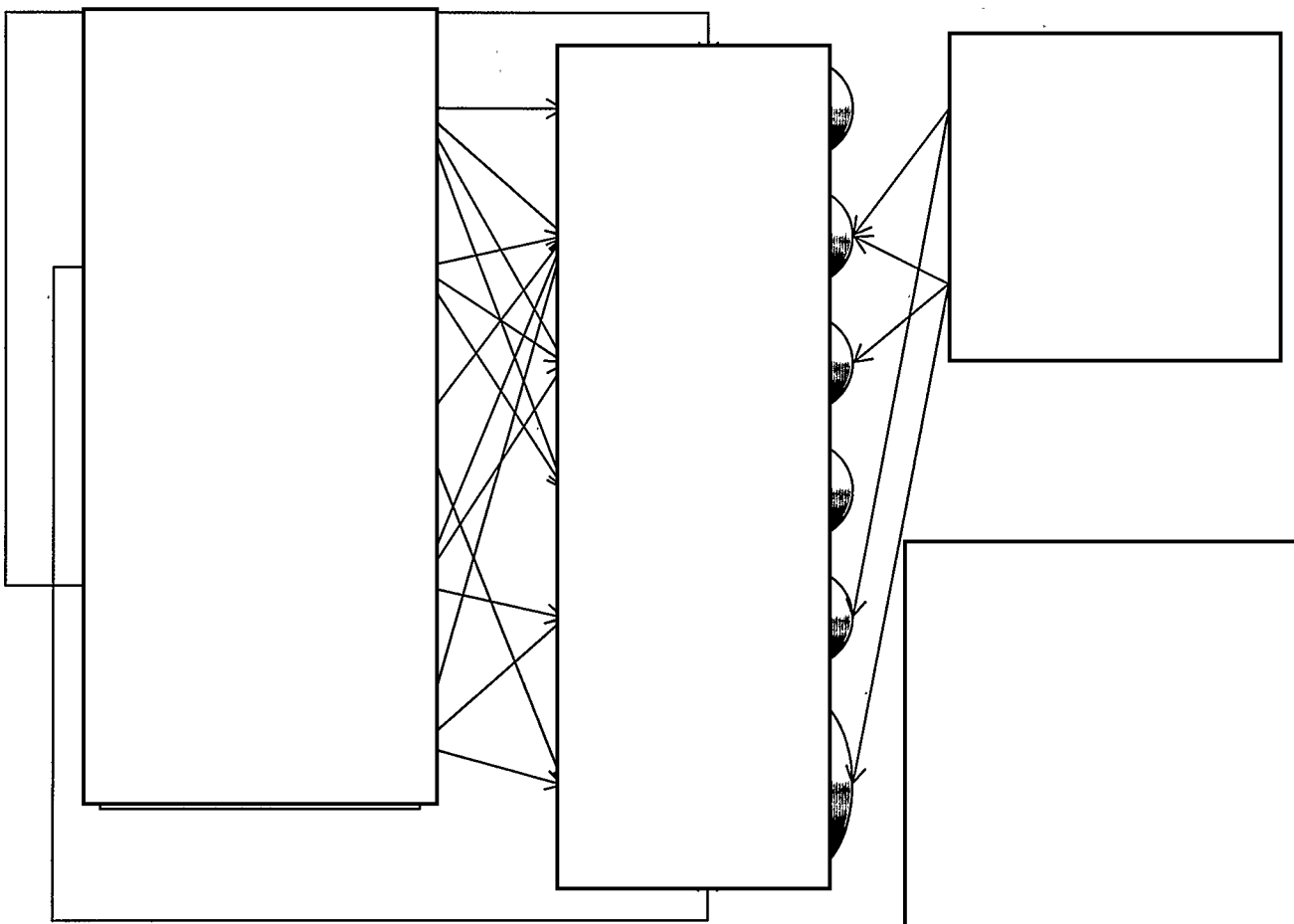
Technology/Capabilities to Mission Goals



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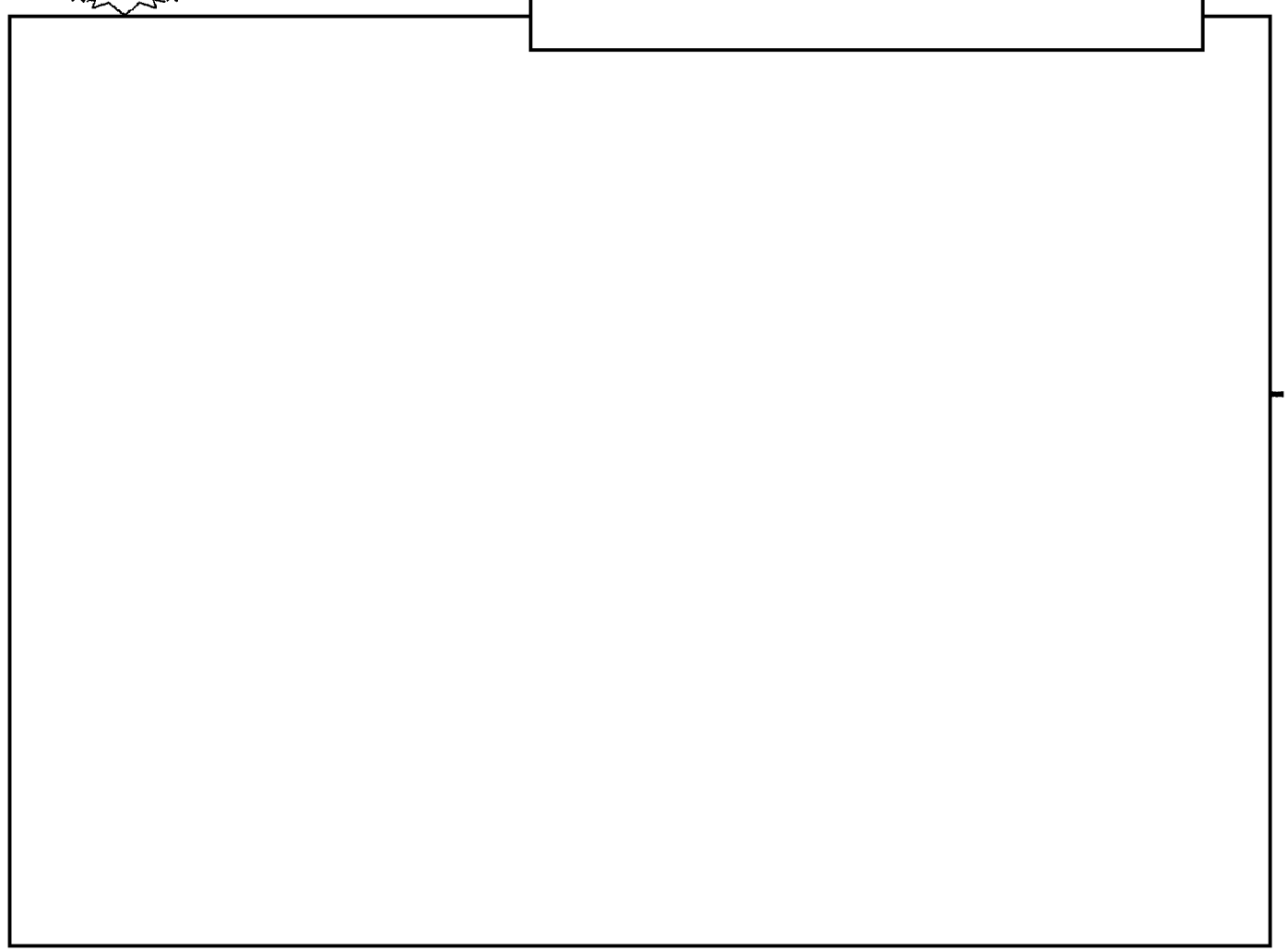
Reference Data / Data Sources Enhancements



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TOPICS

[redacted]

SPECIFIC TOPICS

[redacted]

CELL/OTD 019877

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OTHER TOPICS

Today's Wireless Devices

[redacted]

Other [redacted]

(Discussion)

[redacted]

[redacted] – Serve as [redacted] or for evaluation

[redacted]

[redacted]

Recommendations ??

CELL/OTD 019878

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Today's

-
-
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Continued...

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Applicable [redacted] Missions [redacted]

- [redacted]

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QUESTIONS??

CELLSITE-6871

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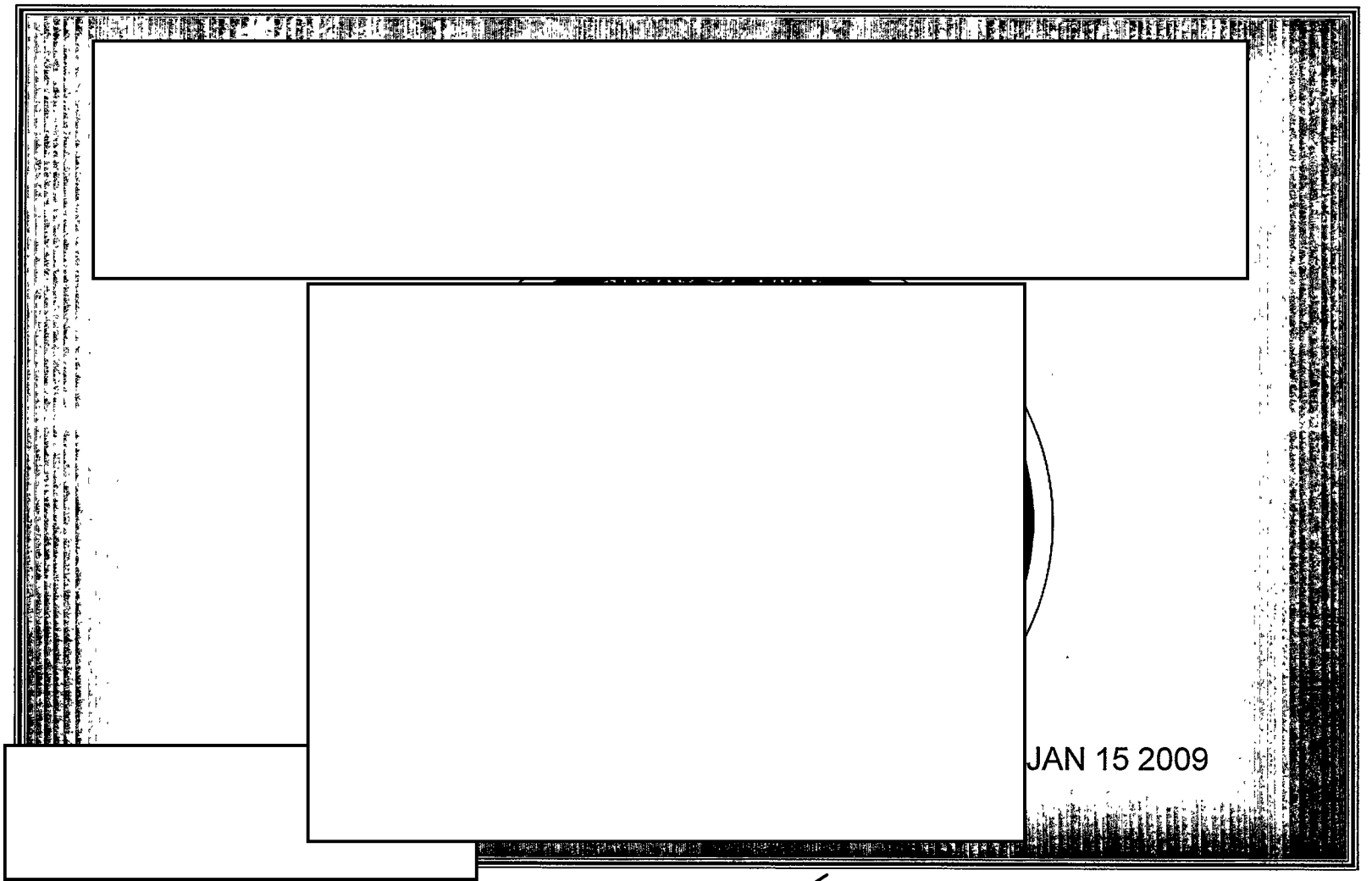

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Organization

[redacted] **SECTION**

[redacted]

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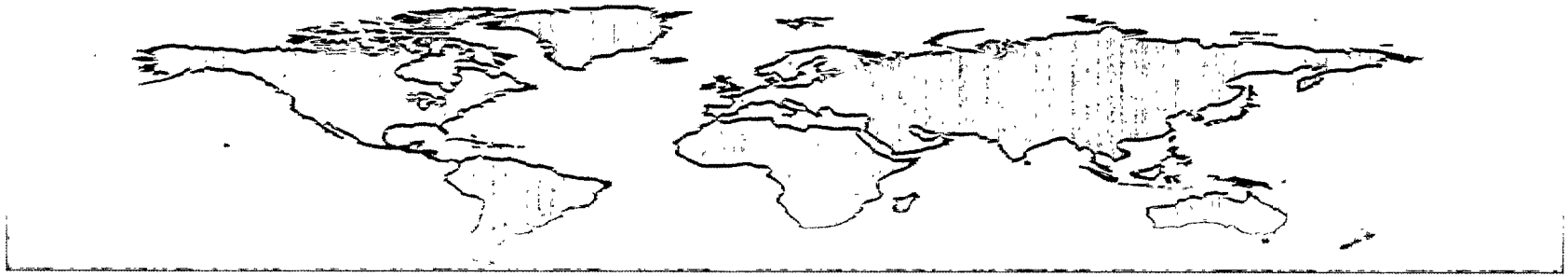
BIG PICTURE



"Provide the FBI with technologies to support [redacted] Criminal Investigations involving [redacted]

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[redacted]

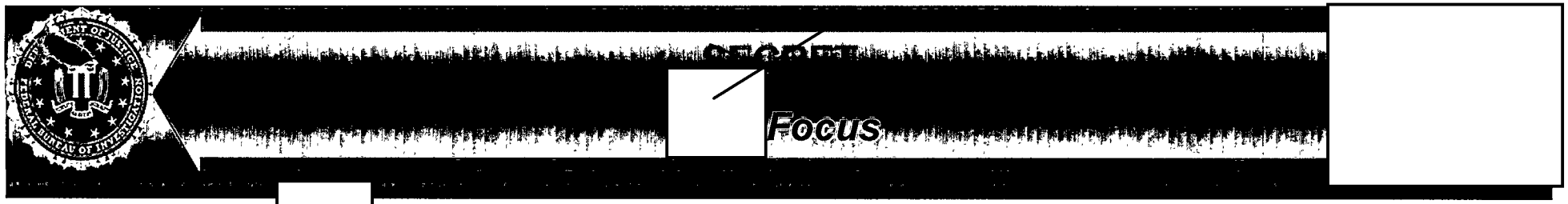
Operational Support

Liaison (Gov't / Commercial)

Research & Development

Program Management

[redacted]



Focus Areas WITT applies research and development and liaison efforts to meet, at a minimum, requirements the following mission focus areas.

-
- **Identification:**

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-
-
-

[redacted] Initiatives

Tracking Technology Unit has traditionally managed [redacted] with the following initiatives.

- **Research and Development – Develop and enhance technologies to enable** [redacted]

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- **Procurement / Maintenance – Manage purchases of** [redacted]
- **Deployment / Training – Management of the** [redacted] **WITT** [redacted]
- **Liaison – Provide liaison relationships with** [redacted]

Attend and participate in working groups with specific focus.

Case Scenarios

[redacted] ***submits the following representative case scenarios, for discussion, that represent and increasing demand for FBI assistance, where the*** [redacted] ***has***

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[redacted]

Increasing Request for Suppor

- Criminal Mission:
- Background:
- **Results**
  -
  -

b3
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Increasing request fo

- **Background:**
  - **Request to**

b3
b7E

- **Techniques Deployed:**

(S)

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b3
b7E

CELL/OTD 019666

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Increasing Request fo

- **Background:**

(S)

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- **Techniques Deployed:**

(S)

Background

(S)

Techniques / requirements

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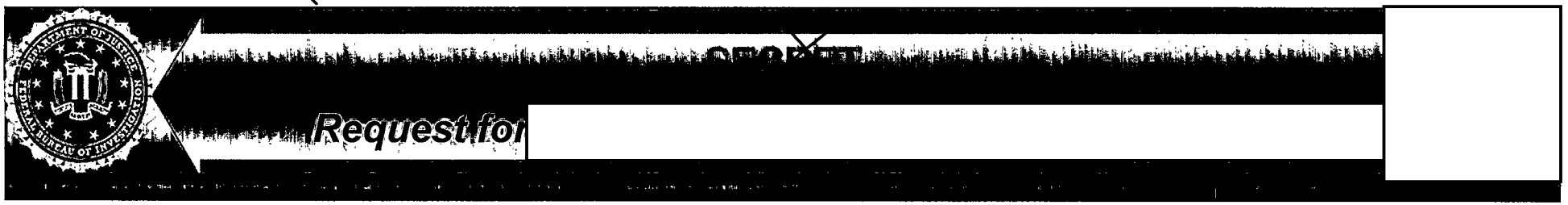
b3
b7E

(S)



- **Background**

(S)

- **Technologies**

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(S)

- **Background**
  - WITT has traditionally provided coverage fo

b1
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(S)

- **Technologies available**

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b7E

Methodologies

Issues

- **Commercial Markets are implementing newer wireless standards and services in networks at accelerated rates.**
- **Technical Solutions are normally available**

Methodology	Description	Investment
Procurement		
Product Development / Enhancement		
Internal Development	Develop systems completely in-house	

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Current [redacted] Enhancements

Goals and Objectives

Near Term: [redacted]

Long Term – [redacted]

Current [redacted] (2008)

- Enhanced [redacted]
- Enhanced
- Enhanced
- Enhanced

[redacted]

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Goals and Objectives

Current Enhancements (Near Term)

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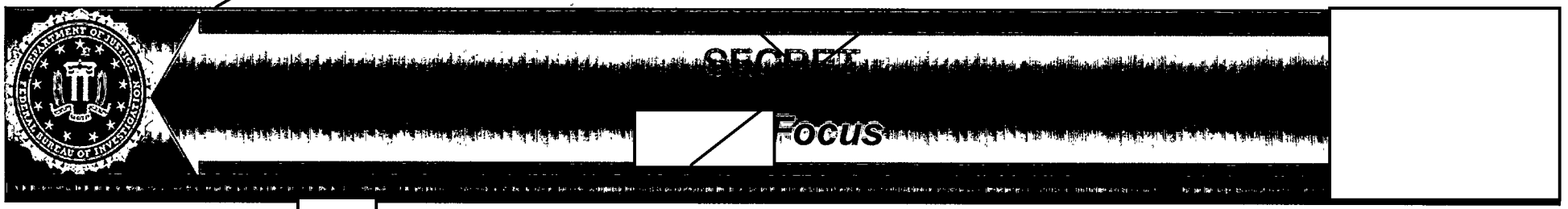
- Enhance

-



Focus Areas - WITT applies research and development and liaison efforts to meet, at a minimum, requirements the following mission focus areas.

-
- **Identification**
-
-
-
-

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SECRET

Mission Goal and Objectives

-

-

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-

WITT

Wireless Intercept and Tracking Team

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Wireless Intercept Tracking Team

WITT Program Briefing

WITT
Wireless Intercept and Tracking Team

CELL/OTD 019369

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SECRET

Overview and Program Milestones

- Program Mission
- WITT Team Members
- [redacted]
- [redacted]
- Historical Perspective
- Training
- [redacted]
- [redacted]
- [redacted]
- Future Focus
- Appendices

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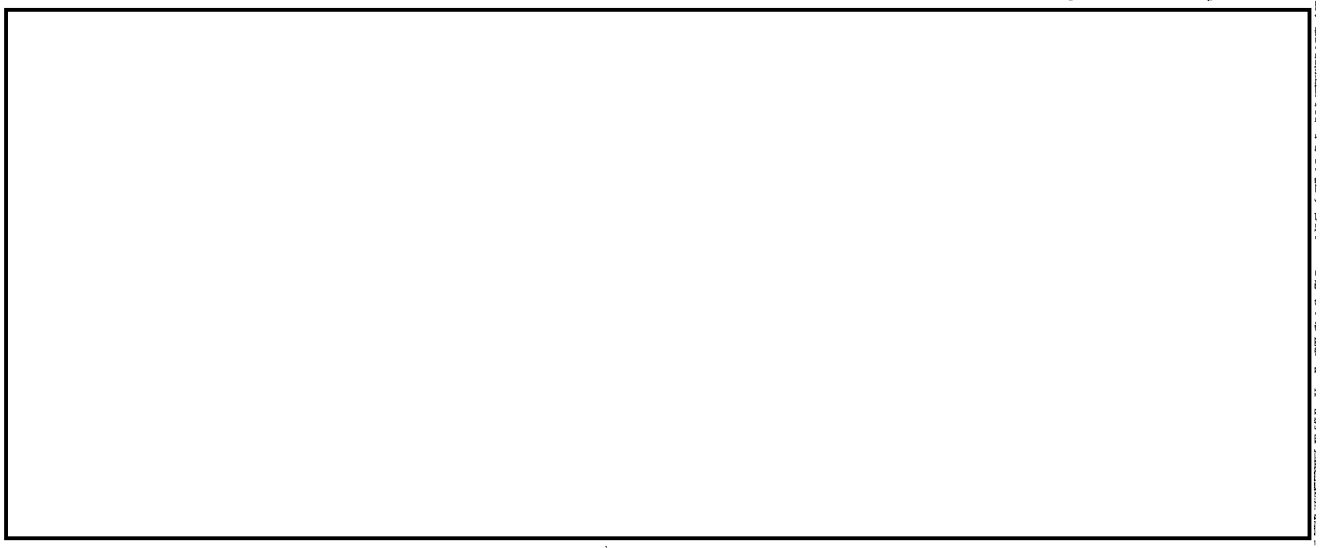
Wireless Intercept and Tracking Team

WITT Mission

The Wireless Intercept and Tracking Team (WITT)



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WITT
Wireless Intercept and Tracking Team

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Training Provided

- [redacted]
- Additionally, [redacted] equipment deployed to [redacted] and [redacted] and training provided
- Ten courses include:
  - [redacted]
  - [redacted]
  - [redacted]
  - [redacted]
  - [redacted]
  - [redacted]
  - [redacted]
  - [redacted]
  - [redacted]
  - [redacted]

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Preparation for Court Testimony

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Preparation for Court Testimony

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Locating a Subject

- Builds upon historical analysis when available
- [redacted]
- Requires legal authority, varies by mission specifics

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Target Identification

(S)

b1
b3
b7E

Future Focus

[redacted] As WITT moves into FY 2011 and beyond, our efforts are being focused in the following directions:

[redacted]

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WITT
Wireless Intercept and Tracking Team

Questions or Comments

WITT
Wireless Intercept and Tracking Team

Appendix A: WITT

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WITT
Wireless Intercept and Tracking Team

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Appendix B: WITT

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Wireless Intercept and Tracking Team

Appendix C: WITT

Photo Unavailable

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WITT
Wireless Intercept and Tracking Team

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Appendix D: WITT

Photo Unavailable

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WITT
Wireless Intercept and Tracking Team

Appendix E: WITT

Harris Corp's Loggerhead.

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WITT
Wireless Intercept and Tracking Team

Appendix F: WITT

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WITT
Wireless Intercept and Tracking Team

Appendix G: WITT Training

- Who Gets Trained?
  - [redacted]
    - •Duties include responsibility for [redacted]
  - [redacted]
    - • Duties include responsibility for cases involving:

[redacted]

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- In-house Training [redacted]

Wireless Intercept and Tracking Team

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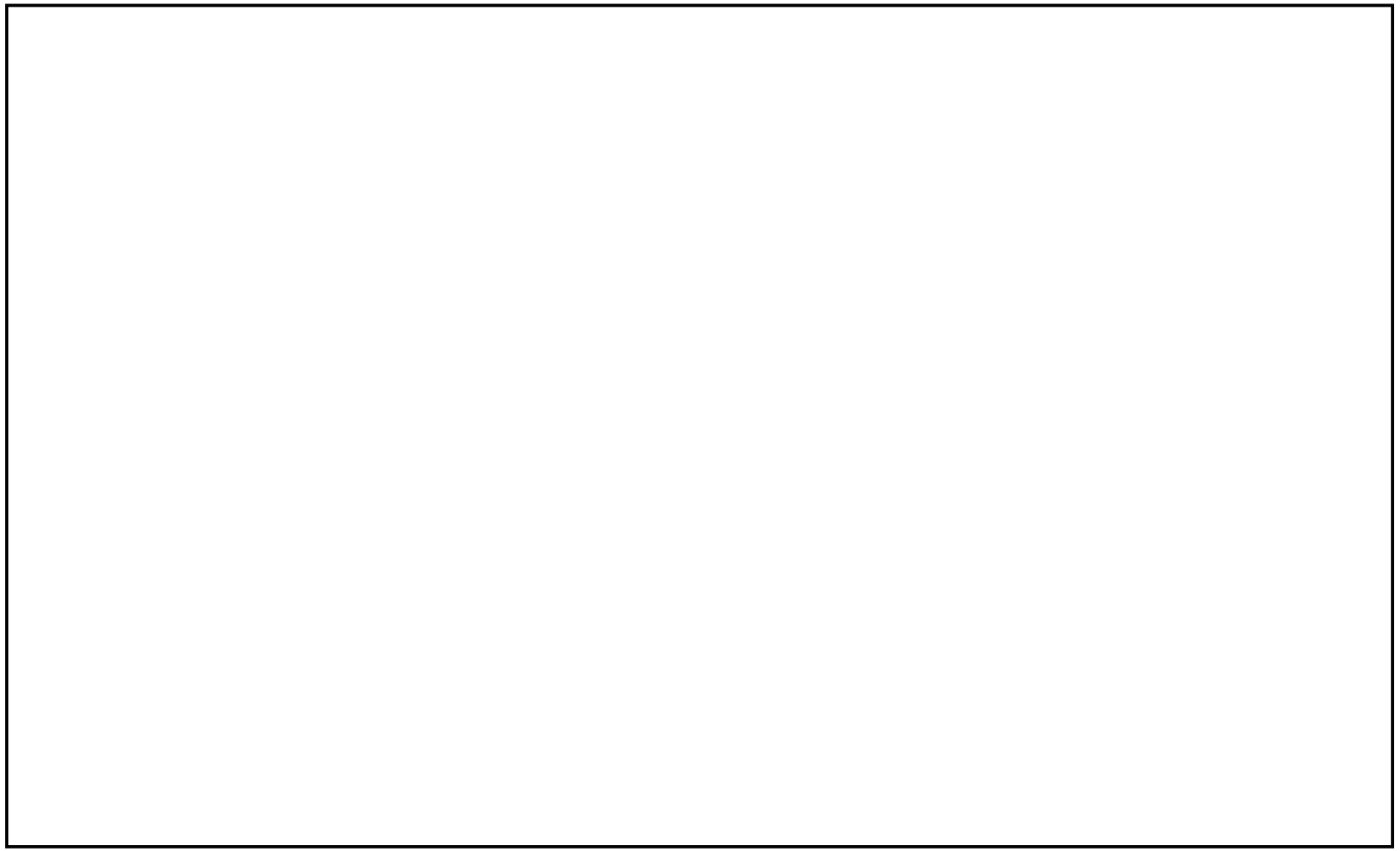
Appendix H: WITT Training



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WITT
Wireless Intercept and Tracking Team

Appendix I: WITT

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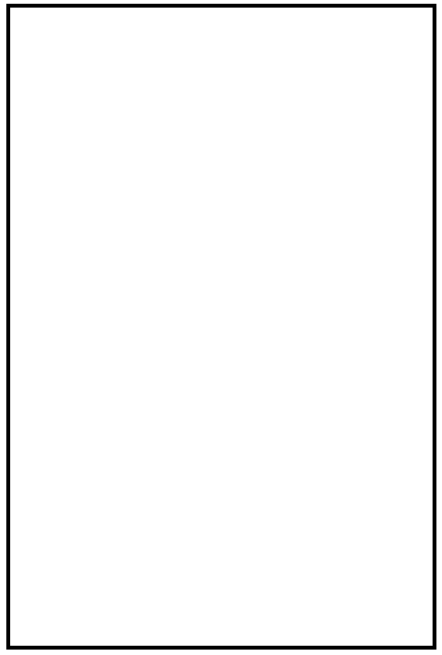
WITT
Wireless Intercept and Tracking Team

Appendix J: Court Order Required

Call Related Network Information

- Pen Register Order Required with 2703d provision
- Specifies request
-
-



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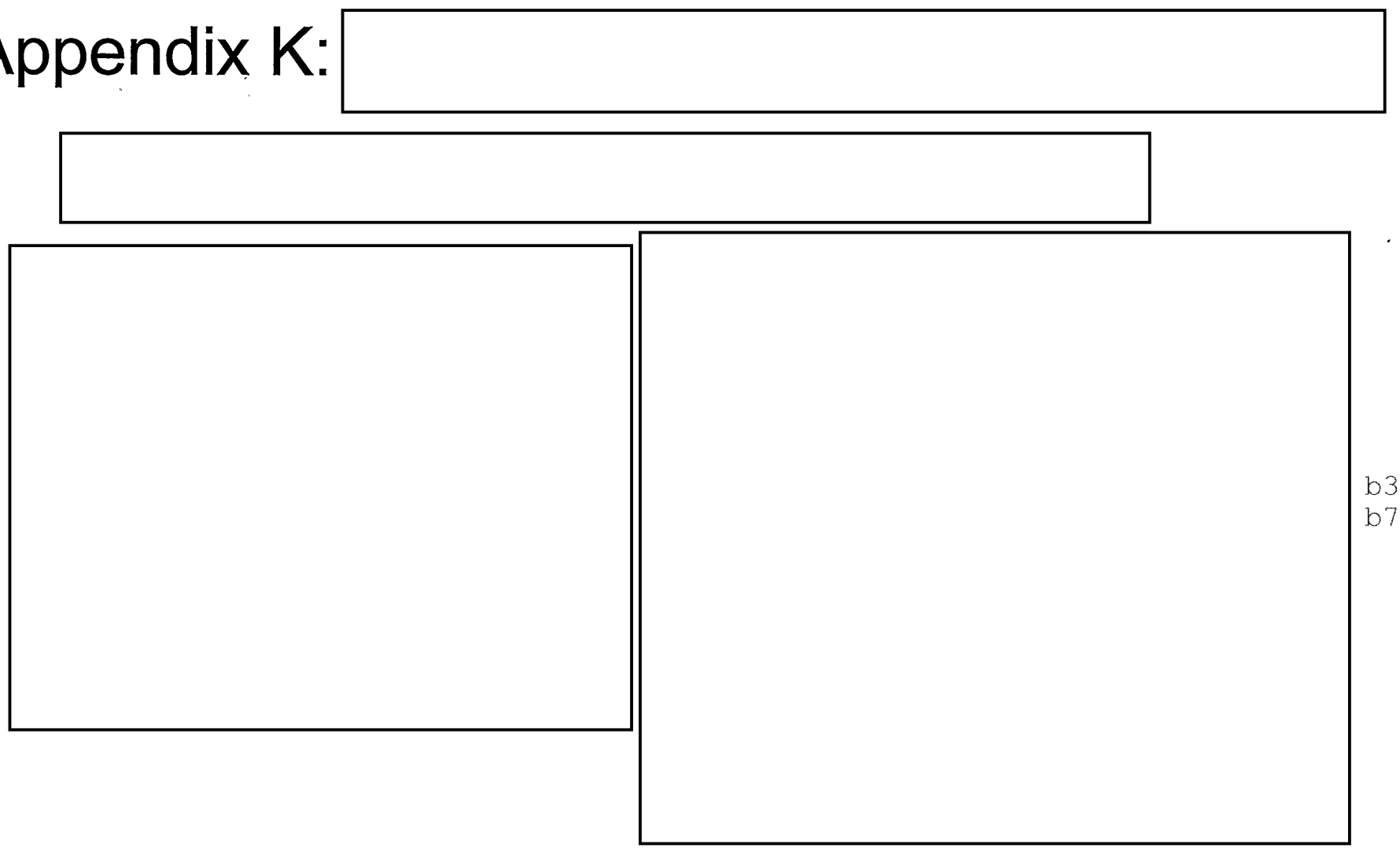
WITT
Wireless Intercept and Tracking Team

Appendix K:



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Appendix L: Program Milestones

WITT

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Wireless Intercept and Tracking Team

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To:

Subject: Stingray training guide

HI to All,

asked that I forward this to you. It's a step by step guide for If you have comments or suggestions, please let me know and we can try to incorporate them.

I don't believe that I have met any of you.

I'm back supporting mostly in the training area. If there is anything that I can do to help you out, just give me a call. Take Care

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COURSE AGENDA,

[redacted]WORKBOOK,

AND

FIELD EXERCISE

CELL-OTD 022065

CELLSITE-16621

COURSE AGENDA

Day 1: 1st Half - Classroom and Tabletop Setup

2nd Half - Classroom and Tabletop Setup

Day 2: 1st Half -

[Repeat the exercise with

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2nd Half -

[Repeat the exercise with

Day 3: 1st Half -

CELL/QTD 022066

2nd Half - [redacted] to support mission.]

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Day 4: 1st Half - Classroom and Tabletop Setup

[redacted]

2nd Half - Classroom
- Written Exam
- Questions & Answers
- Wrap-Up and System Tear Down

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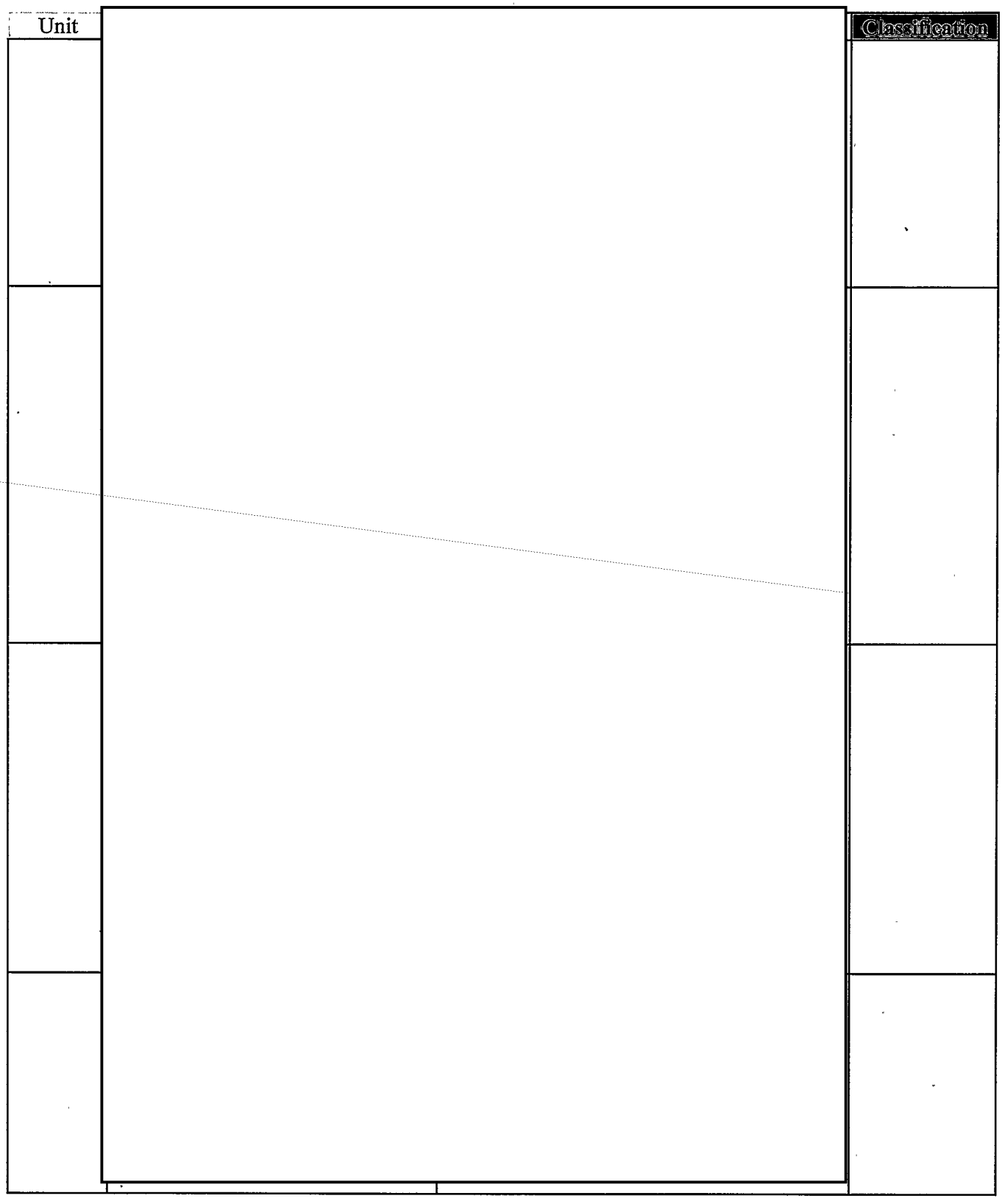

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Acronym	Network(s)	Owning Org.	System Access POC:	Relevant (url website)

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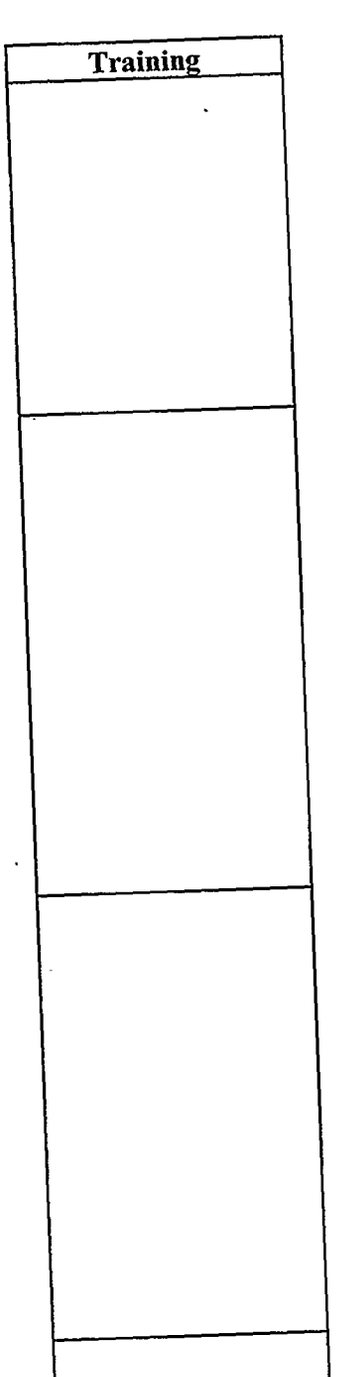

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WITT

Wireless Intercept and Tracking Team

CELL OTD 024200

Introduction to

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CELLSITE-16660

WITT

Wireless Intercept and Tracking Team

Introduction to

CELLSITE 022320
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CELLSITE-16661

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DATE 12-09-2012 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] OGC) (FBI)
Sent: Wednesday, February 24, 2010 12:53 PM
To: [redacted] (OTD) (FBI)
Subject: [redacted] Non-Disclosure Agreement with [redacted] WITT [redacted]

Importance: High

UNCLASSIFIED
NON-RECORD

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[redacted]

I may have misspoken a bit when we talked earlier today about the tasking for drafting the [redacted] NDA for [redacted] .I was right that [redacted] asked both of us to work on this, but what he wanted was for you to work on a draft of the agreement and for me to review/finalize that with you before it went to him. Sorry if I caused any confusion about who was doing what, but it looks like you are supposed have the lead and then work with me (OGC) to finalize it.

I had mentioned to [redacted] a while back that I previously drafted an MOU for the [redacted] folks concerning their [redacted] program and that we might be able to use that as a kind of pony here, since it's a similar (but not identical) situation of FBI wanting to [redacted] [redacted] I've attached a copy of it here in case you want to take a look. It dates back to summer of 2006, and [redacted] may have since modified it, but it should give you a basic idea of what they pushed out to [redacted] [redacted] WITT [redacted] but I thought I'd pass it on so you would not have to start from scratch. [redacted] [redacted]

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Let me know whenever you have a draft and we can discuss/finalize it for [redacted]

Thanks and sorry for any confusion,

[redacted]

CELL/OTD 017635

CELLSITE-16669

07-10-06 [redacted] Draft.do...

[redacted]

Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
Direct Dial:
Fax:

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DATE: 12-09-2012
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REASON: 1.4 (C)
DECLASSIFY ON: 12-09-2037

[redacted] (OTD) (FBI)

From: [redacted] (ITED) (FBI)
Sent: Thursday, March 18, 2010 2:41 PM
To: THOMAS, MARCUS C. (OTD) (FBI)
Cc: COOK, PATRICK B. (OTD) (FBI); DICLEMENTE, ANTHONY P. (OTD) (FBI); STRUYK, JAMES L. (LA) (FBI); [redacted] (OGC) (FBI)
Subject: FW: Draft NDA - second review

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RECORD 319-0

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[redacted]

From: [redacted] (OGC) (FBI)
Sent: Monday, March 15, 2010 4:37 PM
To: [redacted] (OTD) (FBI)
Subject: RE: Draft NDA - second review

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NON-RECORD

Pony_NDA re WITT
[redacted]

[redacted] it needs to be formated properly.

From: [redacted] (OTD) (FBI)
Sent: Tuesday, March 09, 2010 1:14 PM
To: [redacted] (OGC) (FBI)
Subject: RE: Draft NDA

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NON-RECORD

[redacted]

Looks good, with a couple of points.

1. Wherein the notification for [redacted] I'm pretty sure you meant TTS, but not completely sure. Does [redacted] Just making sure.

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2. Your thoughts trailed on you at the end. The last sentence just stops.

CELL/OTD 017628

~~SECRET~~

CELLSITE-16677

~~SECRET~~

Thanks

From: (OGC) (FBI)
Sent: Monday, March 08, 2010 9:12 AM
To:
Cc: (OGC) (FBI)
Subject: Draft NDA

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<< File: Pony_NDA re WITT .20100216.wpd >>
for your review.

~~UNCLASSIFIED~~

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COURSE AGENDA

Day 1: 1st Half - Classroom and Tabletop Setup

[redacted]

2nd Half - Classroom and Tabletop Setup

[redacted]

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Day 2: 1st Half - [redacted]

[redacted]

[Repeat the exercise with [redacted]

[redacted]

2nd Half [redacted]

[redacted]

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[Repeat the exercise with [redacted]

[redacted]

Day 3: 1st Half - [redacted]

[redacted]

2nd Half -

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Day 4: 1st Half - Classroom and Tabletop Setup

2nd Half - Classroom
- Written Exam
- Questions & Answers
- Wrap-Up and System Tear Down

CELL-OTD 022103

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WITT

Wireless Intercept and Tracking Team

CELL/OT 21743
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Program Briefing

WITT
Wireless Intercept and Tracking Team

Vendors Evaluation

WITT has looked into the following vendors for [redacted] multi-band denial of service system:

[redacted]

[redacted]

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CELL/OTD 02/17/14

CELLSITE-16705

WITT
Wireless Intercept and Tracking Team

Exercise

WITT attended and participated in May and June of 2010

Observations and results are as follows:

-
-
-
-
- More operational exercise is scheduled and WITT intends to participate

CELL/OTD 0217745 b3 b7E

CELLSITE-16706

WITT

Wireless Intercept and Tracking Team

WITT personnel provided the following support to the exercise:

-
-
-

CELL/OTD 021745

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CELLSITE-16707

WITT
Wireless Intercept and Tracking Team

Technical Requirements

WITT has identified the following critical requirements essential to [redacted] and are continuing to work with potential vendors to adopt the best solution.

- [redacted]

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CELL/OTD 021747

CELLSITE-16708

WITT
Wireless Intercept and Tracking Team

Implementation Planning

- Solution will likely [redacted]
- [redacted]
- [redacted]
  [redacted] and the likes
- [redacted]
- [redacted]

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Federal Bureau of Investigation

DATE: 12-17-2012
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DECLASSIFY ON: 12-17-2037

Project Briefing

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EE

Tracking Technology Unit

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Briefing Objectives

a) Ensure mission objectives and operational requirements remain same
b) Ascertain strategy and technical approach to solution remain sound
c) [redacted]
d) Provide project/program update including development schedule
e) Share information of [redacted]
f) [redacted]
g) [redacted]
h) Obtain clarity to legal use of [redacted]

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Established Capability of [redacted]

(S) [redacted]

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Mission Objectives

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Planned Operation Strategy

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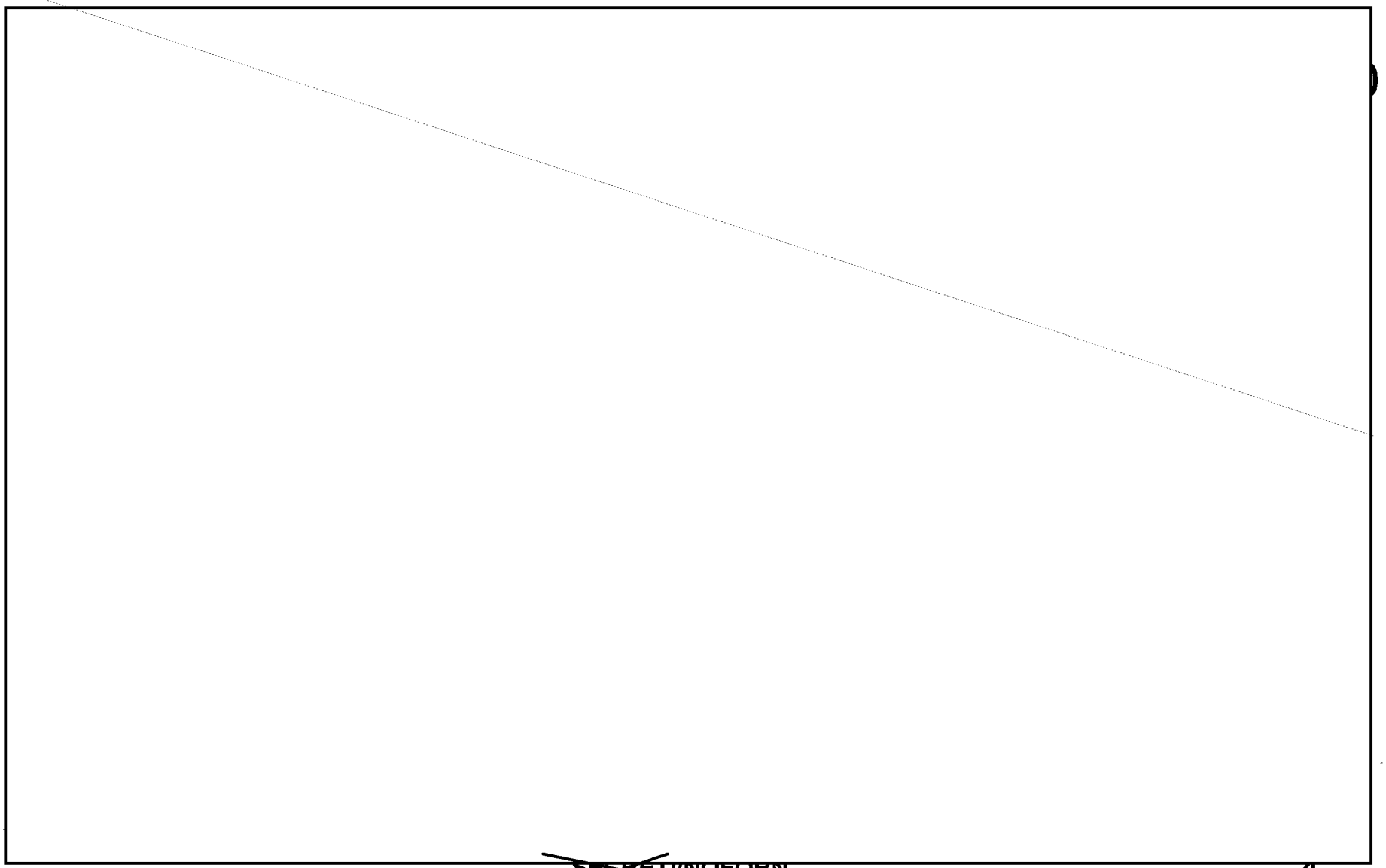

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Current Assessed System Capabilities

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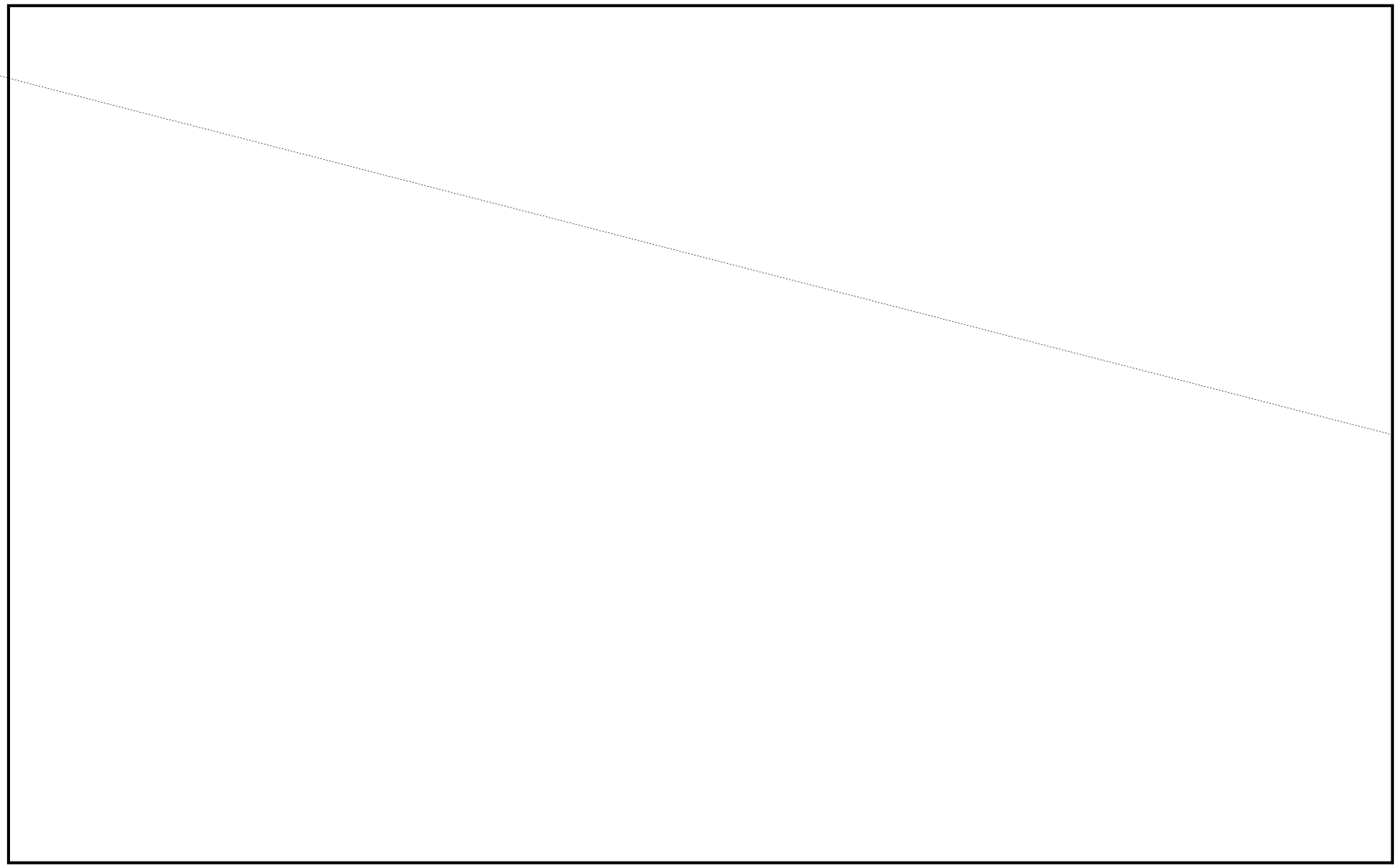

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Rationale for

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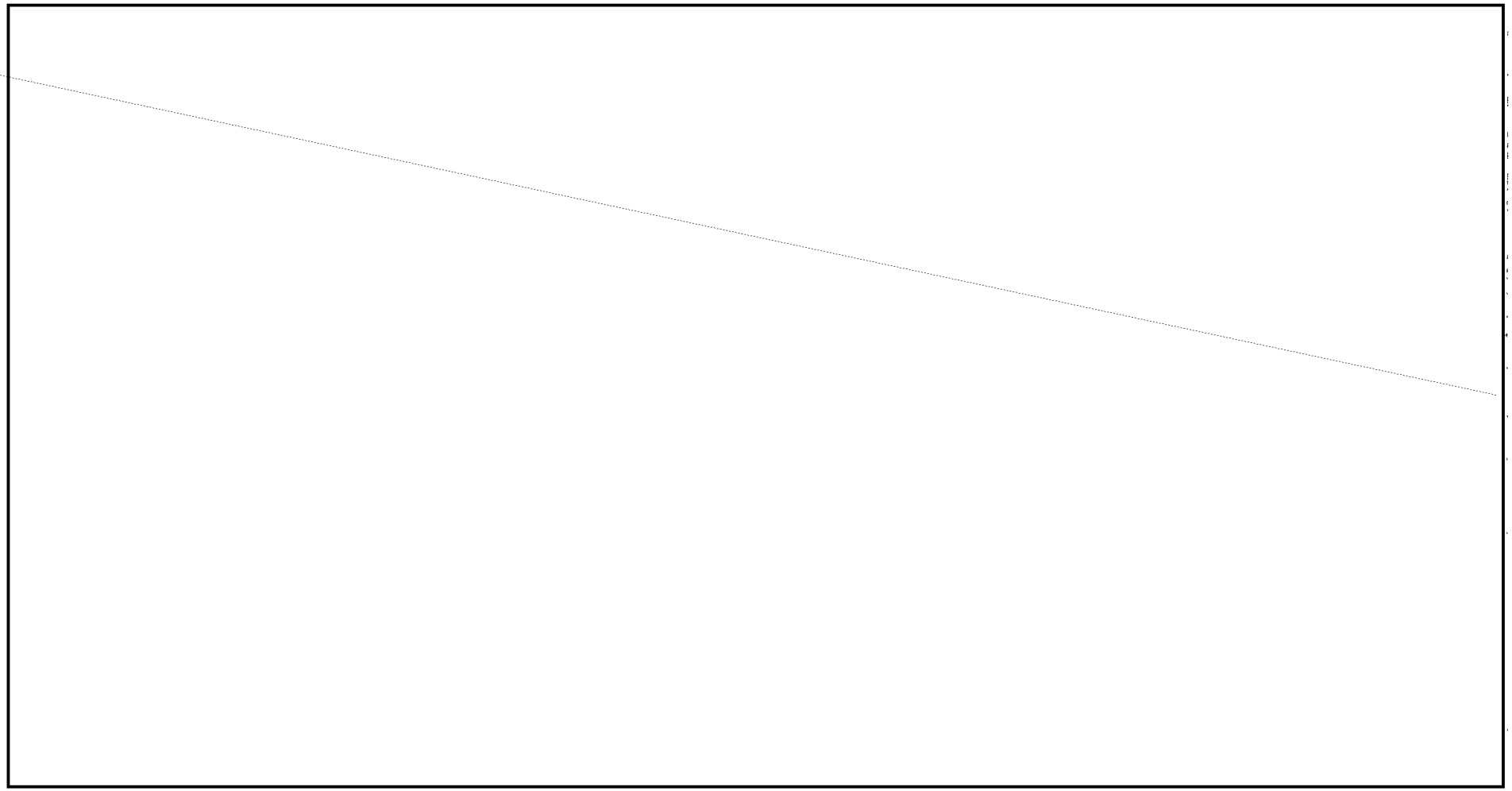
Effort

(S)



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Projected Strategy & Implementation

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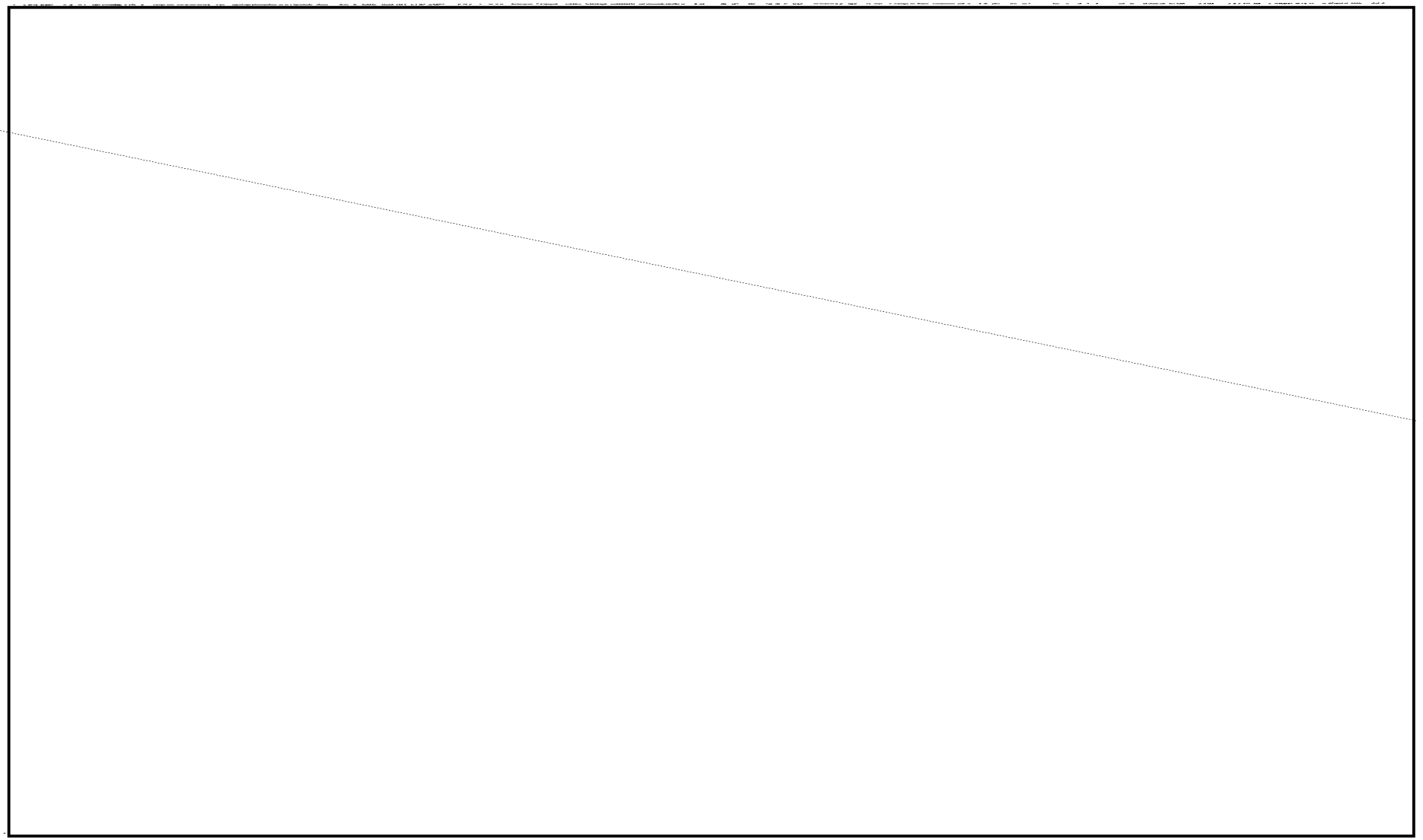

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REASON: 1.4 (C, G)
DECLASSIFY ON: 01-02-2038

[redacted] EXERCISE SUMMARY REPORT

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Wireless Intercept Tracking Team

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Charting the course through FY 2008 and beyond.

WITT
Wireless Intercept and Tracking Team

In Overview

- The WITT Team
- The WITT's Mission
- WITT Engineering & Research Endeavors
- WITT's New Rollouts
- WITT Case Resolutions

CELL-OTD 021650

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WITT Team Members

- EE
- EE
- ET

[redacted]

- [redacted]

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Wireless Intercept and Tracking Team

CELL-OTD 021651

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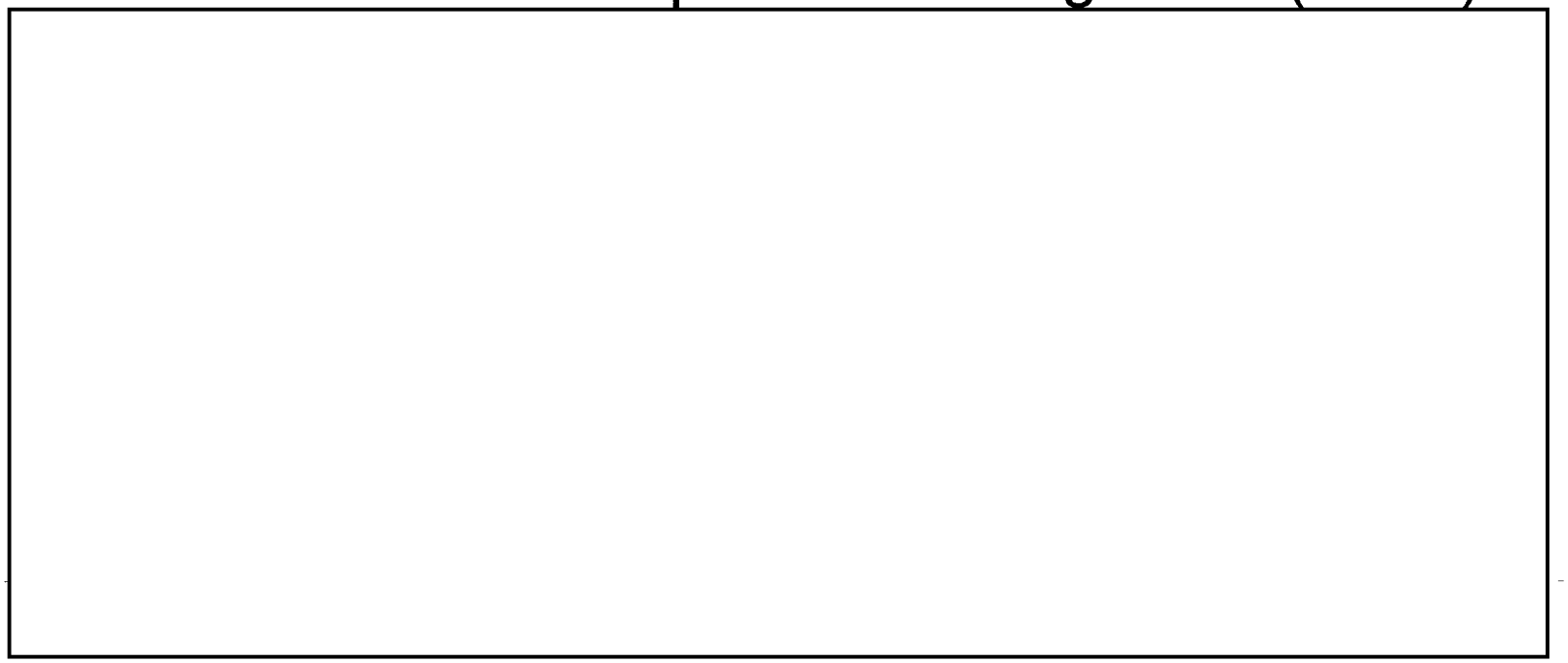
WITT's Mission

The Wireless Intercept and Tracking Team (WITT)



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Engineering Endeavors

The Goals

- [redacted]
- [redacted] (WITT) [redacted]
- [redacted]

The Gleanings

- [redacted]
- [redacted]
- [redacted] WITT [redacted]

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Capability

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Primary [redacted] Capability

- [redacted]
- Training will be coordinated through WITT

[redacted]

- [redacted]
- [redacted]
- [redacted]

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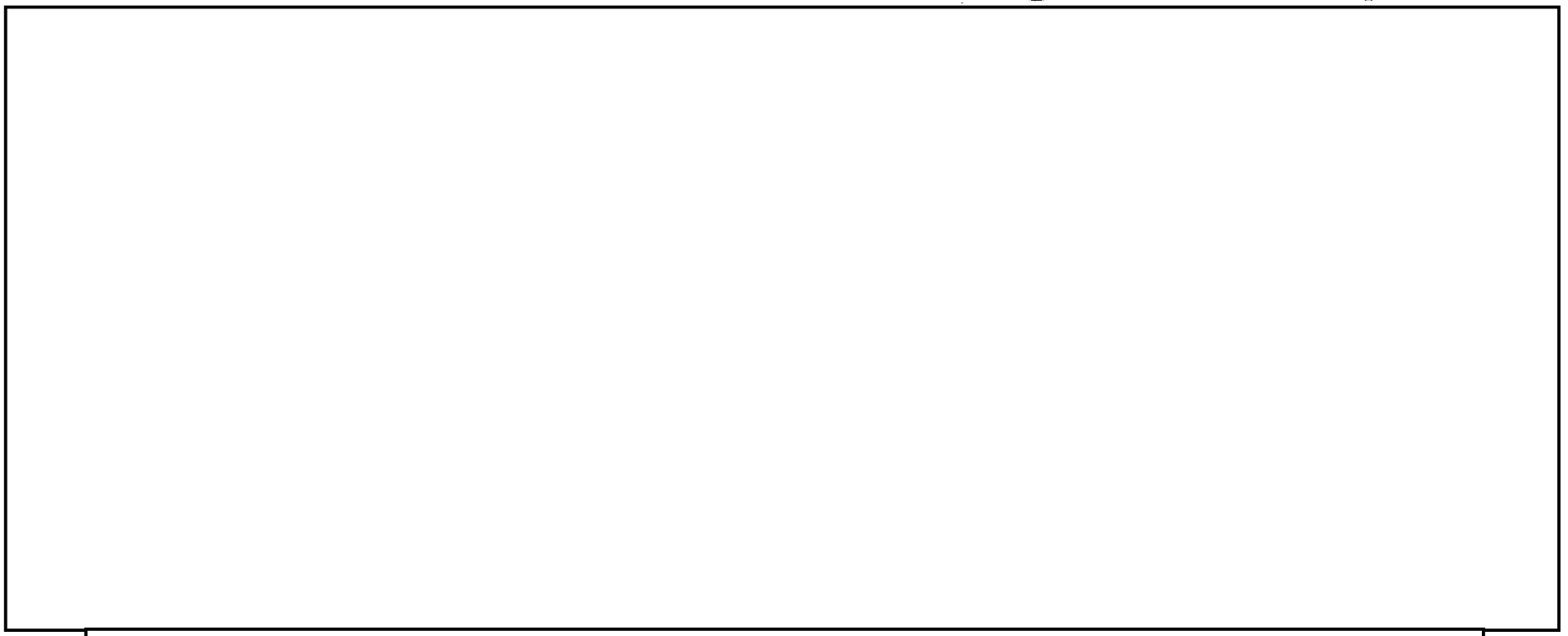
Capabilit



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-
- System operates with the

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Systems

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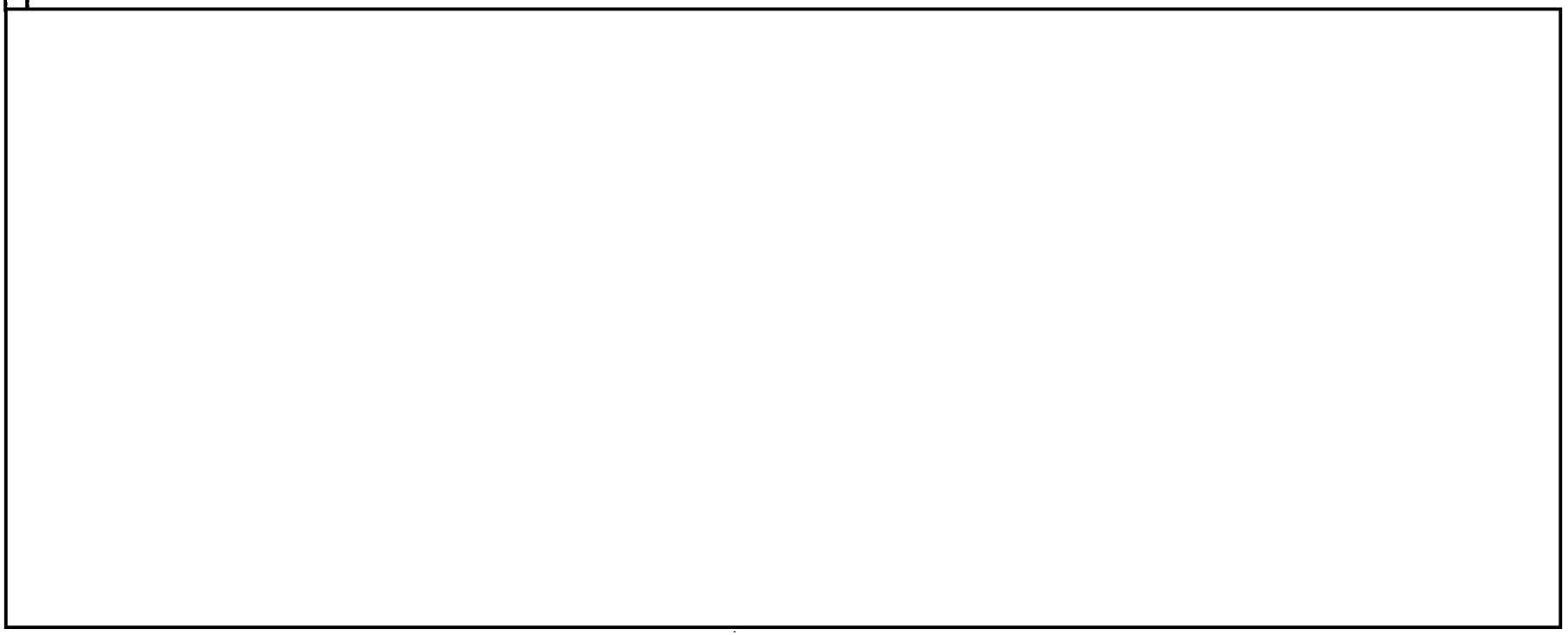
WITT
Wireless Intercept and Tracking Team



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- System resides with the WITT Team at the ERF
-

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WITT
Wireless Intercept and Tracking Team

WITT Case Statistics

"There are three types of lies: Lies, Damn Lies, and Statistics".

Attributed to:
Mark Twain, Benjamin Disraeli, and others...

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WITT
Wireless Intercept and Tracking Team

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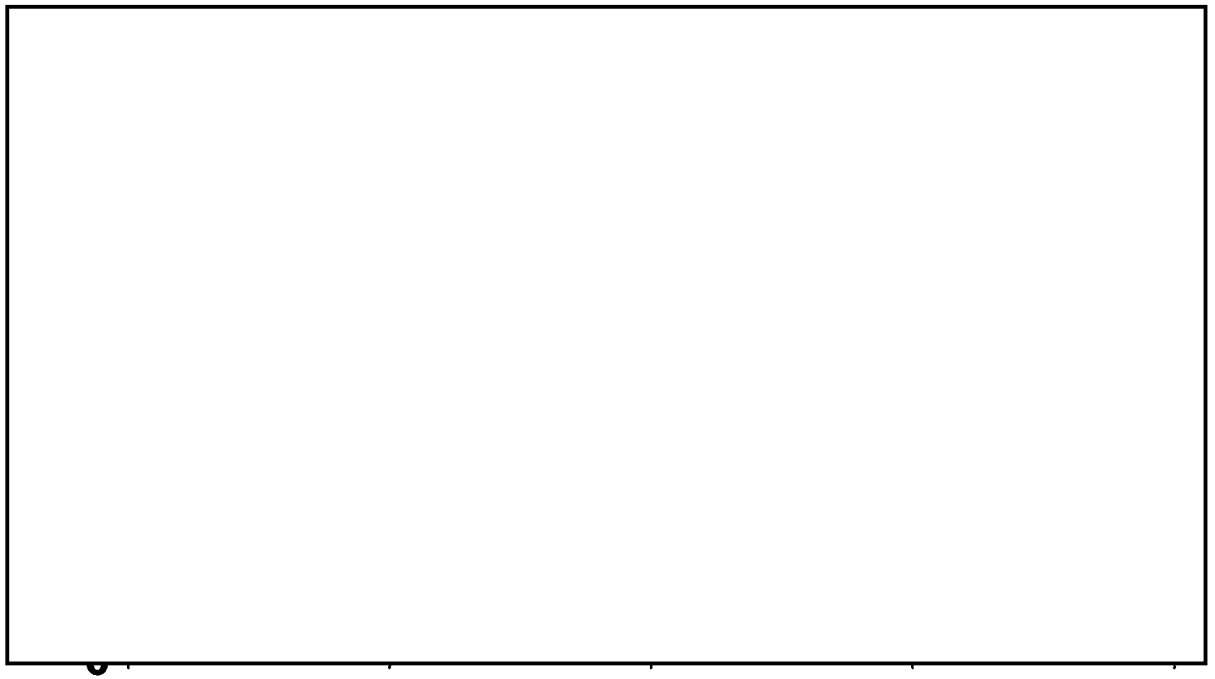
WITT Case Resolutions



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[redacted] WITT [redacted]

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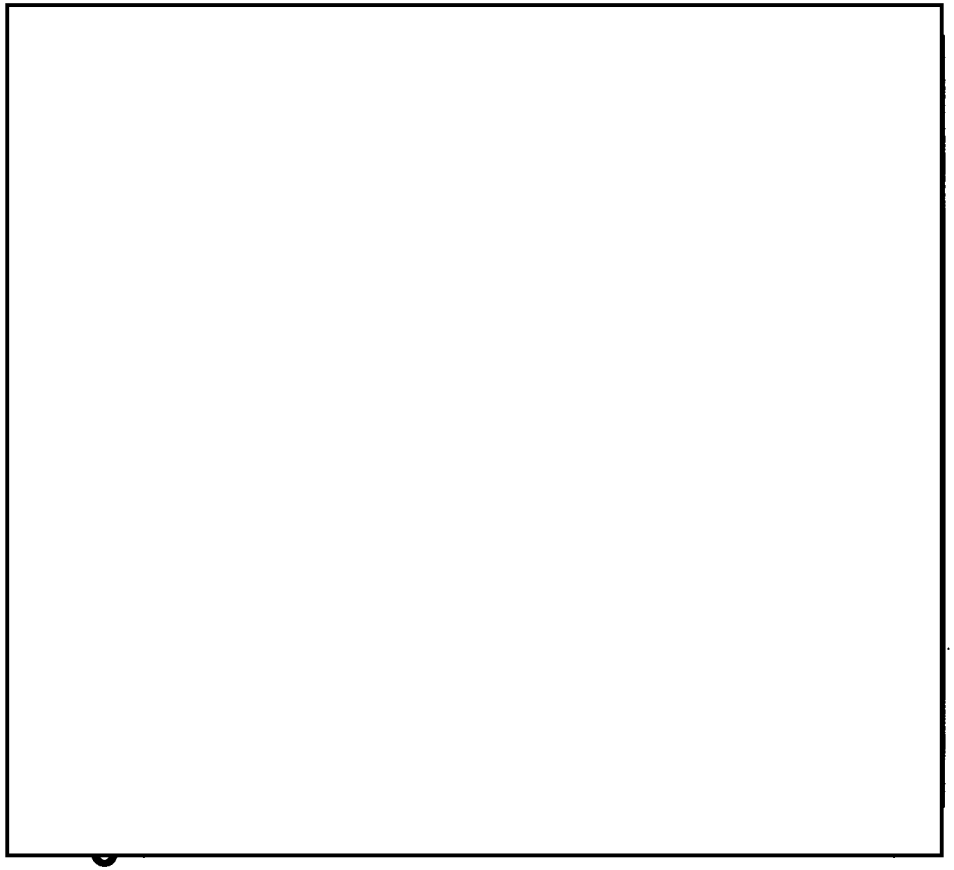
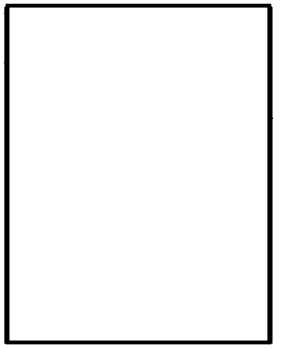
WITT Case Resolutions





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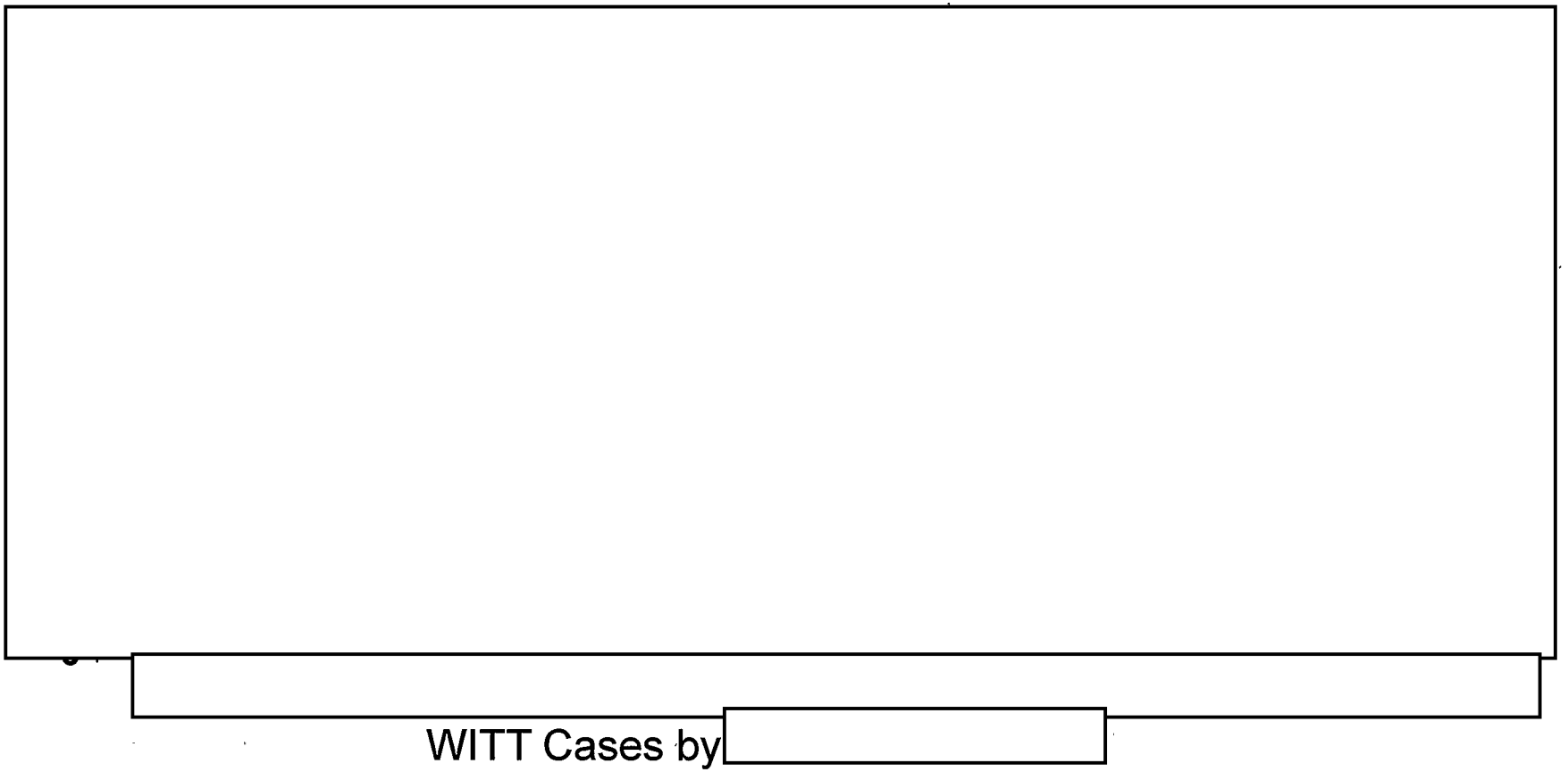
Cases reported by specific

WITT Case Resolutions



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WITT Cases by

Questions or Comments

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WITT
Wireless Intercept and Tracking Team

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ON 12-28-2012

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WITT

Wireless Intercept and Tracking Team

WITT Overview

September 12, 2006

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Equipment Inventory Tables

- WITT Equipment Inventory
  - [redacted]

[redacted]

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CELLSITE-16744

- WITT [redacted] Past Training
  - FY2006 - [redacted] Trained
    - [redacted] Trained by WITT personnel
    - [redacted] Trained by Harris
  - FY2006 – [redacted] WITT trained
  - FY2006 - [redacted]
  - FY2006 - [redacted]
  - FY2006 - [redacted]

Total [redacted] trained = [redacted]

Total VCMO/CID Agents trained = [redacted]

CELL/OTD 021554 b3 b7E

- OTD [redacted] Training March 20-24, 2006 (VCMO)

[redacted]

- [redacted] Training April 24-May 5, 2006 (VCMO)
  - Same attendees

* = [redacted]

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CELL/OTD 07/15/05

- [redacted] Training June 5-16, 2006 (VCMO)
- [redacted] Training August 29-September 1, 2006 (VCMO)

* [redacted]

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- FY2007 Training Schedule (***of planned training)***
  -
  -
- Class size of students initially (potentially grow to
  -
  - VCMO/CID
- Training will cover
- Supplemental classes may be added based on funding and need
  -
  -
  -
  -
  -

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CELL/OTD 021557

- [redacted] Research and Development Efforts
  - Focused on [redacted]
- Completed Efforts
  - September 2005 – Concepts Presented to Funding Board
  - October 2005 – Funds Allocated
  - February 2006 – WITT Receives Funds
  - February 2006 – [redacted] Initiated
  - August 2006 – [redacted] Funds Received
- Ongoing Efforts
  - October 2006 – Task Kickoff (Period of Performance 1 year)
- Future Efforts
  - October 2007 – Technical Research completed for [redacted]
  - September 2007 – Identify follow-on funds and research

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CELL/OTD 02155

- WITT FY06 procurements: Delivery October 06 – October 07
-
-

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CELL/OTD 021559

- WITT FY06 procurements: Delivery October 06 – October 07
-
-
-

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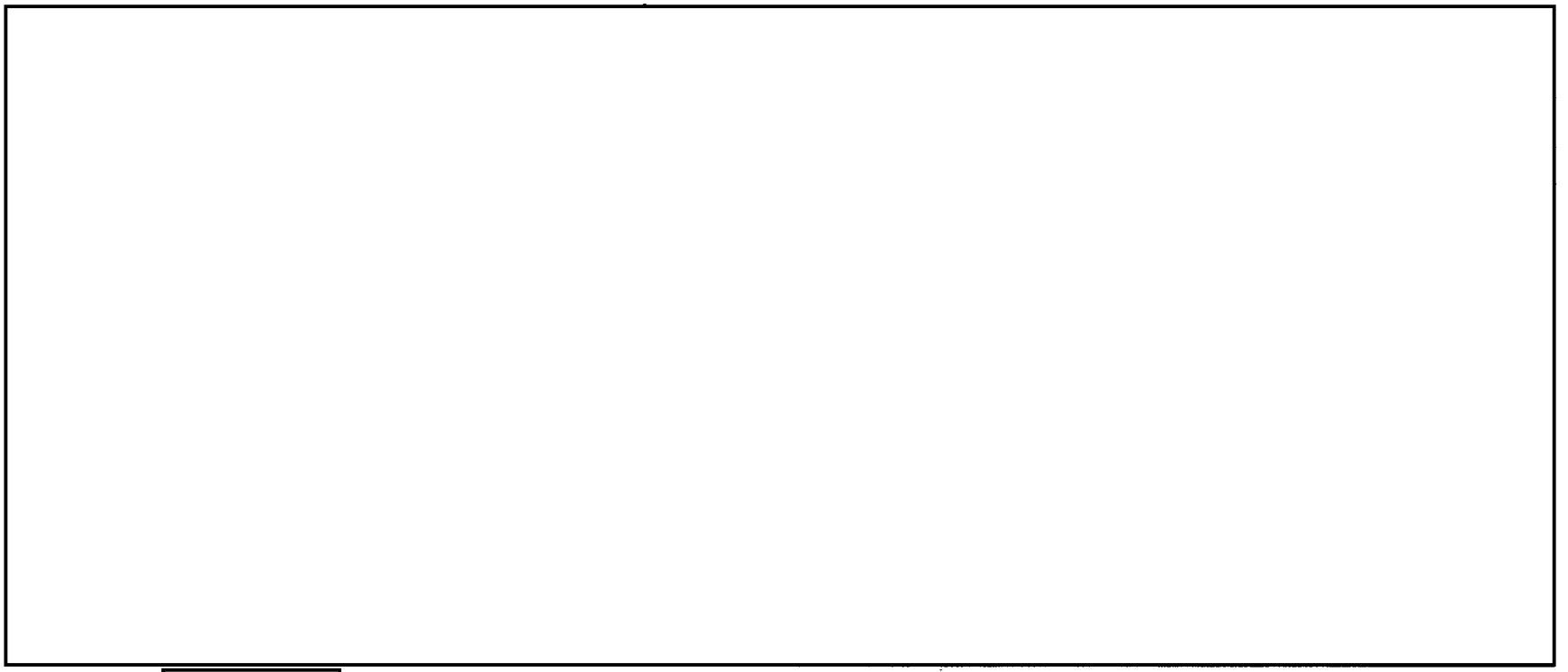
CELL-OTD 021560

- Case Resolution Database



- WITT [redacted] Successes
- [redacted] Successful VCMO [redacted] Cases reported as of Sept 13, 2006

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Date:	05/15/2006		
To:	ALL DIVISIONS	From:	OPERATIONAL TECHNOLOGY
Author:		Approver:	
Topic:	THIS ELECTRONIC COMMUNICATION (EC) UPDATES FBI POLICY		
Classification:	U		
Authority:		Duration:	
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Secure document:			

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Precedence: ROUTINE Date: 05/15/2006

To: All Divisions Attn: EADs and ADs (Encs.)
ADICs (Encs.)
SACs (Encs.)
On-Scene Commanders (Encs.)
CDCs (Encs.)
[redacted] (Encs.)
[redacted] (Encs.)

All Legats Attn: Legat (Encs.)
ALATs (Encs.)

International Operations Attn: SAC (Encs.)

Administrative Services Attn: Manuals Desk (Encs.)

From: Operational Technology
Tactical Operations Section
Contact: [redacted]

Approved By: Haynes Kerry E
Fuentes Thomas V
Thomas Marcus C
[redacted]
DiClemente Anthony P
Clifford Michael
[redacted]
Motta Thomas Gregory

Drafted By: [redacted] law

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CELL/OTD 021578

substantive FBIHQ Divisions, the LEGAT, and OIO. [redacted] can be contacted anytime day or night at [redacted] or via SIOC.

LEAD(s):

Set Lead 1: (Action)

ALL RECEIVING OFFICES

Please bring to the attention of appropriate personnel.

CC: 1 - [redacted] QTERF (Encs.)
1 - Mr. DiClemente, [redacted] (Encs.)
1 - Mr. Clifford, QTERF (Encs.)
1 - [redacted] QTERF (Encs.)
1 - Each OTD Assistant Section Chief, QTERF (Encs.)
1 - Each OTD Unit Chief, QTERF (Encs.)

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DATE 04-30-2013 BY NSICG F85M26K45

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From:
Sent: Tuesday, July 08, 2008 10:08 AM
To:
Subject:

UNCLASSIFIED
NON-RECORD

Here's some briefing materials...

Wireless Intercept Tracking Team

WITT

10262007_WITT Briefing.ppt

UNCLASSIFIED

CELL/OTD 007705 CELLSITE-17228

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HEREIN IS UNCLASSIFIED
DATE 04-30-2013 BY NSICG F85M26K45

[redacted]

From: [redacted]
Sent: Monday, September 25, 2006 3:50 PM
To: [redacted]
Subject:

SENSITIVE BUT UNCLASSIFIED
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[redacted]

Sorry for the delay, but I was on TDY last week. Talk to you soon.

[redacted]

[redacted]

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 005461

DECLASSIFIED BY NSICG F85M26K45
ON 04-30-2013

[redacted]

From: [redacted]
Sent: Friday, January 09, 2009 6:53 PM
To: [redacted]
Cc:
Subject: Briefing for 01152009

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RECORD 268-HQ-1068430

[redacted]

b3
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Attached is a briefing for upcoming meeting. First set of slides talk about our focus, mission. Second set of slides are example case work we do. Third set of slides explains all the areas we need to move and some near/long term goals.

If someone could massage this properly, and make it hit the point with the [redacted]

[redacted]

Later,
[redacted]

[redacted]WITT
01152009.ppt

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~~DECLASSIFY ON: 20340109~~
~~SECRET~~//NOFORN

CELL/OTD 008063

DECLASSIFIED BY NSICG F85M26K45
ON 05-02-2013

[redacted]

From: [redacted]
Sent: Friday, June 05, 2009 4:56 PM
To: [redacted]
Cc:
Subject: [redacted] WITT

~~SECRET~~//REL TO [redacted]
RECORD 268-HQ-1068430

b3
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Here's the presenation I came up with. I decided not to talk about much, although focus more on the operational issues.

[redacted]

[redacted] WITT [redacted]

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CELL-OTD 012937

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Anthony DiClemente
Chief,
Operational Technology Division

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b7E

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CELL/OTD 009623

CELLSITE-16297

DECLASSIFIED BY 65179 DMH/STW
ON 01-07-2013

[redacted] (OTD) (FBI)

From: [redacted] (OTD)(FBI)
Sent: Monday, January 24, 2011 1:26 PM
To: [redacted] (OTD) (FBI)
Subject: Scanned file

~~Secret~~

[redacted]

b3
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Thank you and have a blessed day,

[redacted]
AdministrativeAssistant
TTU, ERF
[redacted]

CELL/OTD 009685 CELLSITE-16353

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HEREIN IS UNCLASSIFIED
DATE 01-03-2013 BY 65179 DMH/SIW

[redacted] (OTD) (FBI)

From: [redacted] (OGC) (FBI)
Sent: Friday, February 19, 2010 10:18 AM
To: [redacted] (OTD) (FBI)
Subject: FW: NEW LEGISLATION

UNCLASSIFIED
NON-RECORD

From: [redacted] (OGC) (FBI)
Sent: Thursday, February 04, 2010 1:57 PM
To: [redacted] (OTD) (FBI)
Subject: RE: NEW LEGISLATION

UNCLASSIFIED
NON-RECORD

b6
b7C

[redacted]

Here's the most recent version of the legislative proposal (as of last Fall). We are continuing to try to push this in connection with the [redacted] bills that have been floating around in Congress and generally, but things have been a little quiet on that front as of late. I will let you know if there are any developments.

b3
b6
b7C
b7E

I managed to find the last version of the [redacted] MOU that I had - it is the draft we provided to the [redacted] It dates back to summer of 2006, which was over a year before we got the [redacted] may have since modified it to account for some of the stuff that [redacted] imposed on us, but it should give you a basic idea of what they pushed out to the [redacted] We definitely need to add some language about [redacted] We can work on shoring this up over the next few weeks so that it is ready for prime time whenever [redacted] gets authorized and these folks come knocking…

FBI [redacted] Legislative Propos...

07-10-06 [redacted] MOU [redacted] Draft.do...

From: [redacted] (OTD) (FBI)

CELLSITE-16356
CELL/OTD 007737

Sent: Friday, January 29, 2010 8:29 AM
To: [redacted] (OGC) (FBI)
Subject: NEW LEGISLATION

UNCLASSIFIED
NON-RECORD

[redacted]: Can you email me on the new proposed legislation language that you wrote addressing [redacted]. It was to clarify existing authority, or establish new authority to provide clear and unambiguous standing authority for federal law enforcement

b3
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b7C
b7E

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted]

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CELL/OTD 007738

CELLSITE-16357

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DATE 01-04-2013 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Wednesday, April 06, 2011 4:25 PM
To: [redacted]

b3
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b7E

Cc:

Subject:

The purpose of the email to advise the WITT User Community on the delicate use of the [redacted] WITT [redacted]

[redacted] WITT [redacted]

b3
b7E

To help avoid this drawback, it is important to remind the WITT User Community to carefully analyze the [redacted]

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DATE 01-04-2013 BY 65179 DMH/STW

[redacted] **Users Manual**

b3
b7E

Version 2.5

September 1st, 2006

Wireless Intercept and Tracking Team
Tracking Technology Unit

CELL/OTD 014198
CELLSITE-16375

b3
b7E

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1. SCOPE.....1

2. SYSTEM OVERVIEW.....1

3. INSTALLATION.....2

4. USING THE APPLICATION.....3

5. ADDITIONAL FEATURES.....6

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DATE: 01-07-2013
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, D)
DECLASSIFY ON: 01-07-2038

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Monday, February 01, 2010 10:52 AM
To: [redacted]; COOK, PATRICK B. (OTD) (FBI); THOMAS, MARCUS C. (OTD) (FBI); [redacted]
Cc: [redacted] DICLEMENTE, ANTHONY P. (OTD) (FBI)
Subject: FW: [redacted]

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~~SECRET~~//NOFORN
RECORD [redacted]

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WHERE SHOWN OTHERWISE

(S) Updated information:

[redacted]

b1
b3
b7E

I asked for a summary of the issues, and was advised as follows:

(S) [redacted]

(S) [redacted]

There may be other questions as well, but this is what I could get in advance.

[redacted]

b1
b3
b6
b7C
b7E

From: [redacted] (OTD) (FBI)
Sent: Wednesday, January 27, 2010 10:00 AM
To: THOMAS, MARCUS C. (OTD) (FBI); COOK, PATRICK B. (OTD) (FBI); [redacted] (FBI)
Cc: DICLEMENTE, ANTHONY P. (OTD) (FBI); [redacted]
(S) **Subject:** [redacted]

~~SECRET~~//NOFORN
RECORD [redacted]

Gentlemen,

~~SECRET~~

CELLSITE-16388
CELL/OTD 009700

~~SECRET~~

(S)

Attached are the slides for the two projects that were briefed: b1 b3 b7E

I'm not certain what their concerns are at this point, but I believe they are as follows:

(S)

(S)

b1 b3 b7E

The group will be here Thursday afternoon for a second round of briefings, and I don't think these issues will be brought up in that venue, but they will likely come up within a week or so.

Should we call an internal meeting to discuss further?

b3 b6 b7C b7E

OTD rep to
Operational Technology Division

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~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20200127~~
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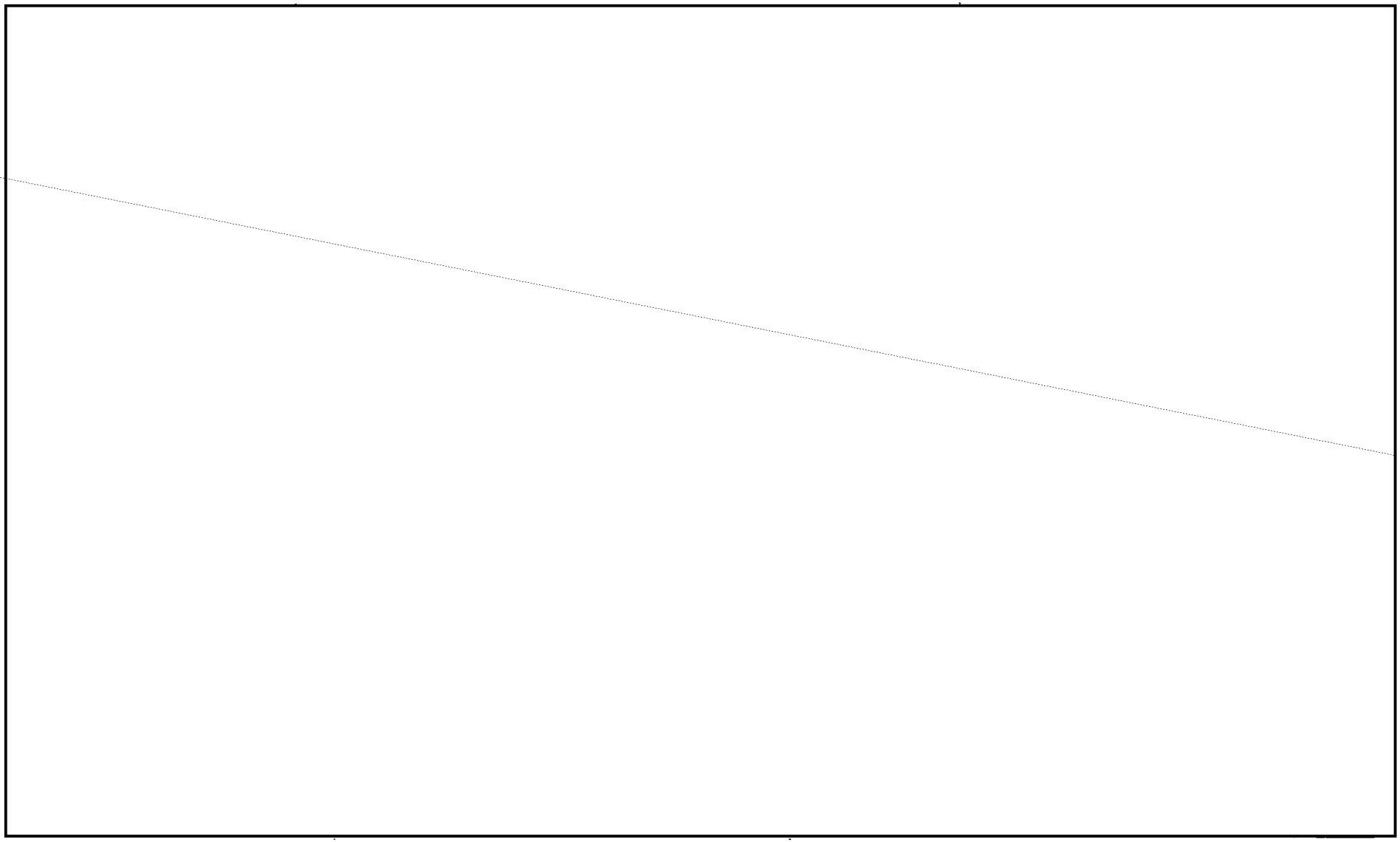

(S)

b1
b3
b7E

CELL/010 009706

FBI-018:

b3
b7E

CELL/OTD 009707

~~SECRET~~/NOFORN

FBI-018:

PROJECT IDENTIFICATION	PERFORMANCE SUMMARY
(S)	

b1
b3
b7E

902600 010/7133

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CELLSITE-16396

FBI-018:

DEPENDENCIES & COLLABORATION	SCHEDULE
(S)	

b1
b3
b7E

CELL/010 009709

FBI-018:

DELIVERABLES

(S)

b1
b3
b7E

CELL/OTD 09/10

CELLSITE-16398

~~SECRET~~

DATE: 01-07-2013
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C)
DECLASSIFY ON: 01-07-2038

[redacted] (OTD) (FBI)

From: [redacted] OTD) (FBI)
Sent: Friday, January 29, 2010 12:13 PM
To: [redacted] (OTD) (FBI)
Subject: [redacted] ISSUES

(S)

b6
b7C

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~~NON-RECORD~~

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[redacted] Since you have informed AD Thomas of [redacted] issues with two WITT [redacted]
(S) projects can you advise me as to what they are formally so I can address.

b1
b3
b6
b7C
b7E

[redacted]

Attached are the slides for the two projects that were briefed:

[redacted]

b1
b3
b7E

I'm not certain what their concerns are at this point, but I believe they are as follows:

(S)

[redacted]

(S)

The [redacted] group will be here Thursday afternoon for a second round of briefings, and I don't think these issues will be brought up in that venue, but they will likely come up within a week or so.

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted]

b6
b7C

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~~SECRET~~

CELLSITE-16399

CELL/OTD 009713

DECLASSIFIED BY 65179 DMH/STW
ON 01-07-2013

(OTD) (FBI)

From: (OTD) (FBI)
Sent: Thursday, January 28, 2010 7:30 AM
To:
Cc: COOK, PATRICK B. (OTD) (FBI); THOMAS, MARCUS C. (OTD) (FBI)
Subject: RE: FY09/10 Executive report

~~SECRET~~//NOFORN
RECORD 200

b3
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b7C
b7E

wit wp
d

SSA
Unit Chief
Tracking Technology Unit
Operational Technology Division

From: (OTD) (FBI)
Sent: Tuesday, January 26, 2010 8:09 AM
To: (OTD) (FBI)
Subject: FY09/10 Executive report

~~SECRET~~//NOFORN
RECORD 200

b3
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b7C
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I'm assisting with the 09/10 Executive report. One of the takeaways from the meeting yesterday was developing some success stories to include in the report. I want to include a couple (2 or 3) of success stories from both and TTU. The stories only need to be a few sentences describing the situation, action, and results. They should be The following projects were mentioned as having success stories: FBI-001 FBI-014 FBI-025 FBI-020

Would you mind passing this on to to have them provide a couple of success stories? If there are success stories in other projects that would fit better have them include that instead. I need to have everything together by COB tomorrow. If you have any questions give me a call.

Thanks,

SSA
OTD
Desk
Cell

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~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20350126~~
~~SECRET//NOFORN~~

CELL/OTD 009724 CELLSITE-16410

~~SECRET~~

TRACKING TECHNOLOGY UNIT
WIRELESS INTERCEPT TRACKING TEAM

DATE: 01-07-2013
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C)
DECLASSIFY ON: 01-07-2038

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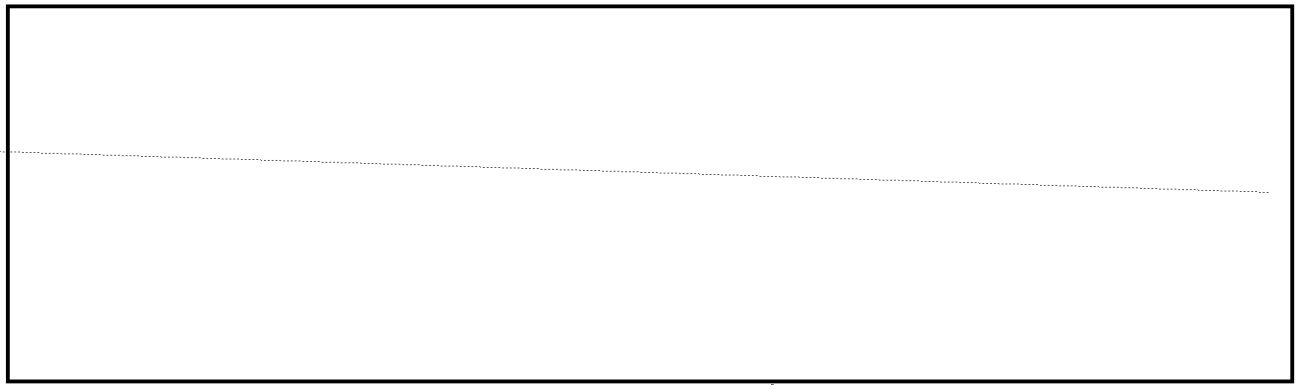
(S)

The above results utlized a prototype

(S)



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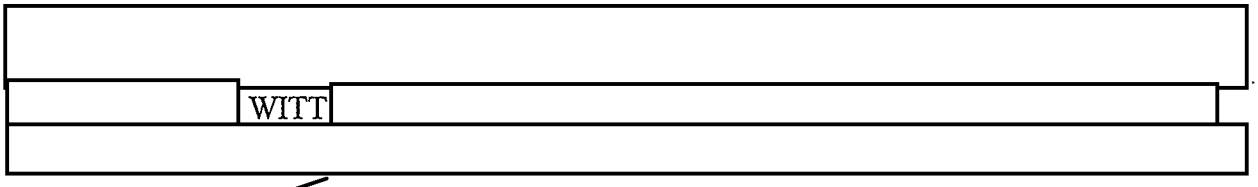

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DATE: 01-07-2013
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, D)
DECLASSIFY ON: 01-07-2038

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Friday, July 17, 2009 4:43 PM
To: [redacted] OTD)(FBI)
Subject: FW: Diagram

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WHERE SHOWN OTHERWISE

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(S) I just sent an email concerning needs of [redacted] At the end I mentioned [redacted] FYI the below is between [redacted]

[redacted]
A/SC OTD [redacted]

b1
b3
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b7E

From: [redacted] (OTD) (FBI)
Sent: Friday, July 17, 2009 2:19 PM
To: [redacted]
Cc:
Subject: RE: Diagram

~~SENSITIVE BUT UNCLASSIFIED~~
NON-RECORD

Hi [redacted]

(S) [redacted]

J

From: [redacted]
Sent: Friday, July 17, 2009 2:15 PM
To: [redacted]
Cc:
Subject: FW: Diagram

b3
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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted] good talking to you again. Attached is a sample of one of the [redacted]

[redacted]

CELLSITE-16413

~~SECRET~~

CELL/OTD 008559

[redacted]

[redacted].pdf

Many of the other solutions are [redacted] depending on the needs of the case.

If you have any questions, I will be TDY next week but reachable by cell.

b3
b6
b7C
b7E

[redacted]

DECLASSIFIED BY 65179 DMH/STW
ON 01-07-2013

[redacted] (OTD) (FBI)

From: [redacted] (OTD)(CON)
Sent: Tuesday, September 21, 2010 9:57 AM
To: [redacted]
Cc: [redacted] (OTD) (FBI)
Subject: [redacted] Presentations: Instructions and Templates

~~SECRET~~//NOFORN
RECORD [redacted]

b3
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[redacted]

Attached please find two Powerpoint files related to the upcoming FBI [redacted] briefings. The first file contains an overview of the briefing process, general presentation instructions and specific guidance for completing the slides for which you are the designated Project Lead. To reduce the burden, I have already entered much of the required information from the [redacted] database maintained for all [redacted] projects. The second file contains the partially completed slides for each of the briefings you are scheduled to present on November 5th.

[redacted] Nov2010 Briefing Instructi...

NOV5H-TTU [redacted] -TEMPLATE.ppt

November 5th - 8:00 am to 4:30 pm at the ERF-E Conference Room). Agenda:

b3
b6
b7C
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	TOPIC	BRIEFER
0800	Introductions/Opening Remarks	[redacted]
0815 to 1000	003 029 034 035 036 037 076 [redacted]	[redacted]
1000	BREAK	
1030 to 1215	077 078 004 079 042 081 [redacted]	[redacted]
1215 to 1315	LUNCH	
1315 to 1500	018 [redacted] TTU 002 014 017 [redacted] TTU 001 015 016 [redacted] TTU	
1500	BREAK	
1530 to 1630	020 [redacted] TTU 022 TTU 028 TTU	

CELL/OTD 012480

CELL/OTD 0
CELLSITE-16416

Questions / Comments [redacted]

b3
b6
b7C
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Should you encounter any difficulties with the template, or if you have any questions I can assist you with, please give me a call.

Once you have completed your slides according to the instructions please return the file to me.
DEADLINE: October 19

Note: I will be out of the office much of today and all day tomorrow, but expect to be available all day on Thursday. That same day I hope to have time to forward you the slides for your two remaining projects (#025[redacted] and #013-[redacted] which you are scheduled to brief on Monday afternoon, November 8th.

Regards,

[redacted]
Contractor, [redacted]
Operational Technology Division
[redacted]
Mobile: [redacted]

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20350921~~
~~SECRET//NOFORN~~

CELL-GTD 012481

DATE: 01-07-2013
CLASSIFIED BY 65179 DMH/STW
REASON: 1.4 (C, G)
DECLASSIFY ON: 01-07-2038

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WHERE SHOWN OTHERWISE

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CELL/OTD 012482

Project Status Reviews

Instructions

Print pages 2-6 and refer to them as you prepare your presentation.

(S)

November 5/8, 2010

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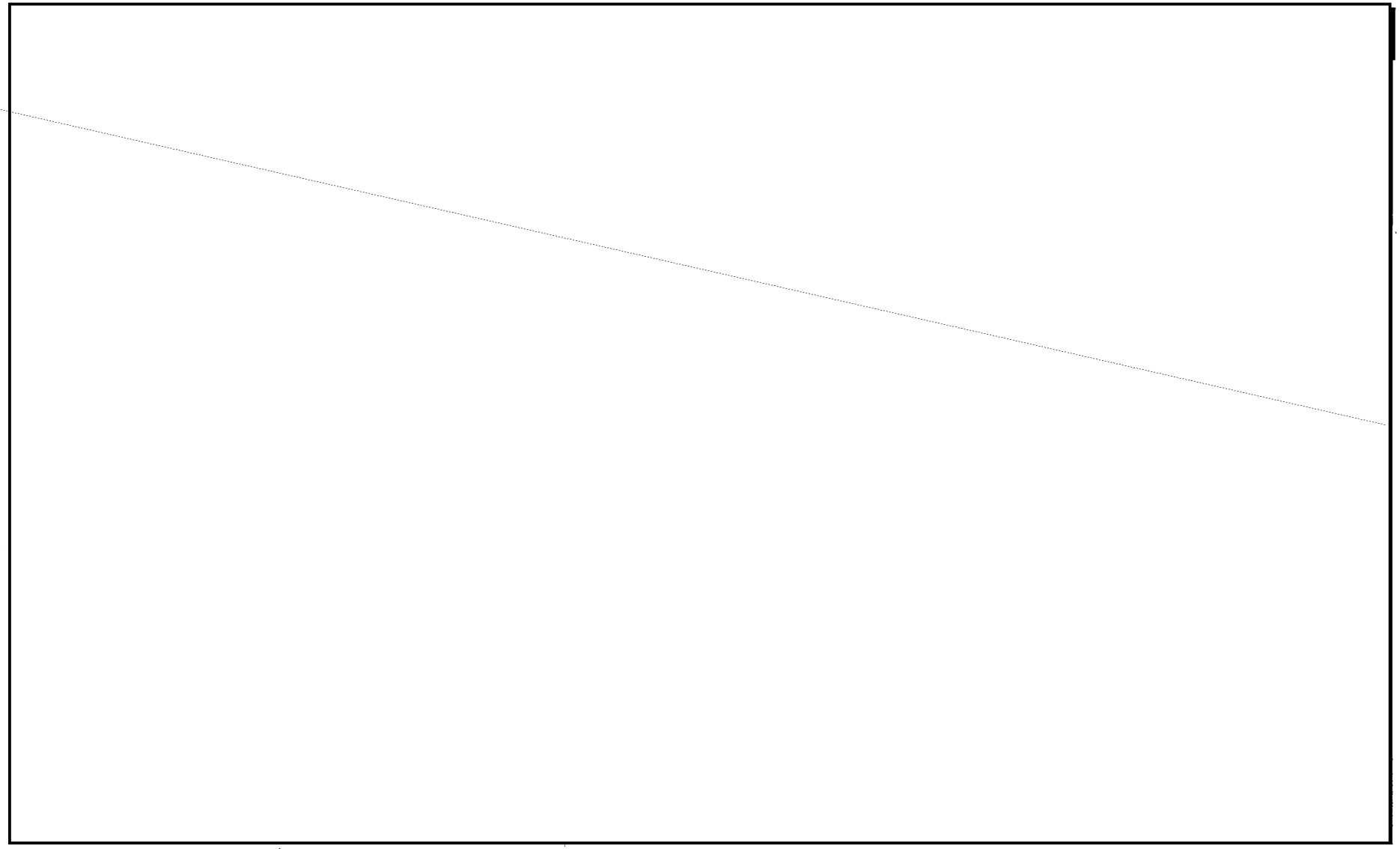
6418

General Presentation Instructions



Instructions: Slide #A

(U)	INSTRUCTIONS

Introductory Slide - Overview

For Existing Projects (previously briefed):
Add text and graphics as necessary to provide a high level overview of the project.
You will open your presentation with this single slide, providing an introduction into what the challenge is and how you are addressing it.
Edit as required

or

For New Projects (never briefed before):
Add text and graphics as necessary to provide a comprehensive overview of the project, identify the challenge and how you are addressing it, and elaborate on the Concept of Operations (CONOP) and technical performance information. Include a maximum of five (5) slides.
Edit as required

CELL/OTD 07

Instructions: Slide #B

(S//NF)	INSTRUCTIONS

(S)

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CELL/OTD 012485

Instructions: Slide #C

(S//NF)	INSTRUCTIONS

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(S)

CELL/OTD 012486

Instructions: Slide #D

(S//NF)	INSTRUCTIONS

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CELL/OTD 012487

Overall Briefing Schedule (by technology bundle)

	Technology Bundle	Example
1		[redacted]
2		Certain [redacted] activities
3		[redacted]
4		[redacted] services
5		[redacted]
6		Telephone Application
7		[redacted] field training, [redacted]
8		[redacted]

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(S) [redacted]

b1
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FBI: Bundle #1 - November 5 at FBI/ERF-E, Quantico

FBI: All Other Bundles – Monday, November 8 (afternoon only) at FBI/ERF-E, Quantico

(S) [redacted]

CELL/OTD 012488

~~SECRET~~//NOFORN

FBI Briefing Schedule (by project/briefer)

Friday, November 5, 2010 ERF-E

#	PROJECT TITLE	PROJECT BRIEFER
003		
029		
034		
035		
036		
037		
076		
077		
078		
004		
079		
042		
081		
018		TTU –
002		TTU –
014		TTU –
017		TTU –
001		TTU –
015		TTU –
016		TTU –
020		TTU –
022		TTU –
028		TTU –
018		TTU –

Monday, November 8, 2010 ERF-E

#	PROJECT TITLE	PROJECT BRIEFER
075		
031		
032		
030		
025		TTU –
013		TTU –
039	Training	TTU –
045		
046		

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b7E

CELL/010 0124695

~~SECRET~~//NOFORN

CELLSITE-16425

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DATE 01-07-2013 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] OTD)(FBI)
Sent: Tuesday, March 23, 2010 6:32 PM
To: [redacted]
Cc:
Subject: document

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b3
b6
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b7E

[redacted]

Attached is the [redacted] document. Please take the time to read through it as I was rushing to get it completed. Also, there was one last page that was attached at the back and I was not sure if it need to be added. If so you can type it in and just forward me a saved copy of the document for record keeping.

[redacted] Req Specification.wpd

SENSITIVE BUT UNCLASSIFIED

[redacted]

REQUIREMENTS SPECIFICATION

b3
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[redacted]

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Version 6.0

6 July 2005

Law Enforcement Sensitive

CELL/OTD 007766

CELLSITE-16427

The Federal Bureau of Investigation (FBI) requires that contractors shall not divulge, publish, or disclose information or produce material acquired as or derived from the performance of their duties. For purposes of this clause, "Information" shall include but not limited to: In any media or all media including on the Web or Websites; publications, studies, books, thesis, photographs, press releases describing any part of the subject matter of this contract or any phrase of any program hereunder, except to the extent such is:

(i) Already known to the contractor prior to the commencement of the contract

(ii) Required by law, regulation, subpoena or government or judicial order to be disclosed, including the Freedom of Information Act.

No release of information shall be made without the prior written consent of the Office of Public Affairs and the Contracting Officer. The contractor and the author are warned that disclosure is not without potential consequences. The FBI will make every effort to review proposed publication in a timely manner to accommodate theses and other publications. Where appropriate, in accordance with established academic publishing practices, the FBI reserves the right to author/coauthor any publication derived from this contract. These obligations do not ease upon the completion of the contract.

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Law Enforcement Sensitive

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FOI/PA# 1212582-1

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ON 01-08-2013

[redacted] (OTD) (FBI)

From: [redacted] OTD) (FBI)
Sent: Tuesday, September 28, 2010 2:41 PM
To: [redacted]
Subject: [redacted]

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~~RECORD WITT~~

For review and comment before final submission to [redacted] (ignore first page)

[redacted]

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20350928~~
~~SECRET//NOFORN~~

CELL/OTD 012541

~~SECRET//NOFORN~~

NOTES FOR PROJECT LEAD

(U)

(S//NF) OVERVIEW

[redacted]

I think you will find it helpful to print out the separate "instructions" file and have it handy as you complete this briefing.

Please check to ensure that listed technologies properly match deliverables (Slide 'D').
Duplicate slide 'D' as necessary when multiple deliverables are involved.

I know that you've recently been designated as the project lead, so please confer with [redacted] for specifics that you might be unsure of.

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b7C

If I can help, please feel free to call.

[redacted]

CELL/OTD 012542

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(U) [redacted]-3508

~~SECRET//NOFORN~~

FBI Project Reviews

DATE: 04-03-2013
CLASSIFIED BY NSICG F85M26K45
REASON: 1.4 (C, G)
DECLASSIFY ON: 04-03-2038

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[redacted]EE

Tracking Technology Unit

CELL/OTD 012543

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SECRET//NOFORN

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(S//NF) OVERVIEW

(S)

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CELL/OTD 012544

A

SECRET//NOFORN

(U) 319E-3510

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b3
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(S//NF) PROJECT IDENTIFICATION PERFORMANCE SUMMARY

(S)

b1
b3
b7E

CELL/OTD 01/23/3

B

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(U) 319E-3511

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(S//NF) DEPENDENCIES & COLLABORATION SCHEDULE

(S)

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CELL/OTD 012546

-3512

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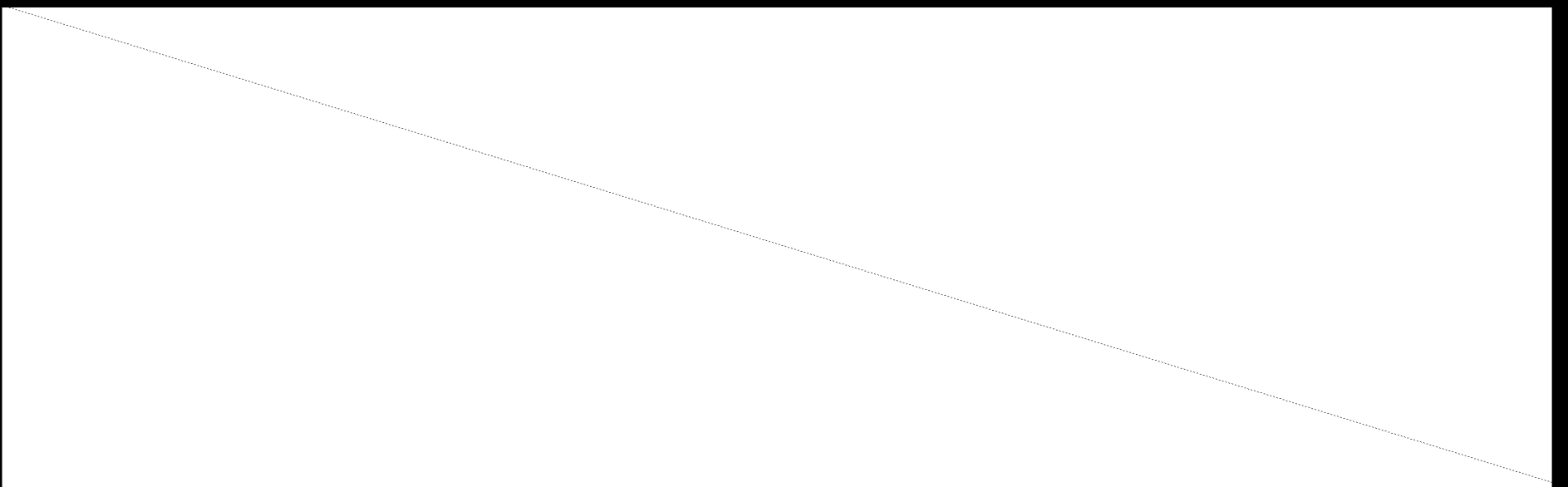
(S//NF) DELIVERABLES



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CELL/OTD 012547

-3513

DATE: 04-03-2013
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REASON: 1.4 (C)
DECLASSIFY ON: 04-03-2038

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(U) Security Addendum to EC dated 03/16/2006

(U) (S) This addendum further expands on the referenced EC with regard to sole source justification.

(S)

b1
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(U) Full and open competition of referenced procurement requirement

b3
b7E

CELL/OTD 018520

~~*** SECRET ***~~

[redacted]

b3
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March 16, 2006

[redacted]
Investigative Technology Division

Derived From: G-3
Declassify On: March 16, 2031

~~*** SECRET ***~~

CELL/OTD 018521

DECLASSIFIED BY 65179 DMH/SIW
ON 01-16-2013

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Thursday, December 03, 2009 4:42 PM
To: [redacted]
Cc:
Subject: [redacted] Project updates for brief to AD Thomas DEADLINE 12/8

~~SECRET//NOFORN~~
~~RECORD~~ [redacted]

At the September 10, 2009 [redacted] brief for AD Thomas, he requested additional detail about the projects listed in the portfolio.

To assist me in preparing for this brief, please review and update the attached slides [redacted] was kind enough to pre-populate the slides for you to reduce the burden.

Please return these to me by COB 12/8 in order for me to review and consolidate.

Thank you,

[redacted]
OTD rep to [redacted]
Operational Technology Division
[redacted]

[redacted]

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20341203~~
~~SECRET//NOFORN~~

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~~SECRET//NOFORN~~

FBI-000 - [redacted] (Procurement)

SAMPLE

(S)

b1
b3
b7E

CELOTO 009407

534

~~SECRET//NOFORN~~

FBI-000 - [redacted] (Procurement)

b3
b7E

The [redacted] internal FBI Project Number and brief title have been pre-entered.

The unit executing the project is indicated.

CELL/OTD 009408

(U) FBI-E-3535

(S)

~~SECRET//NOFORN~~

FBI-000 - [redacted] (Procurement)

SAMPLE

This section has been pre-filled with current data from the [redacted] spreadsheets. If it is necessary to modify this description, please bring that to our attention.

b1
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CELL/OTD 009409

~~SECRET//NOFORN~~

FBI-000 - [redacted] (Procurement)

SAMPLE

(S)

This section has been pre-filled with current data from the [redacted] spreadsheets.

Please check the numbers carefully.

For FY2011 we seek your best estimate.

[redacted]

b1
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b7E

CELL/OTD 009410

(U) FBI-3537

~~SECRET//NOFORN~~

SAMPLE

FBI-000 - [redacted] (Procurement)

(S)

b1
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[redacted]

Describe the current status of all contractual deliverables. Six lines of text are available.
Please edit as required for each project.

CELL/OTD 009411

UNCLASSIFIED-3538

~~SECRET//NOFORN~~

FBI-000 - [redacted] (Procurement)

SAMPLE

b3
b7E

Describe the planned activities that are currently scheduled (i.e., significant milestones). Six lines of text are available.

Planned Activities/Schedule

[redacted]

b7E

215600 0110/7733

~~SECRET//NOFORN~~

SAMPLE

FBI-000 - [redacted] (Procurement)

b3
b7E

(S)

Essential to include any concern that FY10 monies may not be expended as planned. Include amounts that may be available for reallocation to other projects.
Three lines of text are available.

[redacted]

b3
b7E

CELL/OTD 009413

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FBI-3540

~~SECRET//NOFORN~~

CELL/OTD 009414

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b3
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FILED 08817

Description

b3
b7E

CELL/OTD 008918

(U) SECRET-3558

Features

b3
b7E

CELL/OTD 008919

Operations Supported

b3
b7E

CELTD 008920

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DATE 01-16-2013 BY 65179 DMH/STW

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (CON)
Sent: Thursday, July 16, 2009 10:05 AM
To: [redacted] (OGC) (FBI)
Cc: [redacted]
Subject: Topics for inclusion in WITT legal CBT

Importance: High

b6
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b7E

UNCLASSIFIED
NON-RECORD

Hi [redacted]
As we spoke about in our recent meeting, here are my thoughts on items that should be included in our legal training for [redacted] I copied [redacted] in case I missed something they would like included [redacted] is out on travel this week and will be back next week. Please call me if you have questions. Thanks!
-b

Items to be considered for inc...

b6
b7C
b7E

[redacted]
I.C.E., Inc. Consultant
Retired FBI SSA, 1984-2006
Tracking Technology Unit
Federal Bureau of Investigation
[redacted]

UNCLASSIFIED

CELL/OTD 008921 CELLSITE-3561

DECLASSIFIED BY NSICG F85M26K45
ON 04-03-2013

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Monday, February 23, 2009 9:18 AM
To: [redacted]
Cc:
Subject: FW: WITT [redacted] CAPABILITIES

~~SECRET~~
RECORD 268-HQ-1068430

b6
b7C
b7E

[redacted] Per your request

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted]

From: [redacted] (OTD) (FBI)
Sent: Friday, February 20, 2009 5:36 PM
To: [redacted]
Cc:
Subject: RE: WITT [redacted] CAPABILITIES

~~SECRET~~
RECORD 268-HQ-1068430

(U)
~~(S)~~ The attached White paper discusses some sensitivities with [redacted] per my email classification.

[redacted] can u PDF this document when it's final and send it? I'll leave it up to you.

[redacted]

b6
b7C
b7E

TTU [redacted] doc

From: [redacted] (OTD) (FBI)
Sent: Friday, February 13, 2009 12:41 PM
To: [redacted]
Subject: WITT [redacted] CAPABILITIES
Importance: High

UNCLASSIFIED
NON-RECORD

Gents: Based on our working group meeting today w[redacted] please complete a white paper write up of our [redacted] capabilities and include the following:

[redacted]

CELLSITE-3563

CELL/OTD 009453

2.

3.

4.

5.

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b7E

(Think along the lines of strategic and tactical..

SSA
Unit Chief
Tracking Technology Unit
Operational Technology Division

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DATE 01-16-2013 BY 65179 DMH/STW

Wireless Tracking Technology

Progress Report

November 2007

CELL/OTD 000053

Overview

- Background
  - Specific Technology area
    - [redacted]
- Technologies
  - Commercial Networks
  - Research and Development Status [redacted]
  - R&D Competing Technologies
- Future Focus

b7E

b3
b7E

CELLOID 008034

Specific Technology Areas

- [redacted]

b3
b7E

- [redacted]

b3
b7E

CELLOTD 000035

Methodology

Issues

- Commercial Markets are implementing newer wireless standards and services in networks at accelerated rates.
- [redacted] tactical systems are normally available [redacted]

Methodology	Description	Investment
Procurement	[redacted]	[redacted]
[redacted]		
[redacted]		
Product Development / Enhancement		
Internal Development	Develop systems completely in-house	

b3
b7E

CELL/010 008039

R&D

b3
b7E

Vendor	Method	Status	Comment

b3
b7E

CELL/OTD 008040

R&D

b3
b7E

Vendor	Method	Status	Comment

b3
b7E

CELL/OTD 008044

Future Focus

Continuation of following efforts

Technologies	Goals	Comments

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b7E

CELL/OTD 000852

Future Focus

Continuation of following efforts

Technologies	Goals	Comments

b3
b7E

CELL/OTD 000055

DECLASSIFIED BY NSICG F85M26K45
ON 04-03-2013

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Wednesday, January 14, 2009 3:22 PM
To: [redacted] (OTD) (FBI)
Subject: Briefing Slides

~~SECRET~~
RECORD 268-HQ-1068430

[redacted]

b6
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The briefing is attached.

Thanks

[redacted]
Electronics Technician
Tracking Technology Unit/[redacted]

[redacted]WITT Revised2.ppt

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20340114~~
~~SECRET~~

- [redacted]

b3
b7E

- [redacted]

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b7E

CELL-OTD 014380

- **Background:**

b3
b7E

- **Techniques Deployed:**

b3
b7E

- **Results:**

b3
b7E

CELL/OIO 01484

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DATE 04-03-2013 BY NSICG F85M26K45

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Tuesday, February 24, 2009 4:05 PM
To: [redacted]
Cc:
Subject: ELSUR Requirments

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

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[redacted]

Could you approve the attached documents and send up the chain for the ELSUR Requirements.

[redacted]

TTUWITTPRocess.pt

TTU WITT Integrity and Complia...

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 014459 CELLSITE-3649

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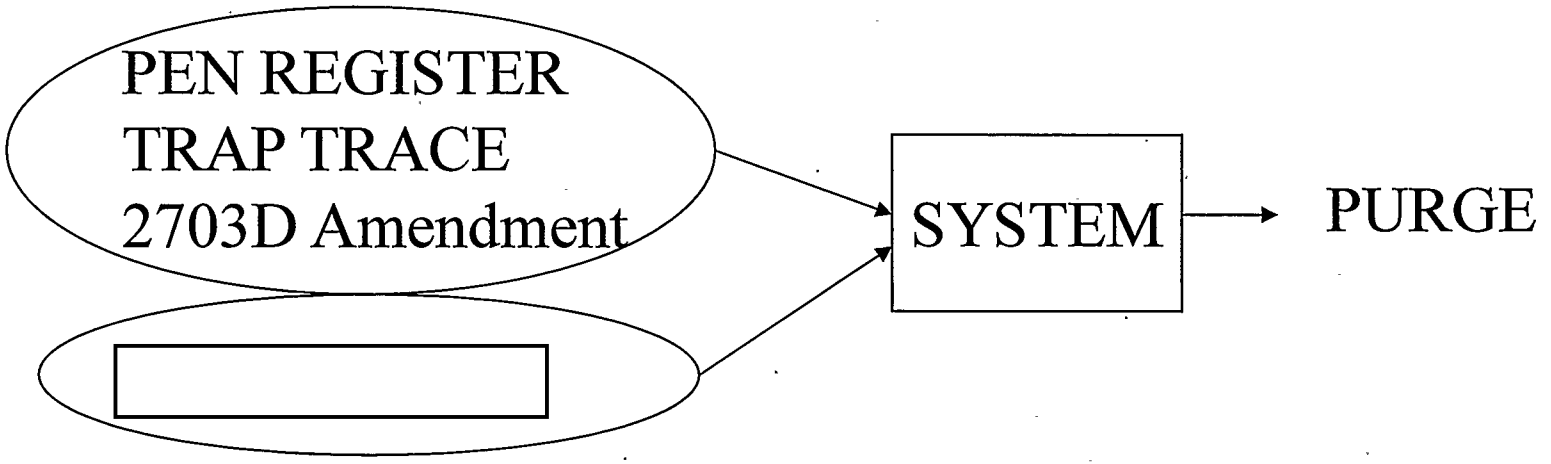
DATE 04-03-2013 BY NSICG F85M26K45

FLOW DIAGRAM

TTUWITT

CELL/OID 01440

PROCESS



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CELL/OTD 01/4/61

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DATE 04-03-2013 BY NSICG F85M26K45

Operational Technology Division

[redacted]

Tracking Technology Unit

FACT SHEET

[redacted]

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- ❑ [redacted]
- ❑
- ❑
- ❑
- ❑

System Capability:

- ❑ [redacted]
- ❑
- ❑

b3
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DATE 04-03-2013 BY NSICG F85M26K45

Operational Technology Division

[redacted] b7E

Tracking Technology Unit

FACT SHEET

[redacted]

- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]

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System Capability:

- [redacted]
- [redacted]
- [redacted]

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~~SECRET~~

DATE: 04-03-2013
CLASSIFIED BY NSICG F85M26K45
REASON: 1.4 (C, D)
DECLASSIFY ON: 04-03-2038

Memorandum

July 10, 2008

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TO: Louis E. Grever, Acting Executive Assistant Director
From: [redacted], UC, Tracking Technology Unit, OTD

(S) Subject [redacted]

(S) [redacted]

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CELL/OTD 014498

CELLSITE-3660

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FOI/PA
DELETED PAGE INFORMATION SHEET
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DECLASSIFIED BY 65179/dmh/stp/as
ON 11-02-2012

UNCLASSIFIED

Legal Issues Conference 2010

AG

The overall classification of this briefing is SECRET//NOFORN

UNCLASSIFIED

SECRET//NOFORN

Agenda

SECRET//NOFORN

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- What they are.
- What they can do.
- How they work.
- How to use them.
- Legal authorities.

SECRET//NOFORN

What they are

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What they are

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What they can do

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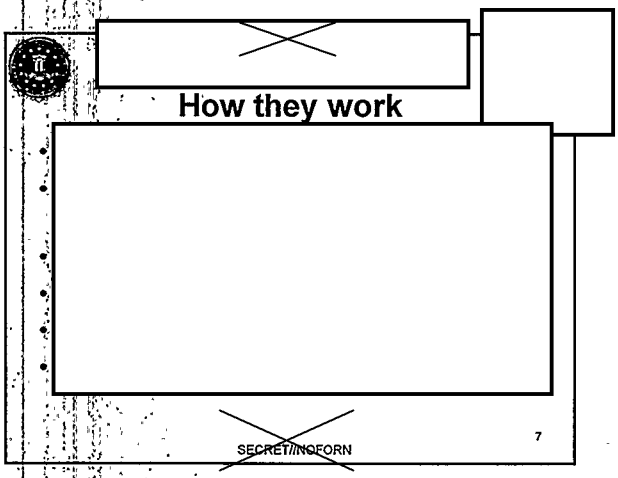
How they work
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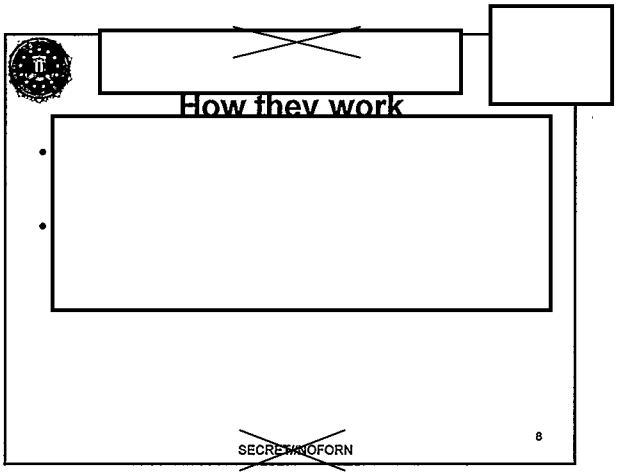
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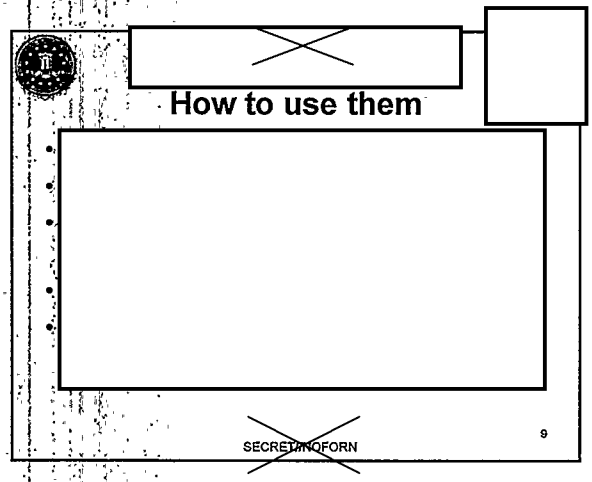
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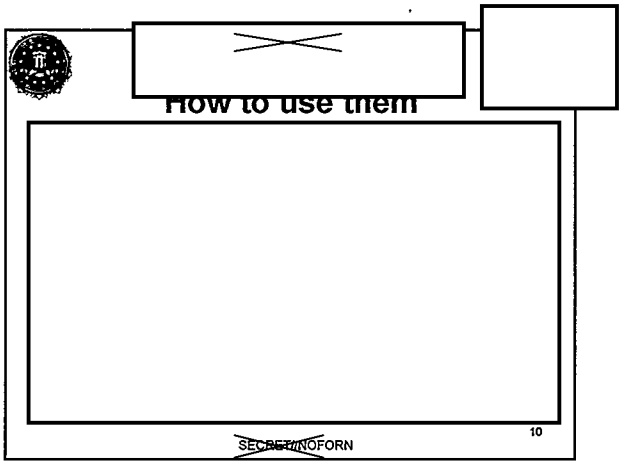
How to use them
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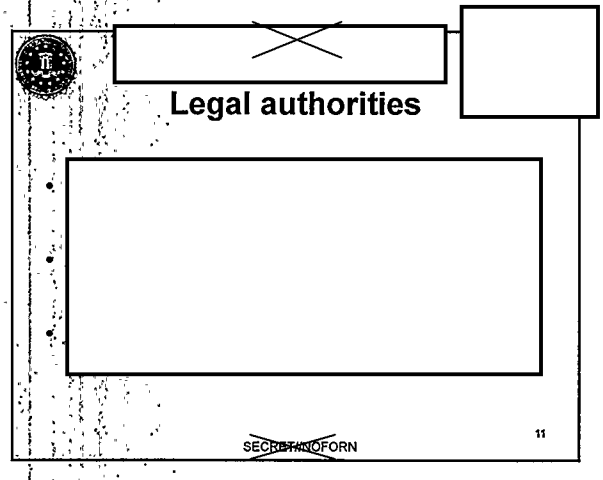
Legal authorities
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Washington, D.C. 20535

[redacted]

From: [redacted]
Sent: Friday, December 09, 2011 2:15 PM
To: [redacted]
Cc: [redacted]
(S) **Subject:** R[redacted]

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(S) Classification: ~~SECRET~~//NOFORN [redacted]

~~Classified By: J71J92T44~~
~~Declassify On: 20361209~~
~~Derived From: FBI NSISC-20090615~~
==========

(S) [redacted]

THIS E-MAIL MAY CONTAIN PRIVILEGED ATTORNEY-CLIENT COMMUNICATION AND ATTORNEY WORK PRODUCT. DO NOT DISSEMINATE WITHOUT OGC APPROVAL.

ADC [redacted]

[redacted]

From: [redacted]
Sent: Friday, December 09, 2011 2:12 PM
To: [redacted]
Cc: [redacted]
(S) **Subject:** RE: [redacted]

(S) Classification: ~~SECRET~~//NOFORN [redacted]

~~Classified By: C11W58B93~~
~~Declassify On: 20361209~~
~~Derived From: FBI NSISC-20090615~~
==========

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Sounds ok, but nothing was attached. Can you please send?

From: [redacted]

~~SECRET~~

From: [redacted]
Sent: Wednesday, December 07, 2011 8:12 AM
To: [redacted]
Cc: [redacted]
(S) **Subject:** RE: [redacted]

(S) Classification: ~~SECRET~~//NOFORN [redacted]

~~Classified By: J71J92T44~~
~~Declassify On: 20361207~~
~~Derived From: FBI NSISC-20090615~~
==========

(S) [redacted]

From: [redacted]
Sent: Wednesday, December 07, 2011 8:09 AM
To: [redacted]
Cc: [redacted]
(S) **Subject:** RE: [redacted]

(S) Classification: ~~SECRET~~//NOFORN [redacted]

~~Classified By: C11W58B93~~
~~Declassify On: 20361207~~
~~Derived From: FBI NSISC-20090615~~
==========

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We feel your pain. In the land of common sense, our rationale has no place [redacted] and I will take this issue up with our management and try to get it resolved. If it makes you feel any better, this has happened to others recently – although in not as egregious situation as this.

(S) [redacted]

From: [redacted]
Sent: Wednesday, December 07, 2011 7:50 AM
To: [redacted]
Cc: [redacted]
(S) **Subject:** RE: [redacted]

(S) Classification: ~~SECRET~~//NOFORN [redacted]

~~Classified By: J71J92T44~~
~~Declassify On: 20361207~~
~~Derived From: FBI NSISC-20090615~~
==========~~SECRET~~==========

~~SECRET~~

From: [redacted]
Sent: Tuesday, December 06, 2011 4:08 PM
To: [redacted]
(S) **Subject:** RE [redacted]

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(S) Classification: ~~SECRET~~//NOFORN [redacted]

Classified By: C11W58B93
Declassify On: 20361206
Derived From: FBI NSISC-20090615
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(S) [redacted]

If we can't do this with this particular factual scenario, then I can't see a clearer one coming along. Common sense doesn't always win.

From: [redacted]
Sent: Tuesday, December 06, 2011 3:36 PM
To: [redacted]
(S) **Subject:** RE [redacted]

(S) Classification: ~~SECRET~~//NOFORN [redacted]

Classified By: F36M55K50
Declassify On: 20361206
Derived From: FBI NSISC-20090615
==========

(S) [redacted]

[redacted]
Assistant General Counsel
[redacted]
935 Pennsylvania Ave., N.W.
Room [redacted]
Washington, D.C. 20535
[redacted]

From: [redacted]
Sent: Tuesday, December 06, 2011 3:34 PM
~~SECRET~~

DECLASSIFIED BY 65179/dmh/stp/as
ON 11-05-2012

[redacted]

From: [redacted]
Sent: Tuesday, September 14, 2010 8:38 AM
To: [redacted]
Subject: RE: Question re [redacted]

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~~SECRET//NOFORN~~
~~RECORD~~ [redacted]

[redacted] well, I'm glad people paid attention to my presentation. I always think that people will tune out during the legal portion.

Anyway, you asked what legal authority is required to [redacted] For that, you will [redacted]

[redacted]

[redacted]

[redacted]

Assistant General Counsel
[redacted]
935 Pennsylvania Ave., N.W.
Roo[redacted]
Washington, D.C. 20535
[redacted]

From: [redacted]
Sent: Monday, September 13, 2010 6:29 PM
To: [redacted]
Subject: Question re: [redacted]

[redacted]

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I am the former CDC in [redacted] and I am currently assigned [redacted] One of our agents just returned from some training where you gave some guidance re: use of WITT/Triggerfish, etc. and our agent's notes weren't completely clear on what your guidance had been so I am reaching out to you since I have been advised that you are the subject matter expert. Our new CDC is not really up on this matter from the [redacted]

Basically...the question in a nutshell is what legal authority is currently required to [redacted]

[redacted]

I have seen some things on the [redacted] that suggest we always get [redacted] but it seems to me that [redacted] The other thing this type of order usually covers [redacted]

[redacted]

From:
Sent: Friday, March 13, 2009 6:46 PM
To:
Cc:
Subject:

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<< File htm >> << File WITT.doc >> << File doc >>

I know we've talked about this before but not in a formal setting. I wanted to pass this onto you because I hear you understand the fights we go through as case agents and are willing to help us out when we need it. I don't even know if you can help directly but at least you can look at this and get a feeling of how important this is to all case agents who work with which is almost all cases these days, was our representative from your unit and now I hear he has left. I'm hoping that you could work with me on this issue because it is bigger than I can handle on my own.

These three attachments (in order) are the our posted comments and then the If you look at them in order I think you'll get the idea of what a routine case. They'll just say use the (like they already do). This segways into our equally enormous task of and the fact that the offices b3 b5 b6 b7C b7E

I'll be in San Diego all next week but my UC is cc'd and I'll have my Blackberry. I think you should maybe come to our next class May 13-15, and see what we're doing. It's good stuff and we could use someone to talk about legality. They're supposed to let me know when and then we'll have 14 days to make comments. I'd like to meet with you or at least have spoken with you by the 23rd when I get back, so I can start making our second response to the posting.

Thanks,

SSA
Desk
Fax

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HEREIN IS UNCLASSIFIED
DATE 11-05-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Tuesday, December 30, 2008 3:17 PM
To: [redacted]
Cc:
Subject: RE: WITT

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Based on my rudimentary understanding of [redacted] and the guidance we've been given from DOJ and in turn disseminated to the field, etc., I agree with your response.

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From: [redacted]
Sent: Tuesday, December 30, 2008 2:19 PM
To: [redacted]
Subject: FW: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

Please read the following and let me know if you agree with my response to the CDC in [redacted]

Thanks,

[redacted]

****

[redacted]

You have asked whether [redacted]

The simple answer to your questions is [redacted]

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If you are also seeking to [redacted]

Please let me know if you need further information or if I have failed to adequately answer your question.

Thanks,

[redacted]

Asst. General Counsel

No problem...let me know what I can do to help. The U.S. Attorney's Office can also reach out to OEO (Office of Enforcement Operations) at main DOJ if they want other go-by's. I have found OEO to be very helpful and your USA's office can reach out to them if they want DOJ, instead of FBI, guidance.

[redacted]

From: [redacted]
Sent: Friday, December 12, 2008 3:48 PM
To: [redacted]
Subject: RE: WITT

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[redacted]

Thanks for getting back to me so quickly. I appreciate your help, and I will probably need your guidance as I discuss this with the U.S. Attorney's Office.

[redacted]

From: [redacted]
Sent: Friday, December 12, 2008 2:45 PM
To: [redacted]
Subject: WITT

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

Good talking to you a few minutes ago. I have gone through some old materials and have attached [redacted] I am happy to work with you on this language if you or the AUSA needs additional information.

<< File: WITT Order-Unknown.wpd >> << File: WITT Application-Unknown.wpd >>

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I also direct your attention to the [redacted]

I hope you find this information helpful, and please do not hesitate to contact me should you have any additional questions.

Thanks,

[redacted]
Asst. General Counsel
Science and Technology Law Unit
FBIHQ, Roo[redacted]

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[redacted]

No, this does not reconcile with the research I have done on WITT. [redacted]

[redacted]

[redacted]

[redacted] will be in tomorrow and she may have more information on the issue.

[redacted]

From: [redacted]
Sent: Wednesday, October 15, 2008 2:37 PM
To: [redacted]
Subject: RE: Witt [redacted]

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NON-RECORD

[redacted]

Does this reconcile with what you have researched/worked on?

[redacted]

From: [redacted]
Sent: Wednesday, October 15, 2008 1:31 PM
To: [redacted]
Subject: FW: Witt [redacted]

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This information, below, is a significant change if it is correct as this ruling dictates that WITT [redacted]

[redacted] Now, if true, we will have to have [redacted]

Could you check on this or point me in the right direction and I will check for us??

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation

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(Office)
(Cell)
(Secure)
(Fax)

From:
Sent: Wednesday, October 15, 2008 9:13 AM
To:
Cc:
Subject: RE: Witt

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I work with I just wanted to let you know that the US attorneys office is stating that OEO

Thanks

SA
Desk:
Fax:
Cell:

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From:
Sent: Tuesday, October 14, 2008 2:09 PM
To:
Subject: FW: Witt

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From:
Sent: Tuesday, September 30, 2008 1:49 PM
To:
Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

Thanks. Looking forward to seeing you presentation. October is filling up but November is open for me.

Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel

Federal Bureau of Investigation
(Office)
(Cell)
(Secure)
(Fax)

From:
Sent: Tuesday, September 30, 2008 1:17 PM
To:
Subject: RE: Witt

UNCLASSIFIED
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Actually we finalized them last week and burnt a new CD, but in light of the new decision we have modified the presentation once again. We are teaching a class tonight and I will get with my partner and get you are newest version. Also, I did speak with our local Magistrate Judge regarding training in October. She recommended that we set the date(s) and they will try and get everyone there. So look at your calendar and come up with some dates that work for you in Oct/Nov.

From:
Sent: Tuesday, September 30, 2008 9:25 AM
To:
Subject: RE: Witt

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Did you ever finish this project? I would really like to see your slides.

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Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
(Office)
(Cell)
(Secure)
(Fax)

From:
Sent: Thursday, August 21, 2008 3:13 PM
To:
Subject: Witt

UNCLASSIFIED
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just wanted to send you a quick email ref our conversation last night. I will send you via bumail a copy of our WITT presentation. I will try to include the teaching points that we use when talking about the slides (some of the slides are self explanatory, but others need explanation). As soon as we fiqure out how to marry those two up, I will send it out. I am looking into conducting training for the US Dist Ct and the US Attys office sometime in October. I will let you know if we get some possible dates. I would like to have you or someone from OCG give a short presentation regarding legal issues involving

CELLSITE-11776

Assistant General Counsel

From:
Sent: Wednesday, July 23, 2008 11:53 AM
To:
Cc:
Subject: RE: WITT

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and

Did anyone every review and answer the questions in the e-mail below? We need to get this to I understand there are a number of

Assistant General Counsel
Science and Technology Law Unit
Phone:
Cell phone:
Secure phone:
Fax:

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From:
Sent: Monday, June 30, 2008 1:07 PM
To:
Subject: RE: WITT

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Will have review and advise.

SSA
Unit Chief
Tracking Technology Unit
Operational Technology Division

From:
Sent: Monday, June 30, 2008 11:52 AM
To:
Subject: FW: WITT

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and

Did you folks review a[redacted]raft? See below, and also please have someone answer the questions in the e-mail below. Thanks,

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Phone: [redacted]
Cell phone [redacted]
Secure phone: [redacted]
Fax [redacted]

From: [redacted]
Sent: Thursday, June 26, 2008 9:56 AM
To: [redacted]
Cc:
Subject: FW: WITT [redacted]

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[redacted]

Just wanted to follow-up on this issue and if OTD had a chance to look at the draft sent over by [redacted] In addition, [redacted] has sent a few more questions regarding this issue. Thanks!

[redacted]
Assistant General Counsel
[redacted]

From: [redacted]
Sent: Wednesday, June 25, 2008 1:58 PM
To: [redacted]
Cc:
Subject: RE: WITT [redacted]

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Hi [redacted]

[redacted] reviewed the draft brief and form and had some additional questions about the technique. So here they are:

1) [redacted]

2) [redacted]

3) [redacted]

4) [redacted]

5 [redacted] would think not, but please confirm.)

6) [redacted]

7) [redacted]

So, please pass these questions on to whomever on your side is most familiar with [redacted] We can't move forward on getting approval of [redacted] without more information about exactly [redacted]

Thanks!

[redacted]

From: [redacted]
Sent: Wednesday, May 21, 2008 12:33 PM
To: [redacted]
Subject: RE: WITT [redacted]

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~~SECRET~~
~~RECORD xxxx~~

Will do, thanks. We'll be in touch.

[redacted]
Assistant General Counsel
[redacted]

From: [redacted]
Sent: Wednesday, May 21, 2008 12:32 PM
To: [redacted]
Cc: [redacted]
Subject: RE: WITT [redacted]

~~SECRET~~
~~RECORD xxxx~~

[redacted]

Attached is a write-up of the WITT [redacted] that I prepared -- using information from a variety of sources. Would you please distribute it to the appropriate people within the FBI to (a) make sure the facts are accurate; and (b) get answers to my questions? I've also got [redacted] to the court that will need to be reviewed at our end. But getting the [redacted] down will be more than half the battle.

Thanks very much.

[redacted]

<< File: [redacted] pdf >>

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From: [redacted]
Sent: Wednesday, April 23, 2008 11:25 AM
To: [redacted]
Subject: WITT [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Have we made any progress on this issue from your side of the house? We may have a case or two that we can consider. I propose we get together and hammer out the remaining legal issues. Let me know what you guys think.

[redacted]
Assistant General Counsel
[redacted]

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SENSITIVE BUT UNCLASSIFIED

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFICATION EXEMPTION 1~~
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~~DECLASSIFICATION EXEMPTION 1~~
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~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFICATION EXEMPTION 1~~
~~SECRET~~

Subject: FW: WITT [redacted]

Here is the latest correspondence on WITT. You can see near the bottom of the email chain, what questions remain for the FBI to address.

From: [redacted]
Sent: Wednesday, August 27, 2008 8:29 AM
To: [redacted]
Subject: RE: WITT [redacted]

~~SECRET~~
~~RECORD xxxx~~

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[redacted]

What's up . . . Still haven't heard from OTD, I've got a call in and will find out where they're at with this. So I hear your Falcons are going to start the rookie? My Vikes should be solid, but all depends on "fragile toes" aka Tarvaris Jackson. Talk to you later.

[redacted]
Assistant General Counsel
[redacted]

From: [redacted]
Sent: Tuesday, August 26, 2008 6:12 PM
To: [redacted]
Subject: FW: WITT [redacted]

[redacted]

I have taken over for [redacted] Did you or OTD get a chance to get back to her on her questions below? Give me a call tomorrow if possible and lets discuss where we are on the questions below.

Thanks,

[redacted]

From: [redacted]
Sent: Tuesday, August 26, 2008 3:44 PM
To: [redacted]
Subject: FW: WITT [redacted]

~~SECRET~~
~~RECORD xxxx~~

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From: [redacted]
Sent: Wednesday, June 25, 2008 1:58 PM
To: [redacted]
Cc:
Subject: RE: WITT [redacted]

~~SECRET~~
~~RECORD xxxx~~

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H reviewed the draft brief and form and had some additional questions abou So here they are:

1)

2)

3)

4)

5) (I would think not, but please confirm.)

6)

7) (I think we may be able to deal with this

So, please pass these questions on to whomever on your side is most familiar wit We can't move forward on getting approval o without more information about exactly

Thanks!

From:
Sent: Wednesday, May 21, 2008 12:33 PM
To:
Subject: RE: WITT

~~SECRET~~
~~RECORD xxxx~~

Will do, thanks. We'll be in touch.

Assistant General Counsel

b3
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From:
Sent: Wednesday, May 21, 2008 12:32 PM
To:
Cc:
Subject: RE: WITT

~~SECRET~~
~~RECORD xxxx~~

Attached is a write-up of the WITT [redacted] that I prepared -- using information from a variety of sources. Would you please distribute it to the appropriate people within the FBI to (a) make sure the facts are accurate; and (b) get answers to my questions? I've also got [redacted] that will need to be reviewed at our end. But getting the [redacted] down will be more than half the battle.

Thanks very much.

[redacted]

<< File: [redacted] >>

From: [redacted]
Sent: Wednesday, April 23, 2008 11:25 AM
To: [redacted]
Subject: WITT [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Have we made any progress on this issue from your side of the house? We may have a case or two that we can consider. I propose we get together and hammer out the remaining legal issues. Let me know what you guys think.

[redacted]
Assistant General Counsel
[redacted]

SENSITIVE BUT UNCLASSIFIED

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFICATION EXEMPTION 1~~
~~SECRET~~

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFICATION EXEMPTION 1~~
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~~DECLASSIFICATION EXEMPTION 1~~
~~SECRET~~

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I don't have experience with this and can't really give advice beyond reading what has left behind. The presentation I was looking at is available here

These and other documents are available from this page

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

, Assistant General Counsel, OGC STLU

-----Original Message-----
From:
Sent: Thursday, August 23, 2007 9:06 AM
To:
Cc:
Subject: RE: WITT

UNCLASSIFIED
NON-RECORD

Sorry, not me.

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Assistant General Counsel
Science and Technology Law Unit
Phone
Cell phone
Secure phone
Fax

-----Original Message-----
From:
Sent: Wednesday, August 22, 2007 7:07 PM
To:
Cc:
Subject: FW: WITT
Importance: High

UNCLASSIFIED
NON-RECORD

Do any of you have any thoughts on the below or prior experience with these issues, in absence?

Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
w
bl

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

-----Original Message-----
From:
Sent: Wednesday, August 22, 2007 5:25 PM
To:

Subject: RE: WITT [redacted]

UNCLASSIFIED
NON-RECORD

Thank you!

-----Original Message-----
From: [redacted]
Sent: Wednesday, August 22, 2007 1:54 PM
To: [redacted]
Subject: RE: WITT [redacted]

UNCLASSIFIED
NON-RECORD

Running into more meetings....will take a look later this afternoon and hope to get back to you soon, hopefully by tomorrow morning.

[redacted]

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Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
w: [redacted]
bb

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

-----Original Mes[redacted]
From:
Sent: Wednesday, August 22, 2007 1:55 PM
To: [redacted]
Subject: FW: WITT [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

I sent the below message to [redacted] for some legal assistance, but got her "out of office" reply. Would you have time to address these questions?

Thanks,

[redacted]

-----Original Mes[redacted]
From:
Sent: Wednesday, August 22, 2007 12:53 PM
To: [redacted]
Cc:
Subject: WITT [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

CELLSITE-11789

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-05-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Friday, February 08, 2008 8:58 AM
To: [redacted]
Subject: RE: WITT [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

I have no idea.

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Phone: [redacted]
Cell phone: [redacted]
Secure phone: [redacted]
Fax: [redacted]

From: [redacted]
Sent: Friday, February 08, 2008 8:14 AM
To: [redacted]
Subject: RE: WITT [redacted]

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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

I have seen this, but I heard that it was never approved, uploaded, etc.. Do either of you know if it was approved?

From: [redacted]
Sent: Wednesday, February 06, 2008 3:15 PM
To: [redacted])
Subject: RE: WITT [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

<< File: [redacted] wpd >>

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Phone: [redacted]
Cell phone: [redacted]
Secure phone: [redacted]
Fax: [redacted]

From: [redacted]
Sent: Wednesday, February 06, 2008 2:47 PM
To: [redacted]
Subject: FW: WITT [redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-05-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Wednesday, October 15, 2008 3:37 PM
To: [redacted]
Subject: FW: Witt

UNCLASSIFIED
NON-RECORD

Additional information.

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
(Office) [redacted]
(Cell) [redacted]
(Secure) [redacted]
(Fax) [redacted]

From: [redacted]
Sent: Wednesday, October 15, 2008 2:54 PM
To: [redacted]
Cc:
Subject: RE: Witt

UNCLASSIFIED
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[redacted]

Thanks for taking the time to look into this. I re-read the e-mail from our US Attorney and just so I am not putting words in her mouth she stated: ...Although DOJ wants to take the position [redacted]

Just wanted to pass this along as a trend that at least our US Attorneys office seems to be heading toward.

Thanks again

[redacted]

SA [redacted]
Desk: [redacted]
Fax:
Cell:

From:
Sent: Wednesday, October 15, 2008 1:27 PM
To:
Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

I will have to send this up to OGC for additional information. I haven't heard this from any other source. Thanks.

Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
(Office)
(Cell)
(Secure)
(Fax)

From: I)
Sent: Wednesday, October 15, 2008 9:13 AM
To:
Cc:
Subject: RE: Witt

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UNCLASSIFIED
NON-RECORD

I work with I just wanted to let you know that the US attorneys office is stating that

Thanks

S
Desk
Fax:
Cell:

From:
Sent: Tuesday, October 14, 2008 2:09 PM
To:
Subject: FW: Witt

UNCLASSIFIED
NON-RECORD

From: [redacted]
Sent: Tuesday, September 30, 2008 1:49 PM
To: [redacted]
Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

Thanks. Looking forward to seeing you presentation. October is filling up but November is open for me.

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
(Office) [redacted]
(Cell) [redacted]
(Secure) [redacted]
(Fax) [redacted]

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From: [redacted]
Sent: Tuesday, September 30, 2008 1:17 PM
To: [redacted]
Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

Actually we finalized them last week and burnt a new CD, but in light of the new decision [redacted] we have modified the presentation once again. We are teaching a class tonight and I will get with my partner and get you are newest version. Also, I did speak with our local Magistrate Judge regarding training in October. She recommended that we set the date(s) and they will try and get everyone there. So look at your calendar and come up with some dates that work for you in Oct/Nov.

From: [redacted]
Sent: Tuesday, September 30, 2008 9:25 AM
To: [redacted]
Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

[redacted]

Did you ever finish this project? I would really like to see your slides.

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
(Office) [redacted]
(Cell) [redacted]

CELLSITE-11815

(Secure) [redacted]
(Fax) [redacted]

From: [redacted]
Sent: Thursday, August 21, 2008 3:13 PM
To: [redacted]
Subject: Witt

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UNCLASSIFIED
NON-RECORD

[redacted] just wanted to send you a quick email ref our conversation last night. I will send you via bumail a copy of our WITT presentation. I will try to include the teaching points that we use when talking about the slides (some of the slides are self explanatory, but others need explanation). As soon as we fiqure out how to marry those two up, I will send it out. I am looking into conducting training for the US Dist Ct and the US Attys office sometime in October. I will let you know if we get some possible dates. I would like to have you or someone from OCG give a short presentation regarding legal issues involving [redacted]

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ALL INFORMATION CONTAINED
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DATE 11-05-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Monday, December 01, 2008 10:55 AM
To: [redacted]
Cc:
Subject: RE [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

I sent the attached email out in early November. This reflects general DOJ/OGC guidance as it went out to all CDC's - I recognize [redacted]

Also, just FYI, it is my understanding that OTD is working on [redacted]

OGC Guidance
ıcerning Reque

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[redacted]
Section Chief
Science and Technology Law Office
Office of the General Counsel
HQ [redacted]
bb: [redacted]
PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

From: [redacted]
Sent: Monday, December 01, 2008 10:12 AM
To: [redacted]
Subject: FW [redacted]

UNCLASSIFIED
NON-RECORD

[redacted] Please review the below message from one [redacted] SSAs. If there is a comprehensive OGC policy in regard to [redacted] please advise.

Thanks,

CDC [redacted]

From: [redacted]
Sent: Wednesday, November 26, 2008 1:15 PM

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-05-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Wednesday, February 04, 2009 9:43 AM
To: [redacted]
Cc:
Subject: RE: [redacted]

Follow Up Flag: Follow up
Flag Status: Flagged

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UNCLASSIFIED
NON-RECORD

[redacted]

I did have a question regarding the last sentence of the second paragraph [redacted]

It is not clear to me what is intended here. [redacted]

Also, I'm concerned about the [redacted]

OGC Guidance
ncerning Reque

From: [redacted]
Sent: Wednesday, February 04, 2009 9:22 AM
To: [redacted]
Subject: FW: [redacted]

UNCLASSIFIED
NON-RECORD

I am assuming there is no problem with this so I am going to go ahead and send it out.

[redacted]

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From: [redacted]
Sent: Tuesday, January 20, 2009 10:17 AM
To:
Subject: [redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-05-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Thursday, August 07, 2008 10:12 AM
To: [redacted]
Cc:
Subject: FW: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

Please see [redacted] write-up about this matter below, which I reviewed in [redacted] absence. I agree with [redacted] assessment that there does not seem to be anything else for OGC to do regarding this matter right now.

Please let [redacted] or me know if you have any questions or would like us to take any further action.

[redacted]

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From: [redacted]
Sent: Thursday, August 07, 2008 8:55 AM
To: [redacted]
Subject: FW: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

[redacted] did not get the opportunity to read/take action on this yesterday. He asked that I forward it to you for your review and that you then pass it on to [redacted] in case she had any questions.

Thanks,

[redacted]

From: [redacted]
Sent: Wednesday, August 06, 2008 11:34 AM
To: [redacted]
Subject: RE: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

Thanks,

[redacted]

From: [redacted]
Sent: Monday, August 04, 2008 4:18 PM
To: [redacted]
Subject: RE: [redacted]

UNCLASSIFIED
NON-RECORD

No, he did not raise this issue with me. Is there anything you would like me to do?

[redacted]

From: [redacted]
Sent: Monday, August 04, 2008 4:07 PM
To: [redacted]
Subject: FW: [redacted]
Importance: High

UNCLASSIFIED
NON-RECORD

[redacted]

Did [redacted] share anything about this with you? Please advise.

[redacted]

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From: [redacted]
Sent: Monday, August 04, 2008 4:03 PM
To: [redacted]
Subject: FW: [redacted]

UNCLASSIFIED
NON-RECORD

Where do we stand on the guidance related to WITT [redacted]

[redacted]

[redacted]

Section Chief
Science and Technology Law Office
Office of the General Counsel
HQ [redacted]

[redacted]

bb [redacted]

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

From: [redacted]
Sent: Friday, August 01, 2008 7:45 PM

To:
Cc:
Subject: FW:

UNCLASSIFIED
NON-RECORD

FYI. Did you know about this kerfluffle?

From:
Sent: Friday, August 01, 2008 4:07 PM
To:
Subject: FW:

UNCLASSIFIED
NON-RECORD

I don't see you on this and thought you ought to at least know about the chatter. My understanding is that there is proposed policy in the AGG Implementation Guide that discusses the issue but I haven't seen it.

Head, Office of Integrity and Compliance
FBI Deputy Designated Agency Ethics Official

OIC Webpage:

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From:
Sent: Friday, August 01, 2008 2:23 PM
To:

Cc:

Subject: RE:

UNCLASSIFIED
NON-RECORD

This is the story as I understand it. I haven't spoken to yet, but I understand that the acting ASAC has spoken to this morning.

A few weeks/months ago, the

As I thought, it doesn't sound like any effort was made by the

Hope that helps,

[redacted]

Office of Integrity and Compliance

[redacted]

Learn about the OIC at [redacted]

This communication may be Privileged or otherwise Deliberative, and should not be disseminated outside of the FBI without the concurrence of OGC.

From: [redacted]
Sent: Friday, August 01, 2008 11:02 AM
To: [redacted]
Cc:
Subject: RE: [redacted]

UNCLASSIFIED
NON-RECORD

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[redacted]

I believe you are referring to a paper by [redacted] who was in OGC at the time. [redacted] do you have (or recall) such a paper?

[redacted]

From: [redacted]
Sent: Friday, August 01, 2008 10:13 AM
To: [redacted]
Cc:
Subject: RE [redacted]

UNCLASSIFIED
NON-RECORD

All - we need to get back to the Staffer on this [redacted] - this has been a recurring issue for years with us and I remember a white paper that was done that addressed our concerns. I am fairly certain it was an OTD document. Could you have someone see if that rings a bell?

[redacted]

From: [redacted]
Sent: Thursday, July 31, 2008 4:59 PM
To: [redacted]
Cc:
Subject: RE [redacted]

UNCLASSIFIED
NON-RECORD

CELLSITE-11835

DECLASSIFIED BY 65179/dmh/stp/as
ON 11-06-2012

[redacted]

From: [redacted]
Sent: Monday, September 26, 2011 2:01 PM
To: [redacted]
Subject: FW: [redacted]

Classification: ~~SECRET~~

Classified By: C48W86B31
Declassify On: 20360926
Derived From: FBI NSISC-20090615
==========

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b5

Hey there legal beagle expert on all techie matters. Is the below still correct to the best of your knowledge as it relates [redacted]

From: [redacted]
Sent: Tuesday, January 13, 2009 7:15 PM
To: [redacted]
Cc:
Subject:

~~SECRET//NOFORN~~
RECORD [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

~~SECRET~~

935 Pennsylvania Ave., N.W.
Room [redacted]
Washington, D.C. 20535
[redacted]

From: [redacted]
Sent: Friday, December 09, 2011 2:15 PM
To: [redacted]
Cc: [redacted]
(S) **Subject:** RE [redacted]

(S) Classification: ~~SECRET~~//NOFORN [redacted]

~~Classified By: J71J92T44~~
~~Declassify On: 20361209~~
~~Derived From: FBI NSISC-20090615~~
==========

(S) [redacted]

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THIS E-MAIL MAY CONTAIN PRIVILEGED ATTORNEY-CLIENT COMMUNICATION AND ATTORNEY WORK PRODUCT. DO NOT DISSEMINATE WITHOUT OGC APPROVAL.

ADC [redacted]
[redacted]

From: [redacted]
Sent: Friday, December 09, 2011 2:12 PM
To: [redacted]
Cc: [redacted]
(S) **Subject:** RE [redacted]

(S) Classification: ~~SECRET~~//NOFORN [redacted]

~~Classified By: C11W58B93~~
~~Declassify On: 20361209~~
~~Derived From: FBI NSISC-20090615~~
==========

Sounds ok, but nothing was attached. Can you please send?

~~SECRET~~

~~SECRET~~

From: [redacted]
Sent: Tuesday, December 06, 2011 4:08 PM
To: [redacted]
(S) **Subject:** R[redacted]

(S) Classification: ~~SECRET~~//NOFORN [redacted]

~~Classified By: C11W58B93~~
~~Declassify On: 20361206~~
~~Derived From: FBI NSISC-20090615~~
==========

(S) [redacted]

If we can't do this with this particular factual scenario, then I can't see a clearer one coming along. Common sense doesn't always win.

From: [redacted]
Sent: Tuesday, December 06, 2011 3:36 PM
To: [redacted]
(S) **Subject:** RE[redacted]

(S) Classification: ~~SECRET~~//NOFORN [redacted]

~~Classified By: F36M55K50~~
~~Declassify On: 20361206~~
~~Derived From: FBI NSISC-20090615~~
==========

(S) [redacted]

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[redacted]
Assistant General Counsel
[redacted]
935 Pennsylvania Ave., N.W.
Roo[redacted]
Washington, D.C. 20535
[redacted]

From: [redacted]
Sent: Tuesday, December 06, 2011 3:34 PM
To: [redacted]
(S) **Subject:** RE[redacted]

~~SECRET~~

~~SECRET~~

935 Pennsylvania Ave., N.W.
Room [redacted]
Washington, D.C. 20535

[redacted]

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From: [redacted]
Sent: Friday, December 09, 2011 2:15 PM
To: [redacted]
Cc: [redacted]
(S) **Subject:** RE: [redacted]

(S) Classification: ~~SECRET~~//NOFORN [redacted]

Classified By: J71J92T44
Declassify On: 20361209
Derived From: FBI NSISC-20090615
==========

(S) [redacted]

THIS E-MAIL MAY CONTAIN PRIVILEGED ATTORNEY-CLIENT COMMUNICATION AND ATTORNEY WORK PRODUCT. DO NOT DISSEMINATE WITHOUT OGC APPROVAL.

ADC [redacted]

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From: [redacted]
Sent: Friday, December 09, 2011 2:12 PM
To: [redacted]
Cc: [redacted]
(S) **Subject:** RE: [redacted]

(S) Classification: ~~SECRET~~//NOFOR [redacted]

Classified By: C11W58B93
Declassify On: 20361209
Derived From: FBI NSISC-20090615
==========

Sounds ok, but nothing was attached. Can you please send?

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

Total Deleted Page(s) = 36
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Page 12 ~ b5;
Page 13 ~ b5;
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Page 15 ~ b5;
Page 16 ~ b5; b7E;
Page 17 ~ b5;
Page 18 ~ b5;
Page 19 ~ b5;
Page 20 ~ b5; b7E;
Page 21 ~ b5; b7E;
Page 22 ~ b3; b5; b7E;
Page 23 ~ b5; b7E;
Page 24 ~ b5; b7E;
Page 25 ~ b5; b7E;
Page 26 ~ b5; b7E;
Page 27 ~ b5;
Page 28 ~ b6; b7C; b7E;
Page 30 ~ b3; b5; b7E;
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Page 45 ~ b5; b7E;
Page 46 ~ b5; b7E;
Page 66 ~ b5; b7E;
Page 67 ~ b5; b7E;
Page 107 ~ b5; b7E;
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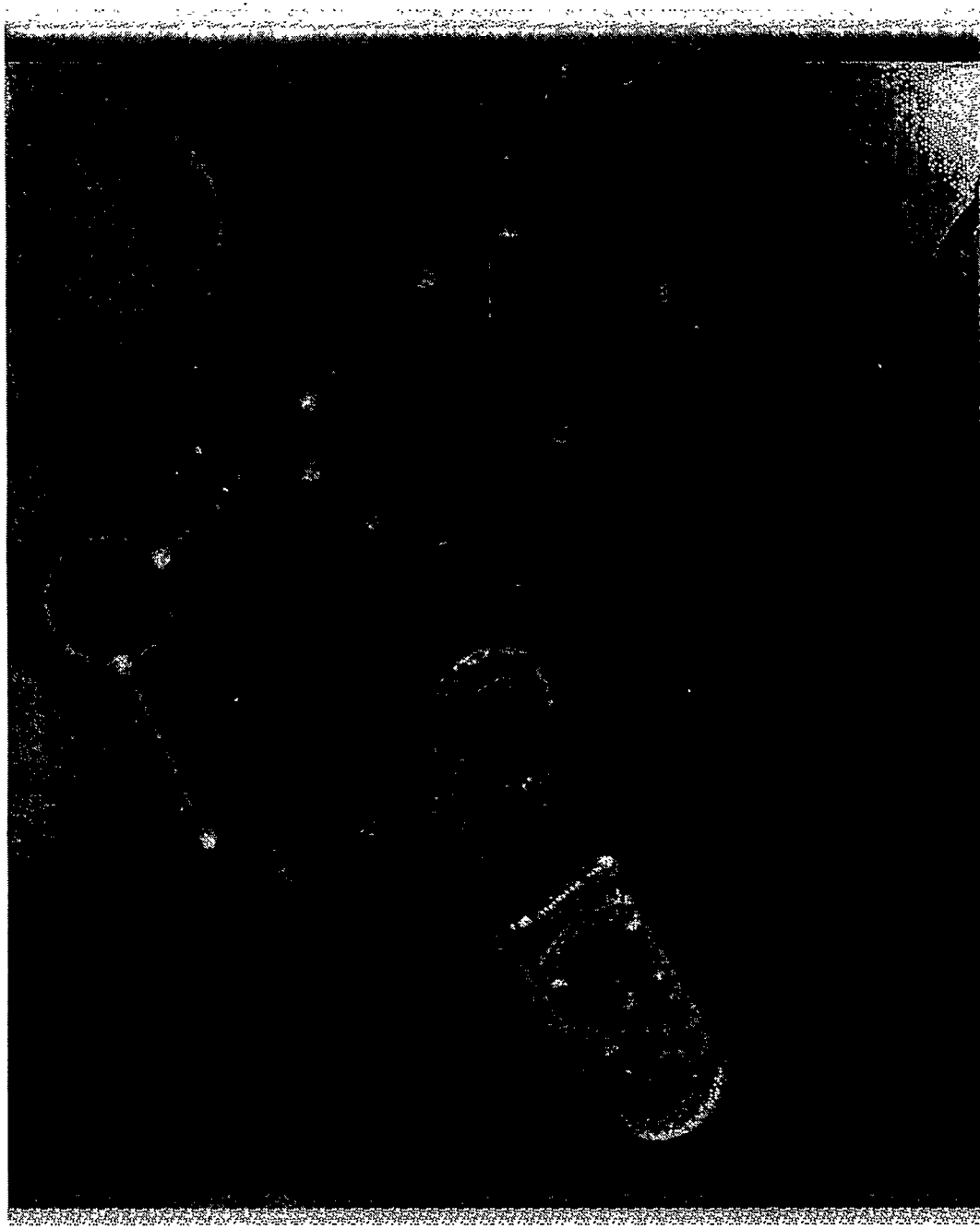
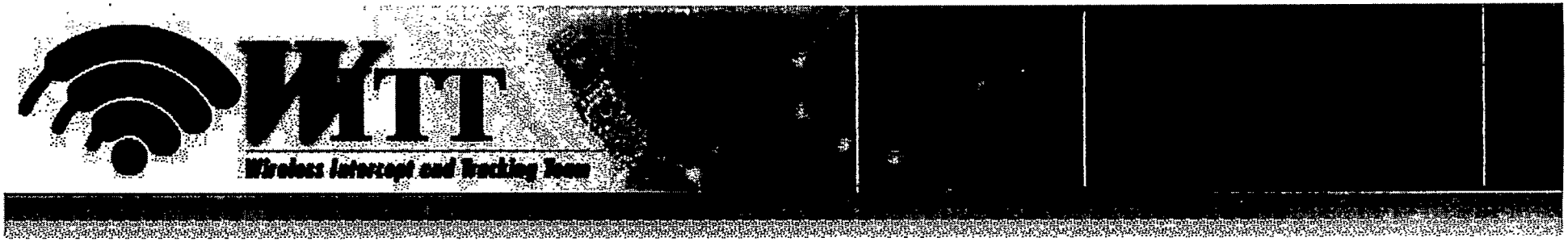


WiTT

Wireless Intercept and Tracking Team

CELLSITE-10432



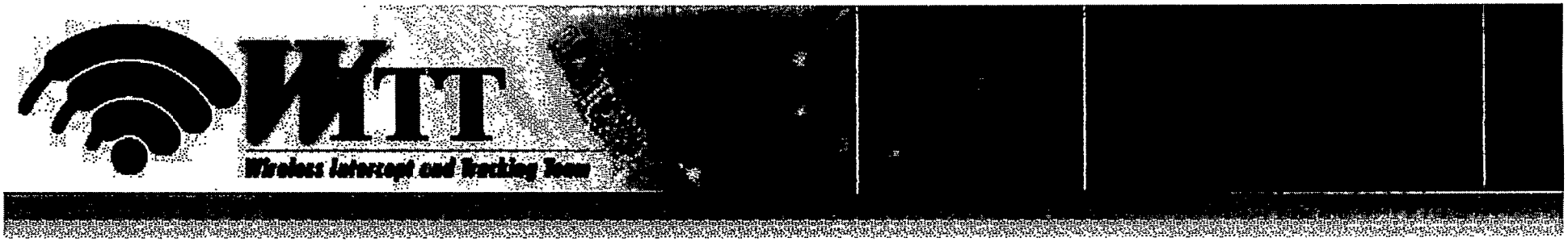
Old Definition

- "pen register" means a device which records or decodes electronic or other impulses which **identify the numbers dialed or otherwise transmitted on the telephone line to which such device is attached….**

New Definition

- "pen register" means a device ***or process*** which records or decodes ***dialing, routing, addressing, or*** **signaling** ***information*** **transmitted by an instrument or facility from which a wire or electronic communication is transmitted,** ***provided, however, that such information shall not include the contents of any communication….***

CELLSITE-10434



- **§ 3127 Pen Register device or process:**
  - "records or decodes dialing, routing, addressing, or signaling information
  - transmitted by an instrument or facility from which a wire or electronic communication is transmitted"

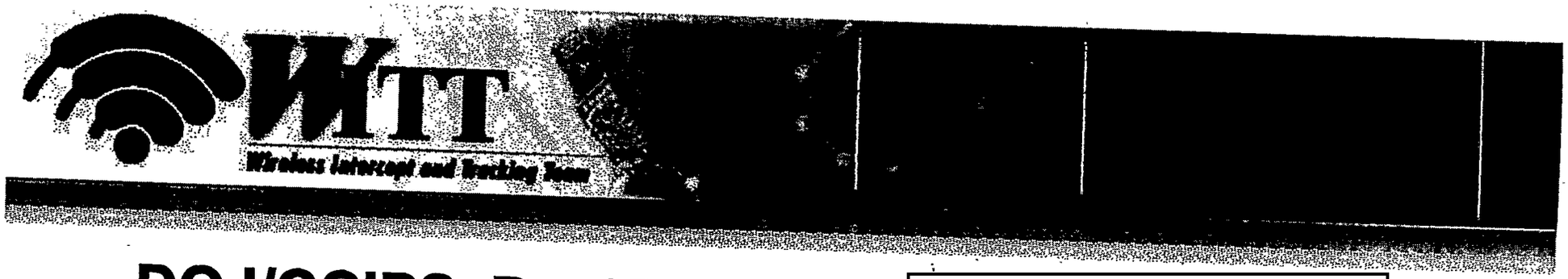
DOJ:

✓

✓

b5

http://30.100.99.18/ogc/usabook/usabook/esis/13esis.htm



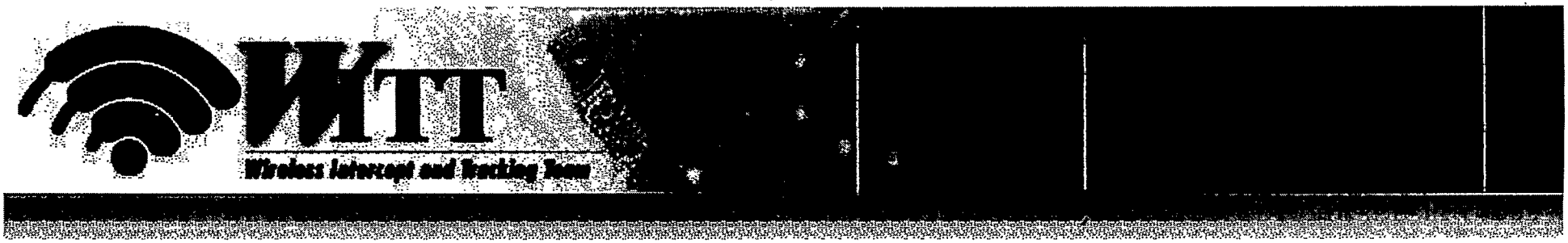
DOJ/CCIPS: Pen/Trap **order** [redacted] b7E

any "signaling information" transmitted from a cellular telephone to:

1) Identify a target phone **or**
2) Locate a phone

DOJ: **"signaling information"** is any non-content information "transmitted by" a telephone instrument

CELSITE-10436



- WITT equipment
-
-

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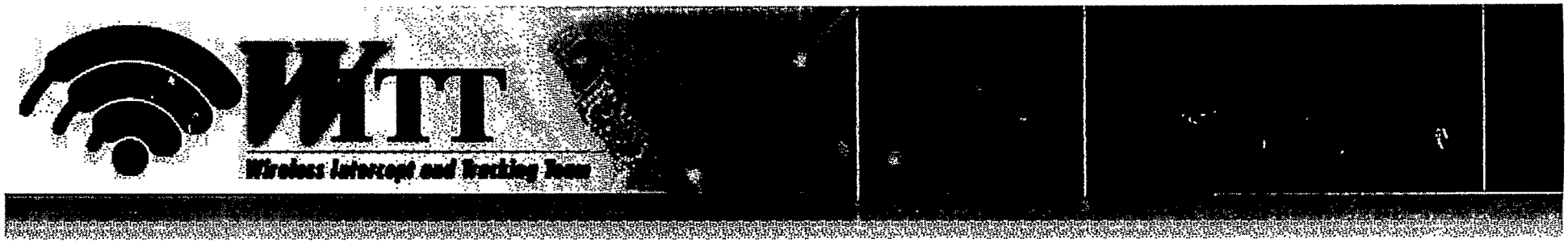
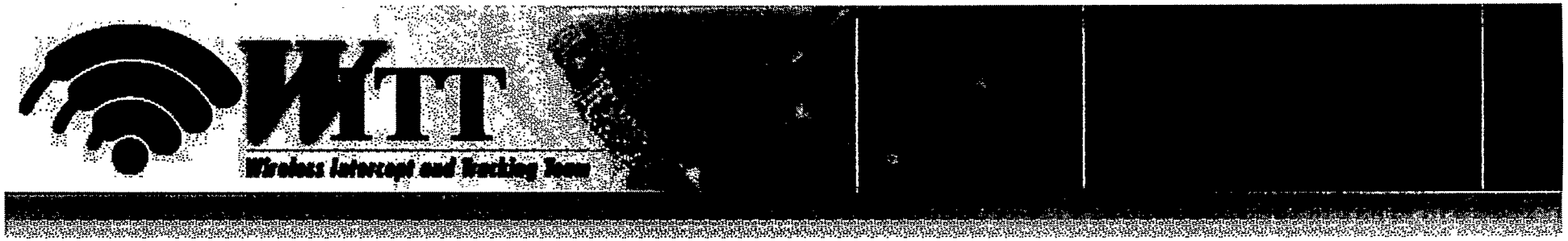
- WITT equipment
- WITT equipment

CELLSITE-10437



- is generated by the network for network purposes regardless of a LE order.
- is necessary to the successful processing of a call by the provider; a call cannot be processed without it.
- exists in the network as a record prior to its being obtained by LE.
- has no relationship to the content of a communication.
- is delivered to LE under CALEA only at the beginning and end of a call.

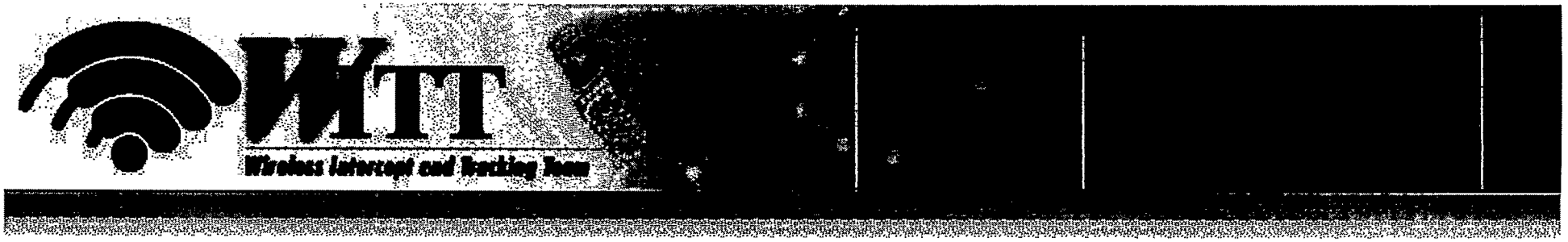
CELLSITE-10438



- **Origination** (of an outgoing call from target phone)
- **Answer** (at answer of a call terminating to the target phone)
- **Release** (at the end of the call for both incoming and outgoing calls)

- (http://www.tiaonline.org/standards/search_results2.cfm?document_no=J-STD-025-A www.tiaonline.org)

CELLSITE-10439



- Recent Court Decisions
  - CALEA prohibits collecting location information "solely pursuant" to a PR/TT
  - SCA 18 USC 2703(d)
  -
  -

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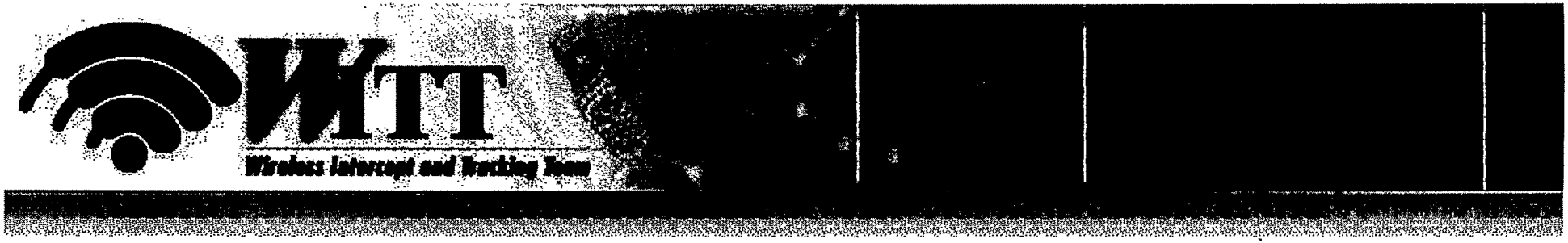
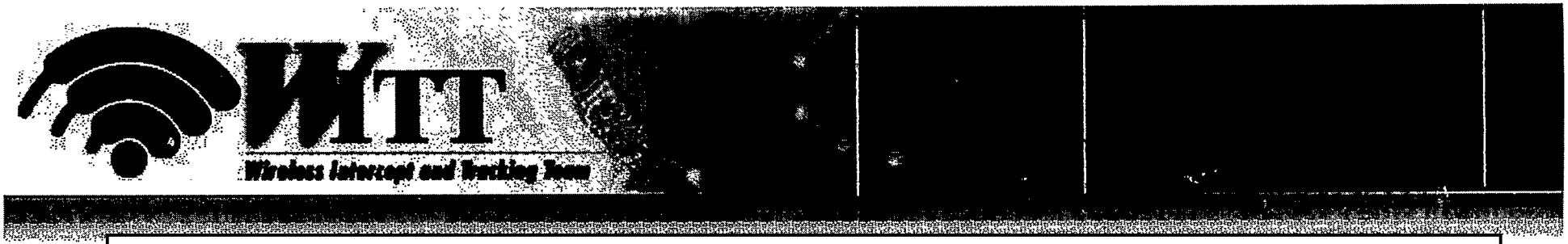
CELLSITE-10441



- In re Application for Pen Register and Trap/Trace Device with Cell Site Location Authority, 396 F.Supp2.d 747 (S.D.Tx. 2005)
- In the Matter of an Application of the United States for an Order (1) Authorizing the Use of a Pen Register and a Trap and Trace Device and (2) Authorizing Release of Subscriber Information and/or Cell Site Information, 396 F.Supp.2d 294 (E.D.N.Y. 2005)
- In re Application of the United States for an Order Authorizing the Installation and Use of a Pen Register and a Caller Identification System on Telephone Numbers (Sealed) and Production of Real Time Cell Site Information, 2005 WL 3160860 (D.Md. Nov. 29, 2005)
- In re Application of the United States of America for an Order for Disclosure of Telecommunications Records and Authorizing the Use of A Pen Register and Trap and Trace, 2005 WL 3471754 (S.D.N.Y)
- In the Matter of the Application of the United States of America for an Order Authorizing the Release of Prospective Cell Site Information, 2006 U.S. Dist. Lexis 589 (D.C. Jan 11. 2006)



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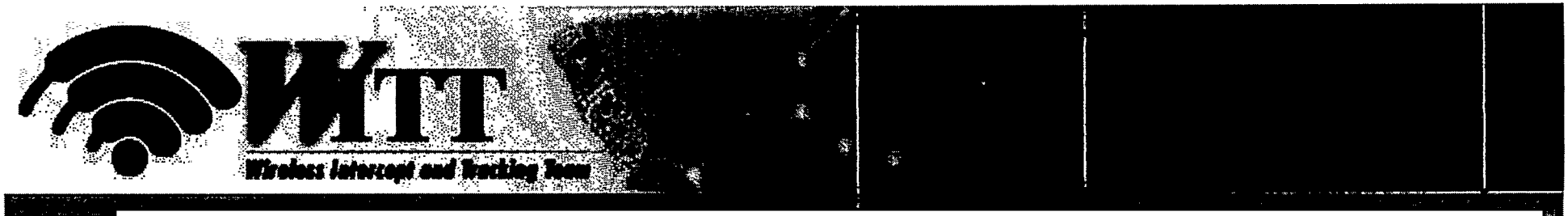

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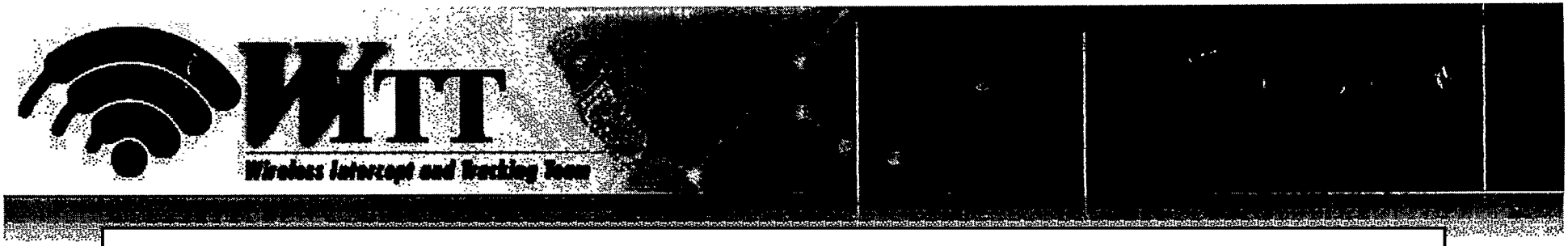
- Incident to use of cellular service

b5

FBI-10444



- [redacted] b5

- **AND Use [redacted] PR/TT order for [redacted] gear** b7E
  - [redacted]
    - [redacted]
    - Advise of [redacted] b7E b5
    - Authority to collect [redacted]
    - Not retain records?

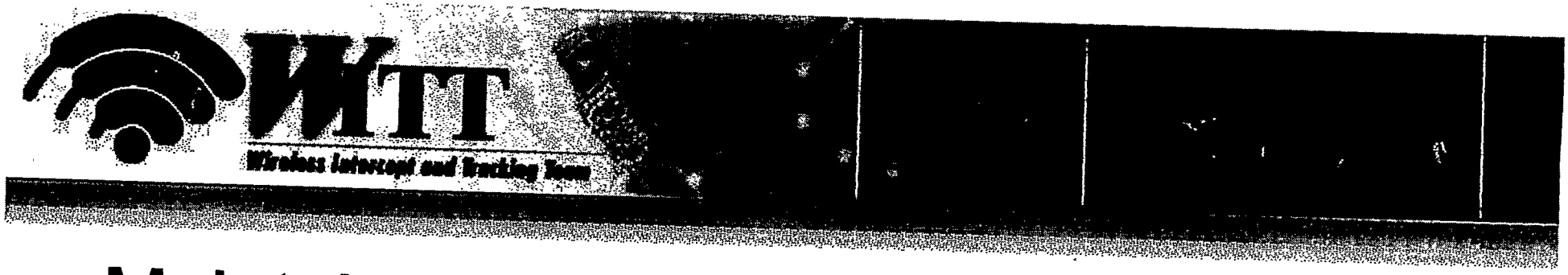
CELLSITE-10445

b7E
b5

- ✓ [redacted] 47 U.S.C. § 333
  - ✓ [redacted]
- ✓ Incidental collection on non-target users: 18 U.S.C. § 3123(b)(1)(C) requires that order specify number or other identifier to which order applies.
  - [redacted]

[redacted] b5

- [redacted]



- Maintaining/Purging "Pen" data?
  -

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b7E

- [redacted]
- [redacted]
  - [redacted]
- [redacted]
  - [redacted]
  - [redacted]

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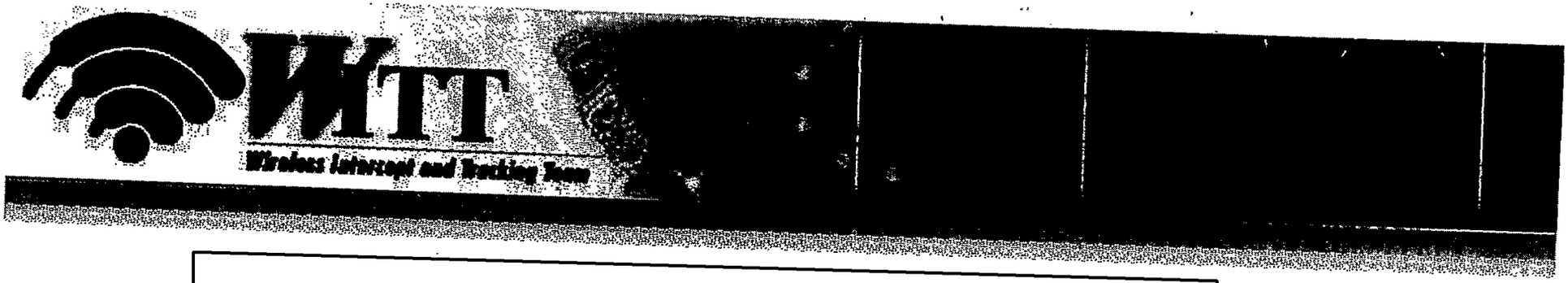
- U.S. v. Balzano, 687 F.2d 6 (1st Cir 1982) (USSS Nigra recording, re-recorded onto device, but lost "original" removable medium—destruction of original recording on the device was not done in bad faith b/c nature of equipment was such that original was erased in the re-recording process)



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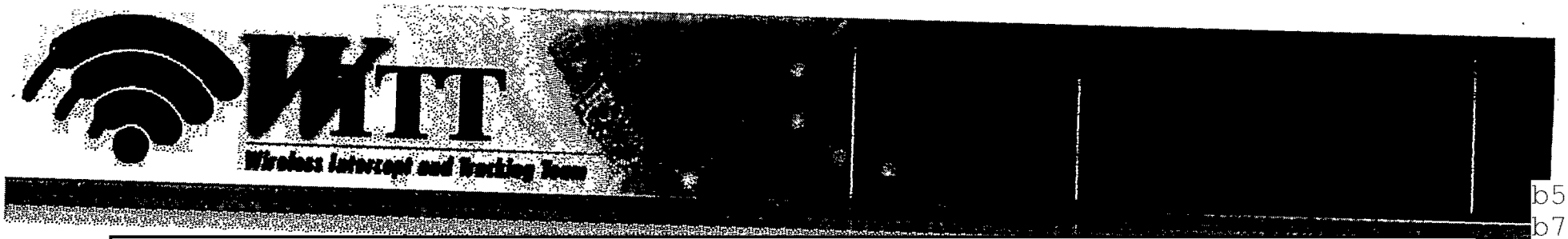
- [redacted]

Therefore, pursuant to 18 U.S.C. § 3123(d), I request that this application and order be sealed until otherwise ordered by this court; and

- [redacted]

b5

CELISTTE-10452



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- [redacted]
  - DOJ command Center [redacted] or OEO (business hours)
- Emergencies involving:
  - Immediate danger of death or serious injury
    - [redacted]
- [redacted]
- MIOG, Part 2, 10-10.7.1 (pen register) 10-10.17.1 (trap & trace)
- [redacted]

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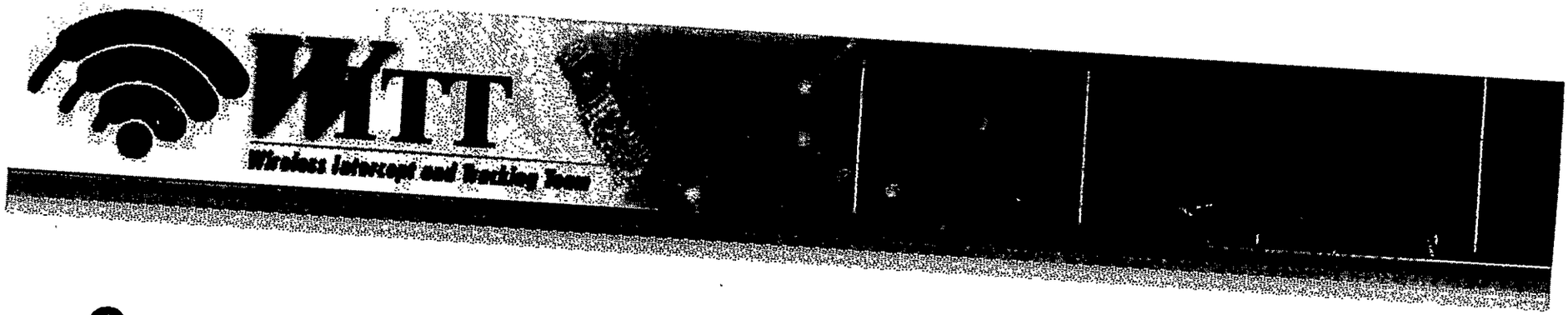
UNCLASSIFIED-10453

b5

CELLSITE-10454



Consent (18 USC 3121(b)(3))

b5

CELLSITE-10455

- [redacted] b5 b7E

[redacted] Smith v. Maryland, 442 U.S. 435, 744 (1979).

- no legitimate expectation of privacy in information knowingly conveyed to a third party
- In re Digital Analyzer found "[n]o logical distinction between telephone numbers called and a party's own telephone number (or ESN number), all of which are regularly voluntarily exposed and known to others. 885 F. Supp. at 199 (citing Smith v. Maryland, 442 U.S. 735, 742-45 (1979)).

- [redacted] b5 b7E

[redacted] Certification Course
Legal Training

b7E
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b7C

[redacted]

Science and Technology Law Unit

Office of General Counsel

Federal Bureau of Investigation

TOPICS

- The Law (Title III)
- Pen Register/ Trap and Trace
- [redacted] b7E
- Cell Phone Locating – WITT
- Loan of ELSUR Equipment
- [redacted]
- [redacted]
- Stored Communications
- Computer Trespasser Exception

General Operational Guidelines

- [redacted] b7E
- [redacted] b7E

Law Enforcement Sensitive

- Law Enforcement Sensitive (LES) collection devices, systems, techniques, and related information are not to be disclosed. Only the product of the technical operation is disclosed.

- Examples: WITT equipment is LES; CART SOPs are LES.

Law Enforcement Sensitive

- FOUO (For Official Use Only) – a caveat applied to sensitive but unclassified information that may be exempt from release under FOIA
- LES (Law Enforcement Sensitive) is another of 9 potential exemptions under FOIA to protect law enforcement sources and methods, evidence, reports, tools and techniques, etc.
- FOUO/LES is unclassified information

Law Enforcement Sensitive

- Law Enforcement Sensitive (LES) equipment enjoys "qualified privilege"
- State/local vs. Federal prosecutions
- Testimony – how to …
  - [redacted]
  - [redacted]
  - [redacted]

b5

The Law

- Title III & Electronic Communications Protection Act
  - Title III, 18 USC sec. 2510, Omnibus Crime Control and Safe Streets Act, Commonly referred to as the Wire Tap Act
  - As amended by the ECPA, Title III prohibits the interception of wire and oral communications, and electronic communications.
  - Provides for criminal penalties and civil damages against anyone who "intentionally intercepts, endeavors to intercept" any covered communication.

Title III Order

- Under Title III, the government may apply for a court order authorizing an interception. 18 U.S.C. §2516(1)
- Application must specify the offense being investigated, the nature and location of the facilities where the communications are to be intercepted, and a particular description of the communications sought to be intercepted. 18 U.S.C. § 2518(1)
- Standard: Probable cause to believe that a particular offense is being committed and that targeting the specified facility will yield communications concerning the offense.18 U.S.C. § 2518(3)

Title III Order (cont.)

- Good for up to thirty days. Extensions allowed, but same standard applies to extension. 18 U.S.C. § 2518(5)
- Required to "minimize" the interception unrelated to criminal activity. 18 U.S.C. § 2518(5)
- Requires a finding that normal investigative procedures are unlikely to be successful or are too dangerous. 18 U.S.C. § 2518(3)(c)
- Requires notice to the target within 90 days. 18 U.S.C. § 2518(8)(d)

Pen Register/ Trap and Trace

- Court ordered surveillance
- Government must certify that information likely to be obtained by use of device "is relevant to an ongoing criminal investigation." 18 U.S.C. § 3122(b)(2)

What is the Pen/Trap "addressing information"?

- Dialing, Routing, Addressing, Signaling Information
- Transmitted by Instrument or Facility from which a Communication is Transmitted (outgoing call) (pen)
- Identifies Originating Number or Other D/R/A/S or is Reasonably Likely to Identify the Source (incoming call) (trap)
- Utilized in Processing or Transmission of Communications
- Is not "Contents of any...Communications"

Limitation:

- Thou shall NOT collect the Contents of any communication
  - 18 USC sec. 3121 (c) – "use technology reasonably available to restrict . . . so as not to include the contents of any wire or electronic communications"
  - 18 USC sec. 3127 pen/trap definition: "shall not include the contents of any communication"
  - [redacted] b7E

Cell Phone Locating - WITT

- [redacted]

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Cell Phone Locating (cont.)

- Collection of cell phone location directly by LEO-
  - [redacted]
  - [redacted]
- [redacted] b5 b7E
  - [redacted]

Loan of ELSUR in Support of Federal, State, and Local Requests for Assistance

- AG Order 2954-2008
- DIOG 11.11
- [redacted]

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Basic Subscriber Information

Can be obtained w/ Subpoena, 2703(d) order, or Search warrant, consent

Provider must give government:

- Name, Address
- Local and long distance telephone connection records, or records of session times and durations;
- Length of service (including start date) and types of service utilized;
- Telephone or instrument number or other subscriber number or identity, including any temporarily assigned network address; and
- Means and source of payment for such service (including any credit card or bank account number)

Transactional Data

- **"A record or other information pertaining to a subscriber to or customer of such service (not including the contents of communications)." § 2703(c)(1) (Everything that's not content & not subscriber information)**

- **Example:**
  - Cell-site data;
  - Addresses / Identities of past e-mail correspondents
  - Incoming e-mail traffic information;
  - Account logs that record usage e.g., URLs (web surfing activity)

Q & A?

[redacted]

Assistant General Counsel

Science & Technology Law Unit

Engineering Research Facility - Extension

Quantico, VA

b6
b7C

[redacted]

[redacted]@ic.fbi.gov

[redacted] Certification Course
Legal Training

[redacted]

Science and Technology Law Unit
Office of General Counsel
Federal Bureau of Investigation

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b7C
b7E

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TOPICS

- The Law (Title III)
- Pen Register/ Trap and Trace
- [redacted]
- Cell Phone Locating – WITT
- Loan of ELSUR Equipment
- [redacted]
- [redacted]
- Stored Communications
- Computer Trespasser Exception

b7E

CHISTF-10478

General Operational Guidelines

- [redacted] b7E
- [redacted] b7E

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CLASSIFIED 10480

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- FOUO/LES is unclassified information

(U) 10481

Law Enforcement Sensitive

- Law Enforcement Sensitive (LES) equipment enjoys "qualified privilege"
- State/local vs. Federal prosecutions
- Testimony – how to …
  - [redacted]
  - [redacted]
  - [redacted]

b7E

CLASSIFIED 10482

The Law

- Title III & Electronic Communications Protection Act
  - Title III, 18 USC sec. 2510, Omnibus Crime Control and Safe Streets Act, Commonly referred to as the Wire Tap Act
  - As amended by the ECPA, Title III prohibits the interception of wire and oral communications, and electronic communications.
  - Provides for criminal penalties and civil damages against anyone who "intentionally intercepts, endeavors to intercept" any covered communication.

CONFIDENTIAL 10483

Title III Order

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- Application must specify the offense being investigated, the nature and location of the facilities where the communications are to be intercepted, and a particular description of the communications sought to be intercepted. 18 U.S.C. § 2518(1)
- Standard: Probable cause to believe that a particular offense is being committed and that targeting the specified facility will yield communications concerning the offense.18 U.S.C. § 2518(3)

CLASSIFIED 10484

Title III Order (cont.)

- Good for up to thirty days. Extensions allowed, but same standard applies to extension. 18 U.S.C. § 2518(5)
- Required to "minimize" the interception unrelated to criminal activity. 18 U.S.C. § 2518(5)
- Requires a finding that normal investigative procedures are unlikely to be successful or are too dangerous. 18 U.S.C. § 2518(3)(c)
- Requires notice to the target within 90 days. 18 U.S.C. § 2518(8)(d)

(U) 10485

Pen Register/ Trap and Trace

- Court ordered surveillance
- Government must certify that information likely to be obtained by use of device "is relevant to an ongoing criminal investigation." 18 U.S.C. § 3122(b)(2)

UNCLASSIFIED//FOUO 10486

What is the Pen/Trap "addressing information"?

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- Transmitted by Instrument or Facility from which a Communication is Transmitted (outgoing call) (pen)
- Identifies Originating Number or Other D/R/A/S or is Reasonably Likely to Identify the Source (incoming call) (trap)
- Utilized in Processing or Transmission of Communications
- Is not "Contents of any...Communications"

CLASSIFIED 10487

Limitation:

- Thou shall NOT collect the Contents of any communication
  - 18 USC sec. 3121 (c) – "use technology reasonably available to restrict . . . so as not to include the contents of any wire or electronic communications"
  - 18 USC sec. 3127 pen/trap definition: "shall not include the contents of any communication"
  - [redacted]

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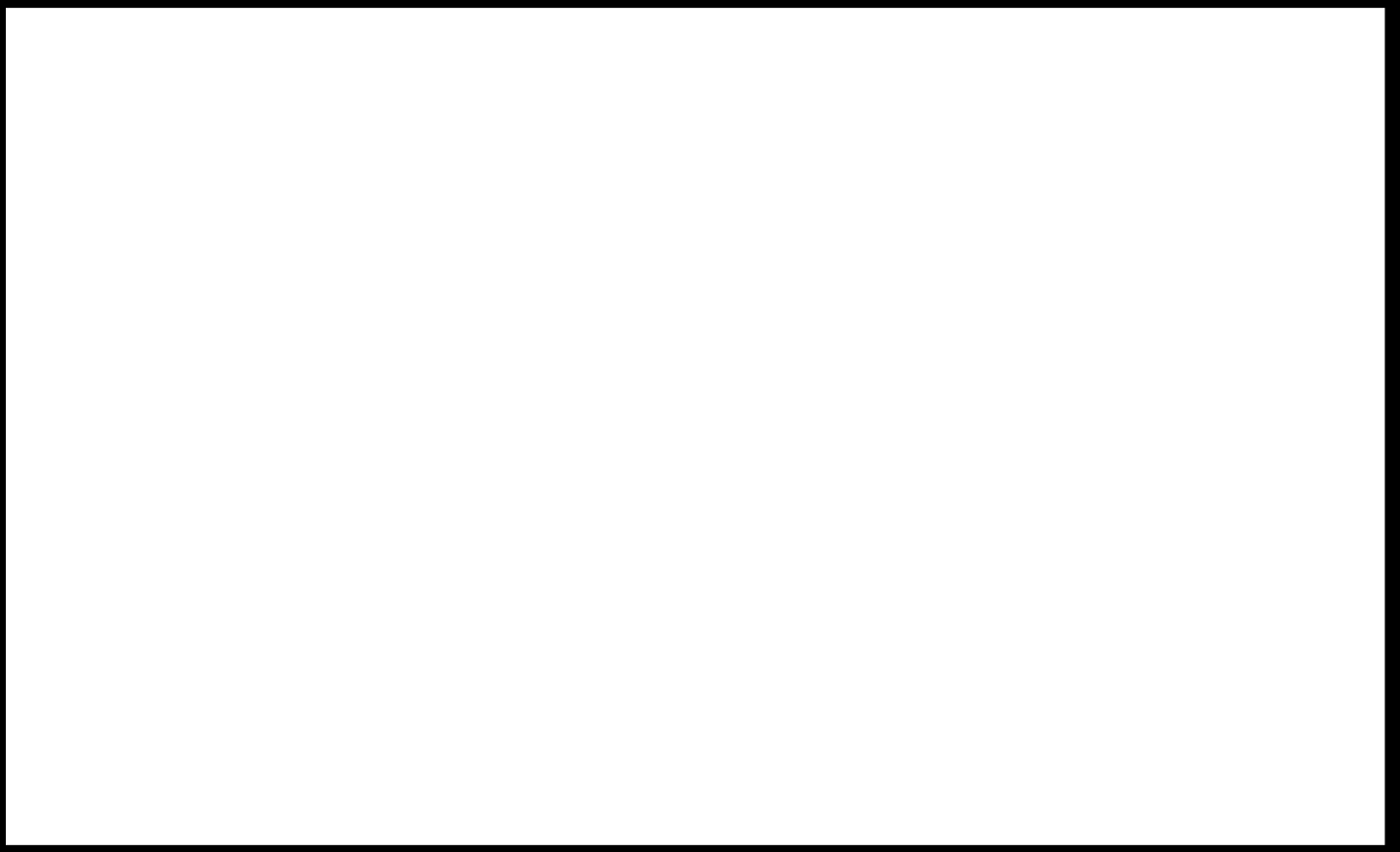
CLASSIFIED 10488

Cell Phone Locating - WITT



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Cell Phone Locating (cont.)

- Collection of cell phone location directly by LEO-
  - [redacted]
  - [redacted]
- [redacted] b7E b5
  - [redacted]

CLASSIFIED 10492

Loan of ELSUR in Support of Federal, State, and Local Requests for Assistance

- AG Order 2954-2008
- DIOG 11.11
- [redacted] b5

CLASSIFIED: 10493

Basic Subscriber Information

- Can be obtained w/ Subpoena, 2703(d) order, or Search warrant, consent
- Provider must give government:
  - Name, Address
  - Local and long distance telephone connection records, or records of session times and durations;
  - Length of service (including start date) and types of service utilized;
  - Telephone or instrument number or other subscriber number or identity, including any temporarily assigned network address; and
  - Means and source of payment for such service (including any credit card or bank account number)

CONFIDENTIAL 10494

Transactional Data

- "A record or other information pertaining to a subscriber to or customer of such service (not including the contents of communications)." § 2703(c)(1) (Everything that's not content & not subscriber information)
- Example:
  - Cell-site data;
  - Addresses / Identities of past e-mail correspondents
  - Incoming e-mail traffic information;
  - Account logs that record usage e.g., URLs (web surfing activity)

CRIMSON-10495

Questions?

[redacted]

Assistant General Counsel

Science & Technology Law Unit

Engineering Research Facility

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FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

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Science and Technology Law Unit

Office of General Counsel

Federal Bureau of Investigation

General Operational Guidelines

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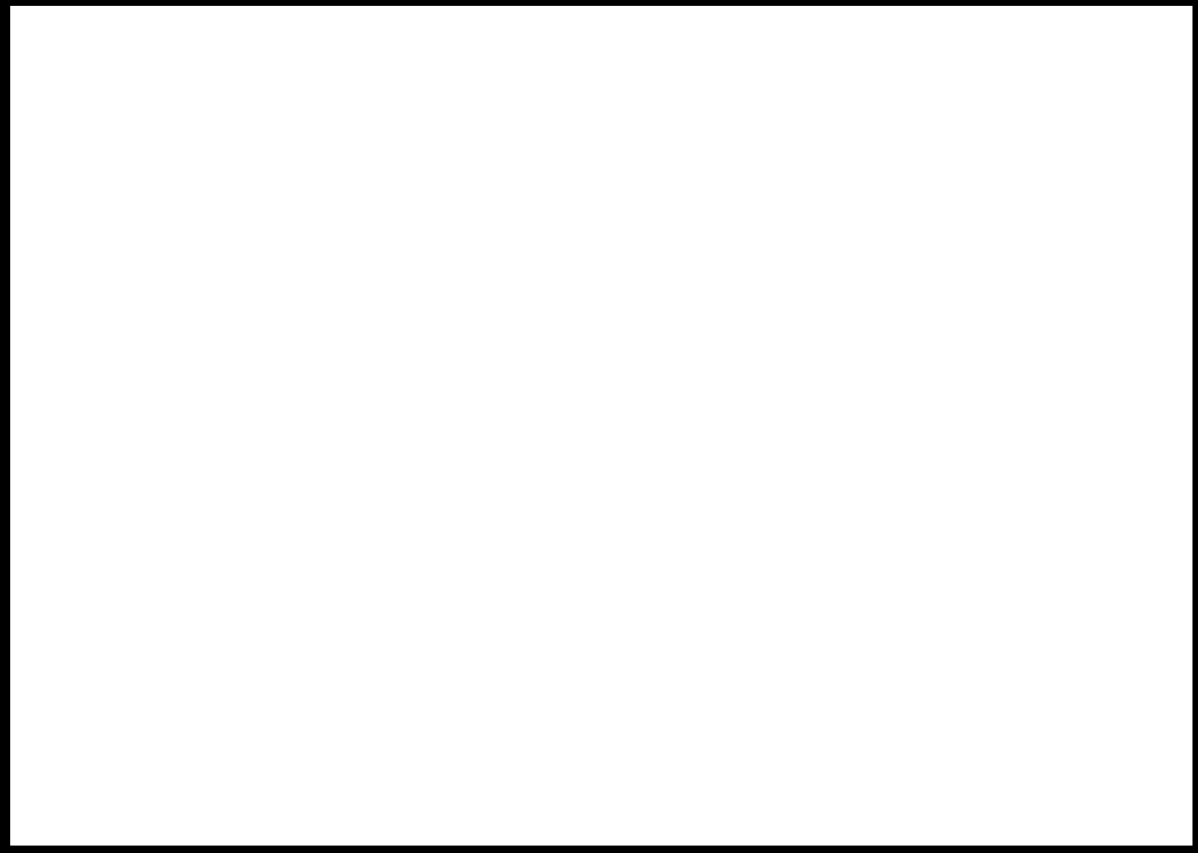
Evidence/Intelligence Collection



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The Law

- Title III & Electronic Communications Protection Act
  - Title III, 18 USC sec. 2510, Omnibus Crime Control and Safe Streets Act, Commonly referred to as the Wire Tap Act
  - As amended by the ECPA, Title III prohibits the interception of wire and oral communications, and electronic communications.
  - Provides for criminal penalties and civil damages against anyone who "intentionally intercepts, endeavors to intercept" any covered communication.

Title III Order

- Under Title III, the government may apply for a court order authorizing an interception. 18 U.S.C. §2516(1)
- Application must specify the offense being investigated, the nature and location of the facilities where the communications are to be intercepted, and a particular description of the communications sought to be intercepted. 18 U.S.C. § 2518(1)
- Standard: Probable cause to believe that a particular offense is being committed and that targeting the specified facility will yield communications concerning the offense.18 U.S.C. § 2518(3)

Title III Order (cont.)

- Good for up to thirty days. Extensions allowed, but same standard applies to extension. 18 U.S.C. § 2518(5)
- Required to "minimize" the interception unrelated to criminal activity. 18 U.S.C. § 2518(5)
- Requires a finding that normal investigative procedures are unlikely to be successful or are too dangerous. 18 U.S.C. § 2518(3)(c)
- Requires notice to the target within 90 days. 18 U.S.C. § 2518(8)(d)

Interception v. Search

- Title III real time interception of electronic communications, e.g. [redacted] b7E
- Collection of stored data – a search of memory

Pen Register/ Trap and Trace

- Court ordered surveillance
- Government must certify that information is likely to be obtained by use or device "is relevant to an ongoing criminal investigation." 18 U.S.C. § 3122(b)(2)

What is the Pen/Trap "addressing information"?

- Dialing, Routing, Addressing, Signaling Information
- Transmitted by Instrument or Facility from which a Communication is Transmitted (pen)
- Identifies Originating Number or Other D/R/A/S or is Reasonably Likely to Identify the Source (trap)
- Utilized in Processing or Transmission of Communications
- Is not "Contents of any...Communications"

Limitation:

- Thou shall NOT collect the Contents of any communication
  - 18 USC sec. 3121 (c) – "use technology reasonably available to restrict . . . so as not to include the contents of any wire or electronic communications"
  - 18 USC sec. 3127 pen/trap definition: "shall not include the contents of any communication"

Stored Communications & Records ECPA 18 USC SEC. 2701

- Content of communication in "storage"
- Subscriber Records
- Transactional Records

Unauthorized Access to Stored Communications

- **18 USC § 2701 (Electronic Communications Protection Act)**
  - **Unauthorized access to communications in "electronic storage" (*e.g.*, one user snooping in another's inbox)**
    - intentionally access without authorization a facility through which an electronic communication service is provided and thereby obtain a wire or electronic communication while it is in electronic storage."
  - **Inapplicable when authorized by the Service Provider, §2701(c)(1)**
  - **Excepts conduct authorized by a "user" of that service with respect to a communication of or intended for that user. §2701(c)(2)**

Disclosure of Stored Content & Records

- **General rule**: a public provider (*e.g.*, an ISP) may not freely disclose the content or records of its customer's communications to others [18 U.S.C. § 2702]

- **Non-Public Providers may voluntarily disclose for any reason**

Law Enforcement Exception

- 18 USC sec. 2703
- Required disclosure of customer communications (in electronic storage) or records
- Requires search warrant (FRCP 41), Federal subpoena, or Federal court order
- 180 day rule
- Notice to subscriber or customer

What's a § 2703(d) Court Order?

- **"Articulable facts" order**
  - "Specific and articulable facts showing that there are reasonable grounds to believe that [the specified records] are relevant and material to an ongoing criminal investigation"
- **A lower standard than probable cause but higher than pen/trap**
- **Notice may be delayed: up to 90 days (may extend) to avoid flight, destruction of or tampering with evidence, witness intimidation, seriously jeopardizing an investigation**

Nationwide Search Warrants for E-Mail:

- Investigators may use section 2703(a) warrants to compel disclosure of stored communications from providers anywhere in the country
- Issued "by a court with jurisdiction over the offense under investigation"
- Consistent with use of federal grand jury subpoenas and orders under section 2703(d).

Basic Subscriber Information

Can be obtained w/ Subpoena, 2703(d) order, or Search warrant

Provider must give government:

- Name, Address
- Local and long distance telephone connection records, or records of session times and durations;
- Length of service (including start date) and types of service utilized;
- Telephone or instrument number or other subscriber number or identity, including any temporarily assigned network address; and
- Means and source of payment for such service (including any credit card or bank account number)

Transactional Data

- **"A record or other information pertaining to a subscriber to or customer of such service (not including the contents of communications)."**
  § 2703(c)(1) Everything that's not content & not subscriber information

- **Example:**
  - Cell-site data;
  - Addresses / Identities of past e-mail correspondents
  - Incoming e-mail traffic information;
  - Account logs that record usage e.g., ULRs (web surfing activity)

- **Use § 2703(d) order to collect prospectively**

CONTACT INFO

[redacted]

Assistant General Counsel
Office of the General Counsel
Science and Technology Law Unit

[redacted]

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Wake up.
It's time to leave.

[redacted] Certification Course
Legal Training

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Science and Technology Law Unit
Office of General Counsel
Federal Bureau of Investigation

UNCLASSIFIED 14373

TOPICS

- General guidelines
- The Law (e.g., Title III)
- Pen Register/ Trap and Trace
- [redacted] – WITT
- Loan of ELSUR Equipment
- [redacted]
- Stored Communications
- Computer Trespasser Exception

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CLASSIFIED 14374

General Operational Guidelines

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General Operational Guidelines

- What is your legal authority?
- Why is it important?

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(U) [redacted]-14376

Law Enforcement Sensitive

- Law Enforcement Sensitive (LES) collection devices, systems, techniques, and related information are not to be disclosed. Only the product of the technical operation is disclosed.
- Examples: WITT [redacted]

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(U) 14377

Law Enforcement Sensitive

- FOUO (For Official Use Only) – a caveat applied to sensitive but unclassified information that may be exempt from release under FOIA
- LES (Law Enforcement Sensitive) is another of 9 potential exemptions under FOIA to protect law enforcement sources and methods, evidence, reports, tools and techniques, etc.
- FOUO/LES is unclassified information

CHS 001 14378

Law Enforcement Sensitive

- Law Enforcement Sensitive (LES) equipment enjoys "qualified privilege"
- State/local vs. Federal prosecutions
- Testimony – how to ...

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The Law

- Title III & Electronic Communications Protection Act
  - Title III, 18 USC sec. 2510, Omnibus Crime Control and Safe Streets Act, Commonly referred to as the Wire Tap Act
  - As amended by the ECPA, Title III prohibits the interception of wire and oral communications, and electronic communications.
  - Provides for criminal penalties and civil damages against anyone who "intentionally intercepts, endeavors to intercept" any covered communication.

CRIMSON-14380

Title III Order

- Under Title III, the government may apply for a court order authorizing an interception. 18 U.S.C. §2516(1)
- Application must specify the offense being investigated, the nature and location of the facilities where the communications are to be intercepted, and a particular description of the communications sought to be intercepted. 18 U.S.C. § 2518(1)
- Standard: Probable cause to believe that a particular offense is being committed and that targeting the specified facility will yield communications concerning the offense.18 U.S.C. § 2518(3)

14381

Title III Order (cont.)

- Good for up to thirty days. Extensions allowed, but same standard applies to extension. 18 U.S.C. § 2518(5)
- Required to "minimize" the interception unrelated to criminal activity. 18 U.S.C. § 2518(5)
- Requires a finding that normal investigative procedures are unlikely to be successful or are too dangerous. 18 U.S.C. § 2518(3)(c)
- Requires notice to the target within 90 days. 18 U.S.C. § 2518(8)(d)

14382

Pen Register/ Trap and Trace

- Court ordered surveillance [redacted] b7E
- Government must certify that information likely to be obtained by use of device "is relevant to an ongoing criminal investigation." 18 U.S.C. § 3122(b)(2)

What is the Pen/Trap "addressing information"?

- Dialing, Routing, Addressing, Signaling Information
- Transmitted by Instrument or Facility from which a Communication is Transmitted (outgoing call) (pen)
- Identifies Originating Number or Other D/R/A/S or is Reasonably Likely to Identify the Source (incoming call) (trap)
- Utilized in Processing or Transmission of Communications
- Is not "Content of any...Communications"

Limitation:

- Thou shall NOT collect the Contents of any communication
  - 18 USC sec. 3121 (c) – "use technology reasonably available to restrict . . . so as not to include the contents of any wire or electronic communications"
  - 18 USC sec. 3127 pen/trap definition: "shall not include the contents of any communication"

[redacted]

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SECRET//NOFORN 14385

Cell Phone Locating - WITT

- As the FBI configures and deploys WITT equipment it is a PRT&T device.

[redacted]

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CLASSIFIED 14390

Loan of ELSUR in Support of Federal, State, and Local Requests for Assistance

- AG Order 2954-2008

[redacted]

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Stored Communications & Records ECPA 18 USC SEC. 2701

- "Electronic storage" is defined at 18 U.S.C. § 2510(17) as: (A) any temporary, intermediate storage of a wire or electronic communication incidental to the electronic transmission thereof; and (B) any storage of such communication by an electronic communication service for purposes of backup protection of such communication [redacted]

[redacted] b7E b3

- For stored information, search warrant or 2703(d) order or subpoena with notice
- Under 2703(b) notice can be delayed

Disclosure of Stored Content & Records

- **General rule**: a public provider (*e.g.*, an ISP) may not freely disclose the content or records of its customer's communications to others [18 U.S.C. § 2702]
- **Non-Public Providers may voluntarily disclose for any reason**

Law Enforcement Exception

- 18 USC sec. 2703
- Requires disclosure of customer communications (in electronic storage) or records
- Requires search warrant (FRCP 41), Federal subpoena, or Federal court order (2703d order)
- 180 day rule
- Notice to subscriber or customer

CIIS.001-14400

What's a § 2703(d) Court Order?

- **"Articulable facts" order**
  - "Specific and articulable facts showing that there are reasonable grounds to believe that [the specified records] are relevant and material to an ongoing criminal investigation"
- **A lower standard than probable cause but higher than pen/trap**
- **<u>Notice</u> may be delayed: up to 90 days (may extend) to avoid flight, destruction of or tampering with evidence, witness intimidation, seriously jeopardizing an investigation**

14401

Nationwide Search Warrants for E-Mail:

- Investigators may use section 2703(d) warrants to compel disclosure of stored communications from providers anywhere in the country
- Issued "by a court with jurisdiction over the offense under investigation"
- Consistent with use of federal grand jury subpoenas and orders under section 2703(d).

CHLSTH-14402

Basic Subscriber Information

Can be obtained w/ Subpoena, 2703(d) order, or Search warrant, consent

Provider must give government:

- Name, Address
- Local and long distance telephone connection records, or records of session times and durations;
- Length of service (including start date) and types of service utilized;
- Telephone or instrument number or other subscriber number or identity, including any temporarily assigned network address; and
- Means and source of payment for such service (including any credit card or bank account number)

CHS 011-14403

Transactional Data

- "A record or other information pertaining to a subscriber to or customer of such service (not including the contents of communications)." § 2703(c)(1) (Everything that's not content & not subscriber information)
- Example:
  - Cell-site data;
  - Addresses / Identities of past e-mail correspondents
  - Incoming e-mail traffic information;
  - Account logs that record usage e.g., URLs (web surfing activity)

CHS001 14404

Title III (18 U.S.C. 2511-17) – Consent vs. Computer Trespasser Exception

- Need a court order to monitor the content of data communications – or an exception (consent).
- Content includes: [redacted]

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(U) [redacted]-14406

Relevant Exceptions to Title III

- Computer Trespasser exception.
- Consent of a party to the communication.
- Service Provider exception.

(U) 14407

Consent of a Party to the Communication – the Victim Computer

18 U.S.C.§2511(2)(c)-(d)

Express consent

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Consent of a Party to the Communication – Banners

- Implied consent

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(U) 14409

The Computer Trespasser Exception (18 U.S.C.§2511(2)(i))

Requires:

- consent of the computer owner – authorization.
- the person performing the intercept must be "lawfully engaged in an investigation."
- the person performing the intercept must have "reasonable grounds to believe the contents of the communications will be relevant to the investigation."
- interception must be limited to communications "transmitted to, through, or from" the computer and MAY NOT capture communications other than those to or from the trespasser – broader than consent.

[redacted]-14410

The Computer Trespasser Exception (continued)

Legal tips:

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(U) 14411

The Computer Trespasser Exception (continued)

Another legal tip:

[redacted]

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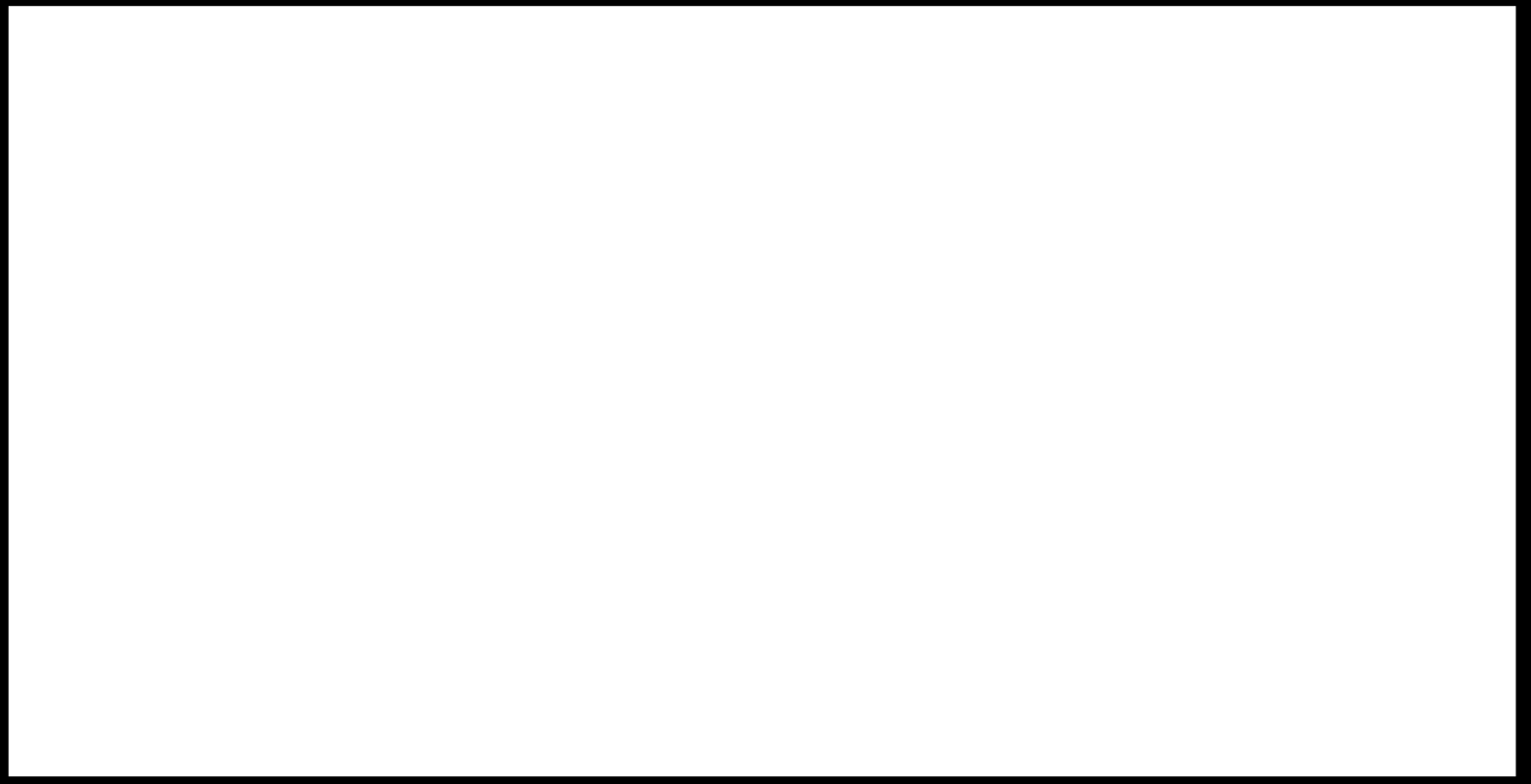
The Computer Trespasser Exception (continued)

Practice tips:



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UNCLASSIFIED//FOUO 14413

Service Provider Exception 18 U.S.C. 2511(2)(a)(i)

- Authorizes interception or disclosure "while engaged in any activity which is a necessary incident to the rendition of service or the protection of the rights or property of the provider of the service"

[redacted]

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- Recommendation: [redacted]

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Questions?

[redacted]

Assistant General Counsel
Science & Technology Law Unit
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Legal Fundamentals

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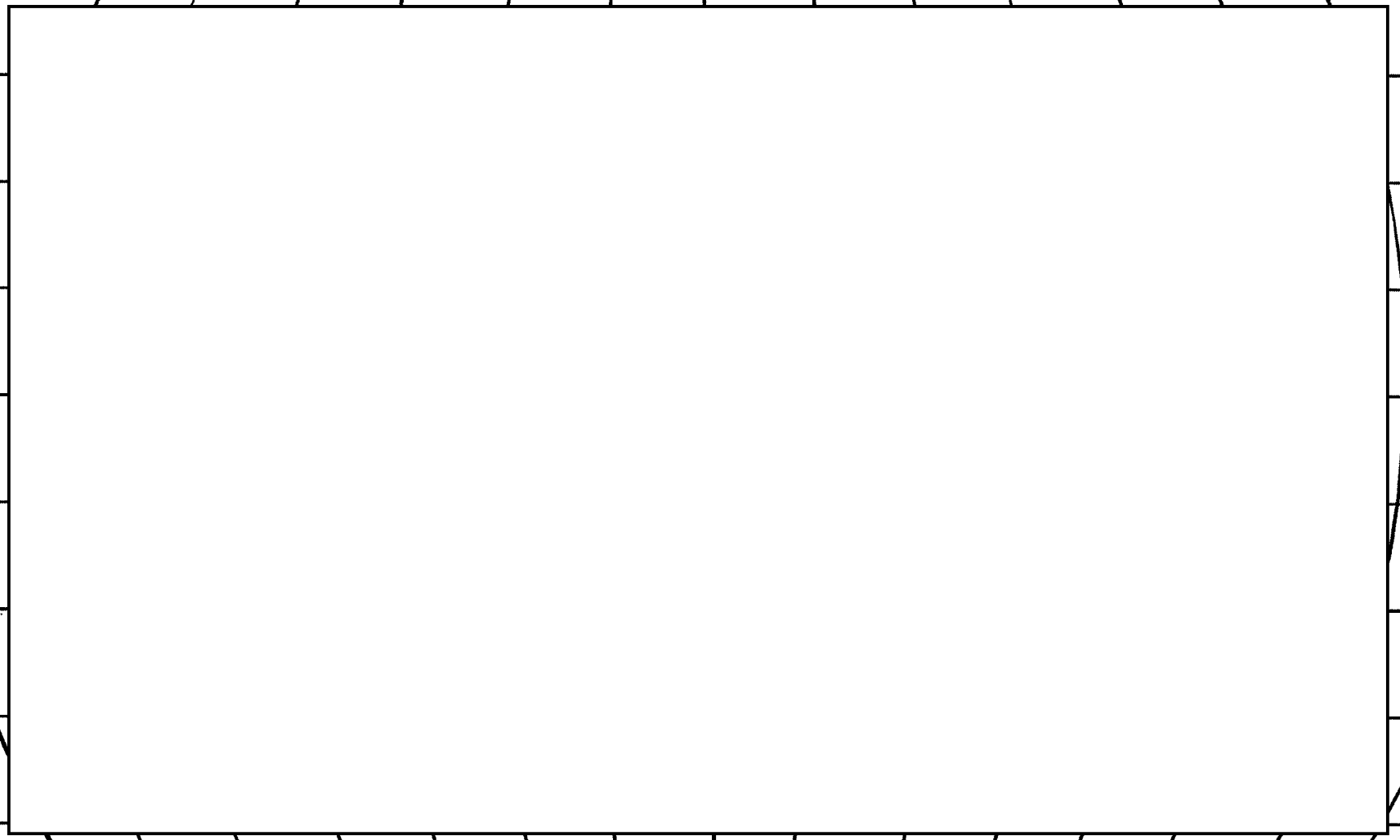
Assistant General Counsel
Science & Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation

Agenda

- Real time monitoring of content
- Implied Consent/Banners
- Computer Trespasser
- International Issues
- Question and Answers

General Operational Guidelines



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Compelled Disclosure under ECPA

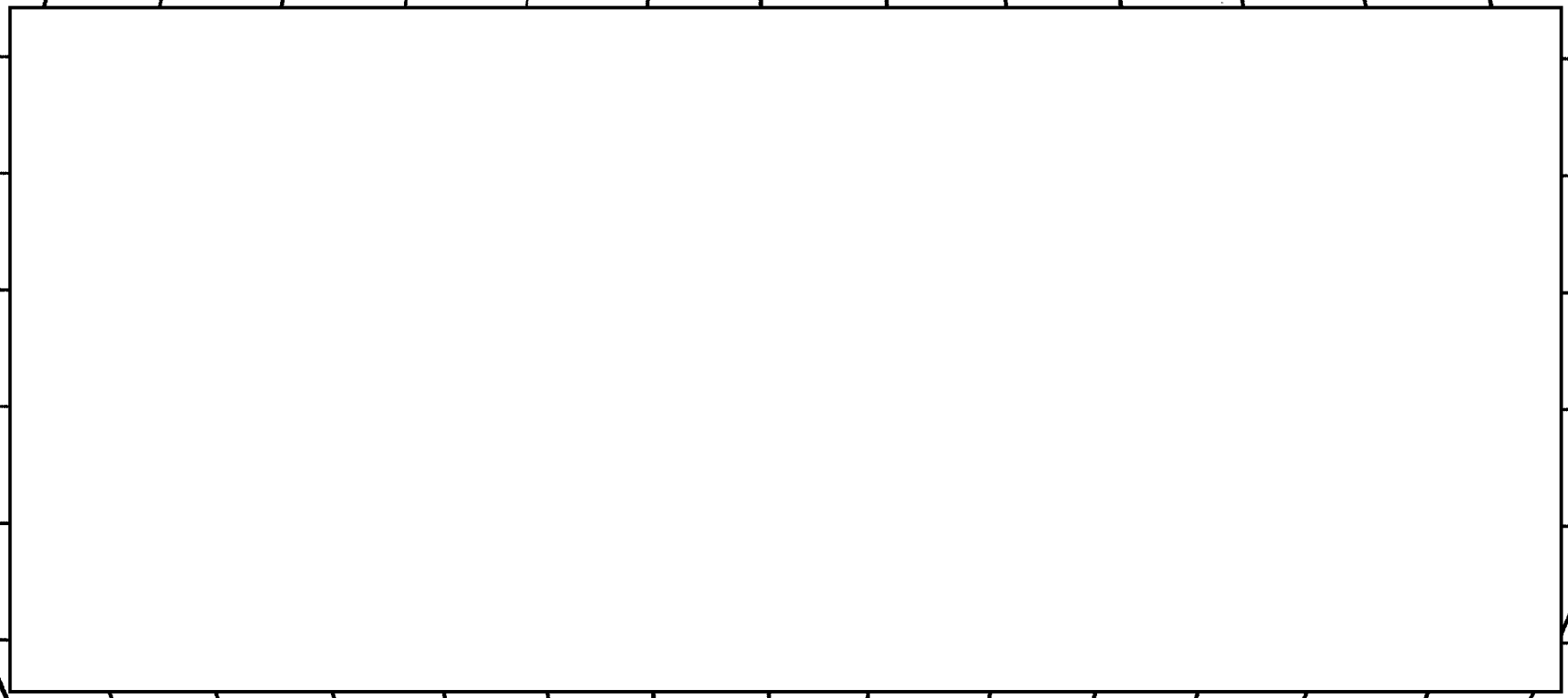
Evidence Sought	Legal process
Undelivered email less that 180 days old	Search warrant
Stored content	Subpoena or 2703 order with notice (or search warrant)
Most transactional Records (net flow data)	2703(d) order (or search warrant)
Basic subscriber info. and billing records	Subpoena (or 2703(d) order or search warrant)

CELLSITE-14428

Current Issues and Procedures for Monitoring Content in Intrusion Investigations

Monitoring in Computer Intrusion Cases

Practice tips:



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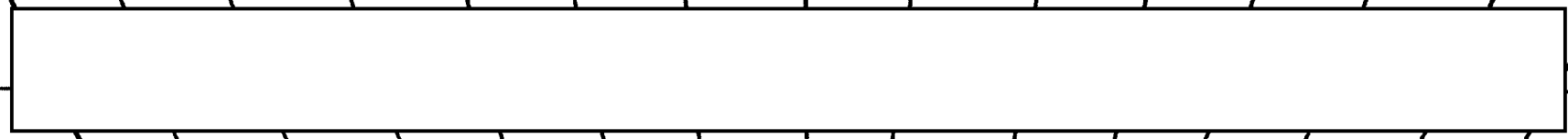
Pen Register/Trap & Trace (18 U.S.C. §§3121-3172)

- Court order allows LE to collect signaling and routing information of communications (to, from, source/destination IP address, packet size, presence of attachments.
- Not content (e.g. real time collection of network flow data)
- Pen register – outgoing communications
- Trap & Trace – incoming communications



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CELLSITE-14431

Title III (18 U.S.C. 2511-17)

- Need a court order to monitor the content of data communications – or an exception.
- Content includes:

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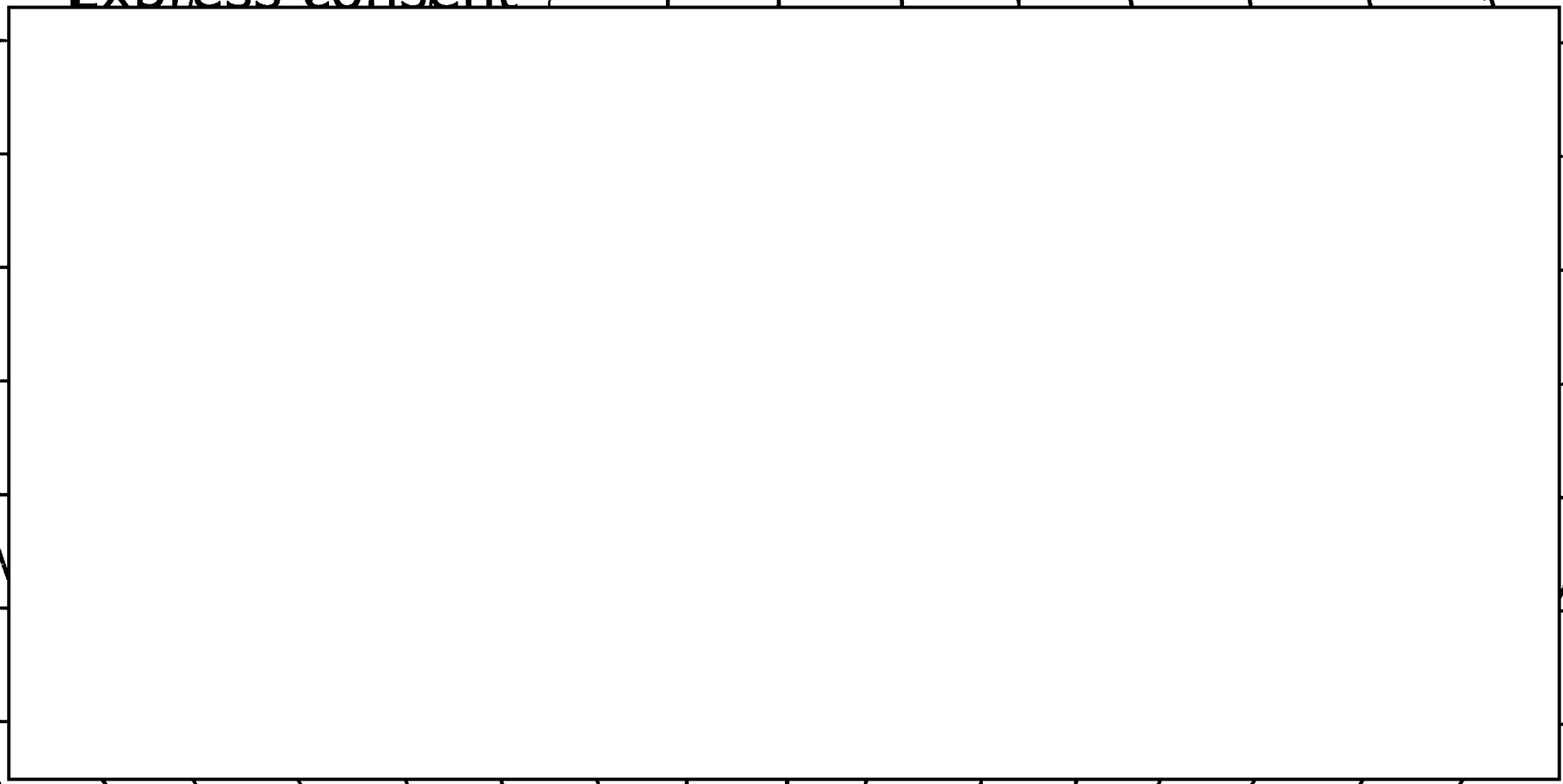
Consent of a Party to the Communication – the Victim Computer

18 U.S.C.§2511(2)(c)-(d)

Express consent



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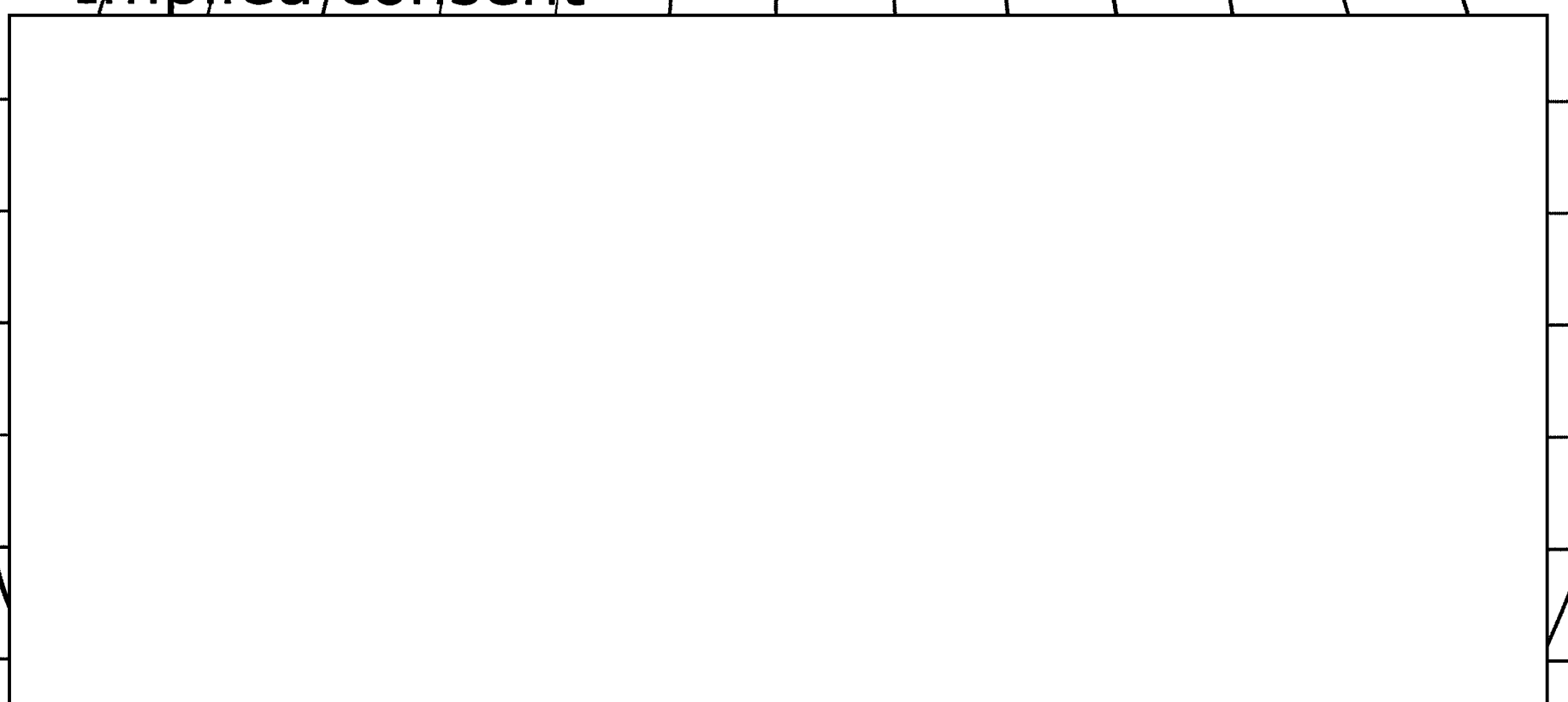
Consent of a Party to the Communication – Banners

Implied consent



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Relevant Exceptions to Title III

- Consent of a party to the communication.
- Computer Trespasser exception.
- Service Provider exception.

The Computer Trespasser Exception (18 U.S.C.§2511(2)(i))

Requires:

- consent of the computer owner – authorization.
- the person performing the intercept must be "lawfully engaged in an investigation."
- the person performing the intercept must have "reasonable grounds to believe the contents of the communications will be relevant to the investigation."
- interception must be limited to communications "transmitted to, through, or from" the computer and MAY NOT capture communications other than those to or from the trespasser – broader than consent.

The Computer Trespasser Exception (continued)

Legal tips:

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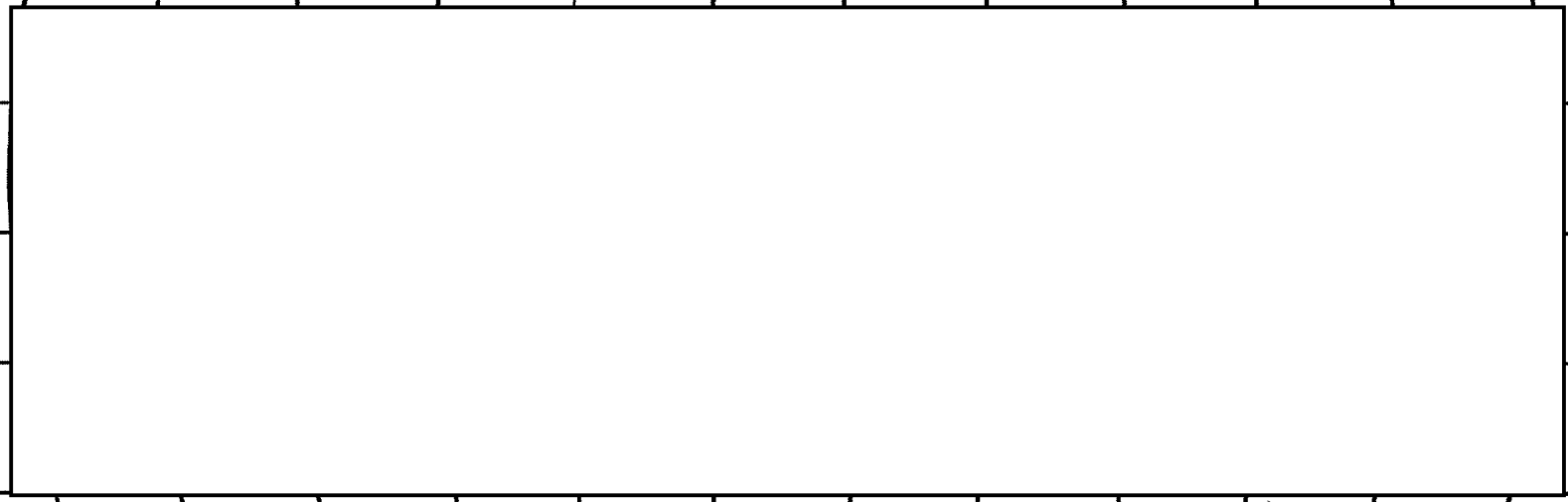
The Computer Trespasser Exception (continued)

Another legal tip:



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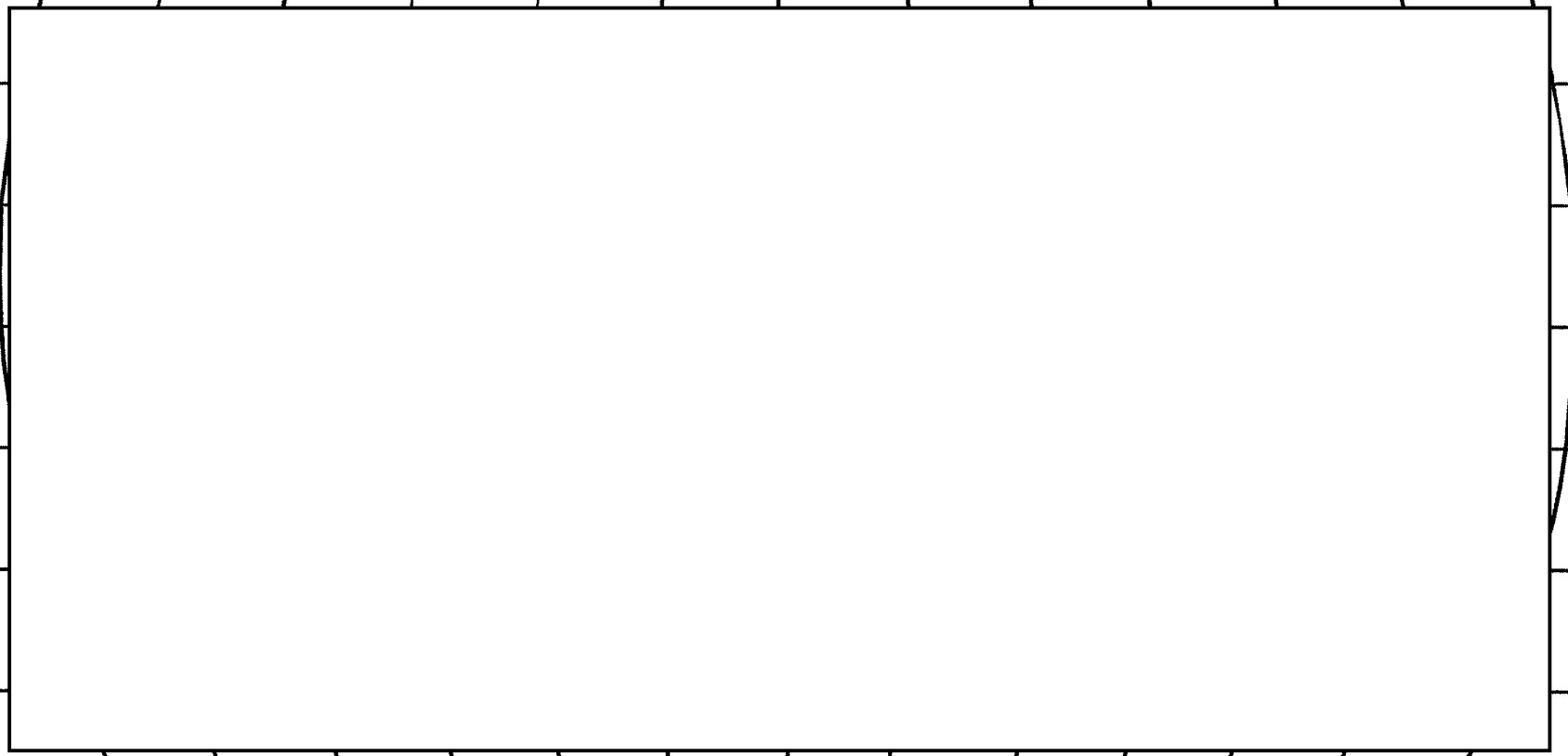
The Computer Trespasser Exception (continued)

Practice tips:



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Service Provider Exception

18 U.S.C. 2511(2)(a)(i)

- Authorizes interception or disclosure "while engaged in any activity which is a necessary incident to the rendition of service or the protection of the rights or property of the provider of the service"

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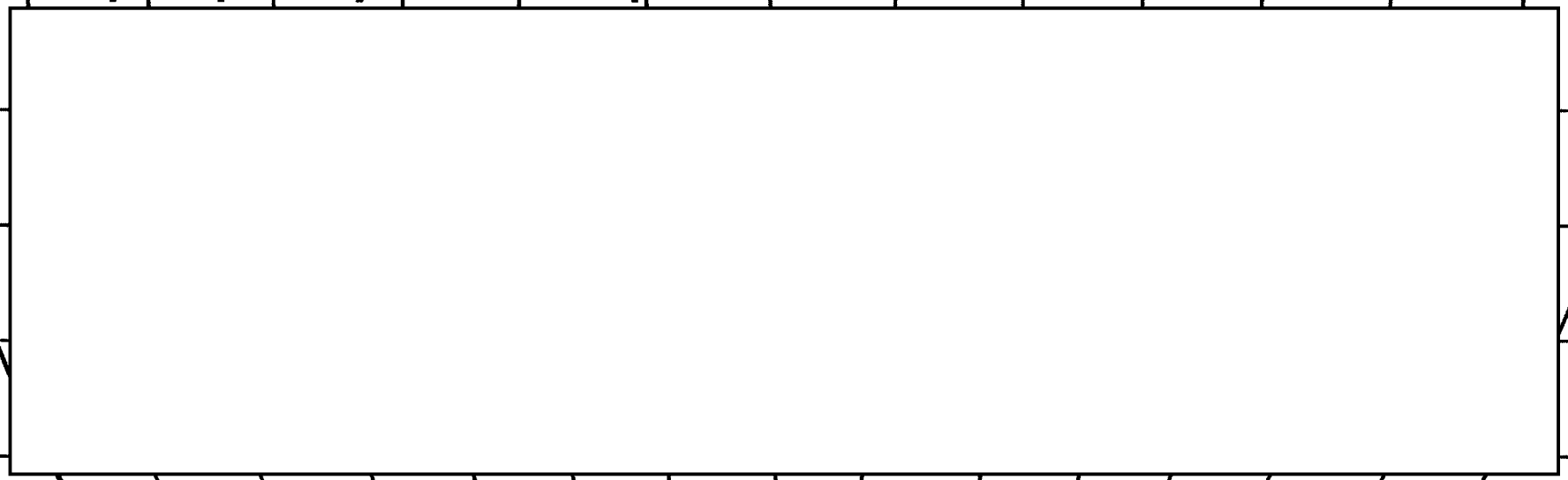

International Issues

Legal Fundamentals Contact Information

[redacted]
Assistant General Counsel
Science & Technology Law Unit
Office of the General Counsel

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[redacted]

Program

[redacted] DIVISION

[redacted]

SSA [redacted]

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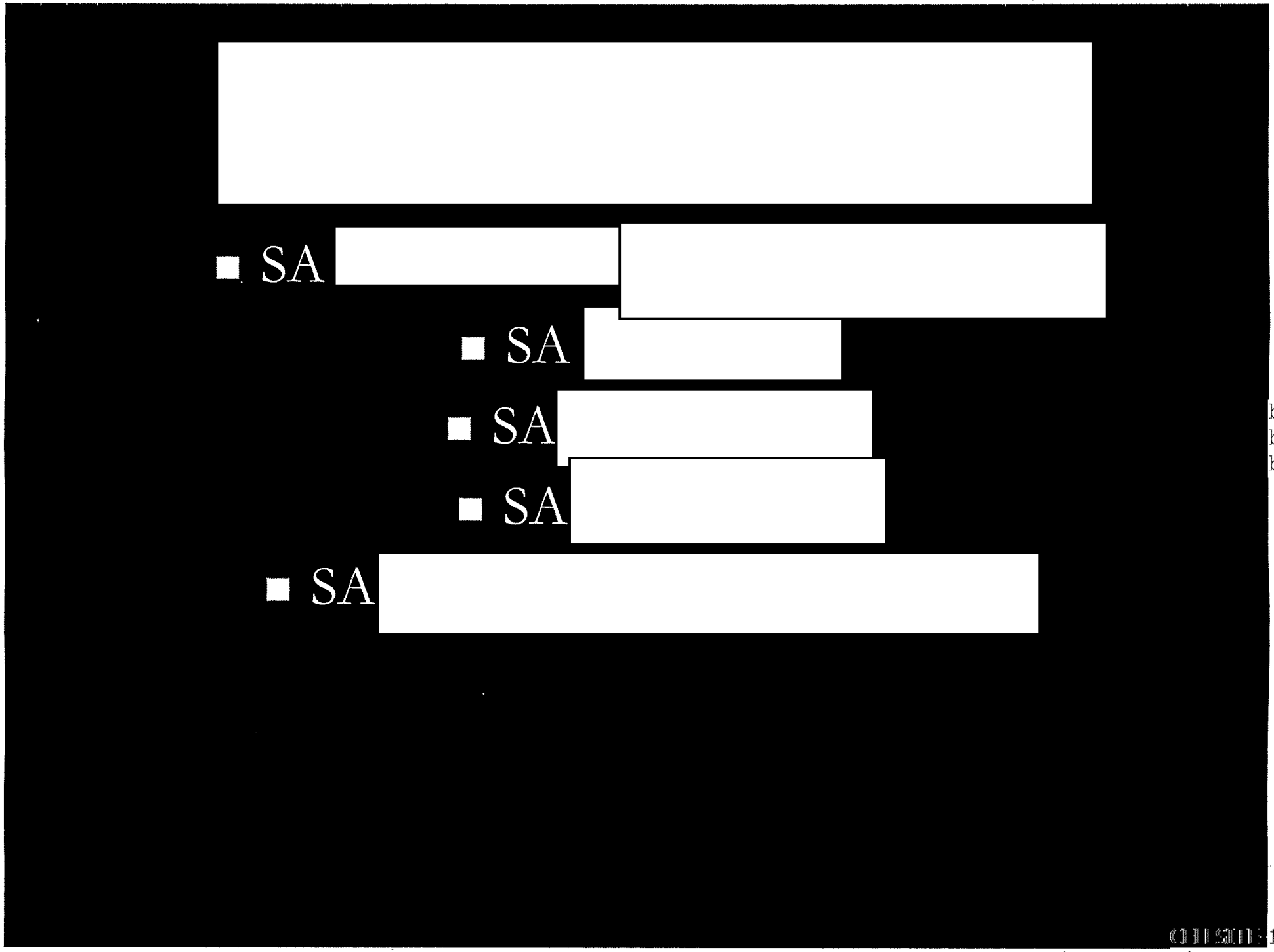

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General Operational Guidelines

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General Operational Guidelines

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General Operational Guidelines

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General Operational Guidelines

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Wake up.
It's time to leave.

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[redacted] Physical Surveillance Course - Legal Training

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[redacted]
Science and Technology Law Unit
Office of General Counsel
Federal Bureau of Investigation

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TOPICS

- **General Discussion/Guidance**
- [redacted]
- [redacted] b7E
- **Wireless Intercept Tracking Team**
- **Title III**
- **Law of Consent**
- **Loan of ELSUR Equipment**

General Operational Guidelines

-

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- Law Enforcement Sensitive collection devices, systems, and techniques are not to be disclosed. Only the product of the technical operation is disclosed.

Law enforcement sensitive

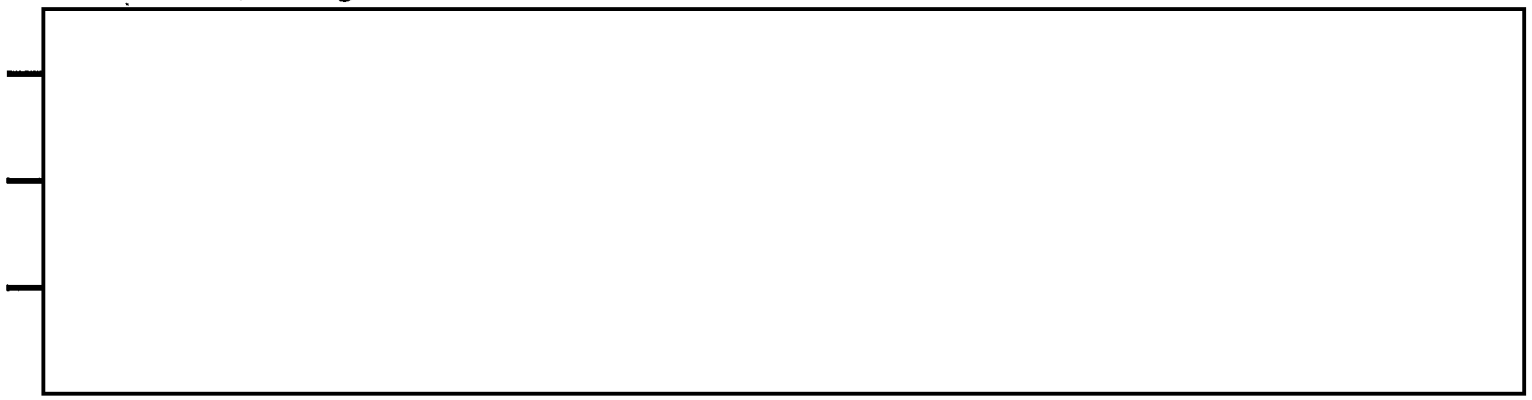
- FOUO (For Official Use Only) – a caveat applied to sensitive but unclassified information that may be exempt from release under FOIA
- LES (Law Enforcement Sensitive) is another of 9 potential exemptions under FOIA to protect law enforcement sources and methods, evidence, reports, tools and techniques, etc.
- FOUO/LES is unclassified information

Law Enforcement Sensitive

- Law Enforcement Sensitive (LES) collection devices, systems, techniques, and related information are not to be disclosed. Only the product of the technical operation is disclosed.
- Examples: WITT equipment is LES; CART SOPs are LES.

Law Enforcement Sensitive

- Law Enforcement Sensitive (LES) equipment enjoys "qualified privilege"
- State/local vs. Federal prosecutions
- Testimony – how to …



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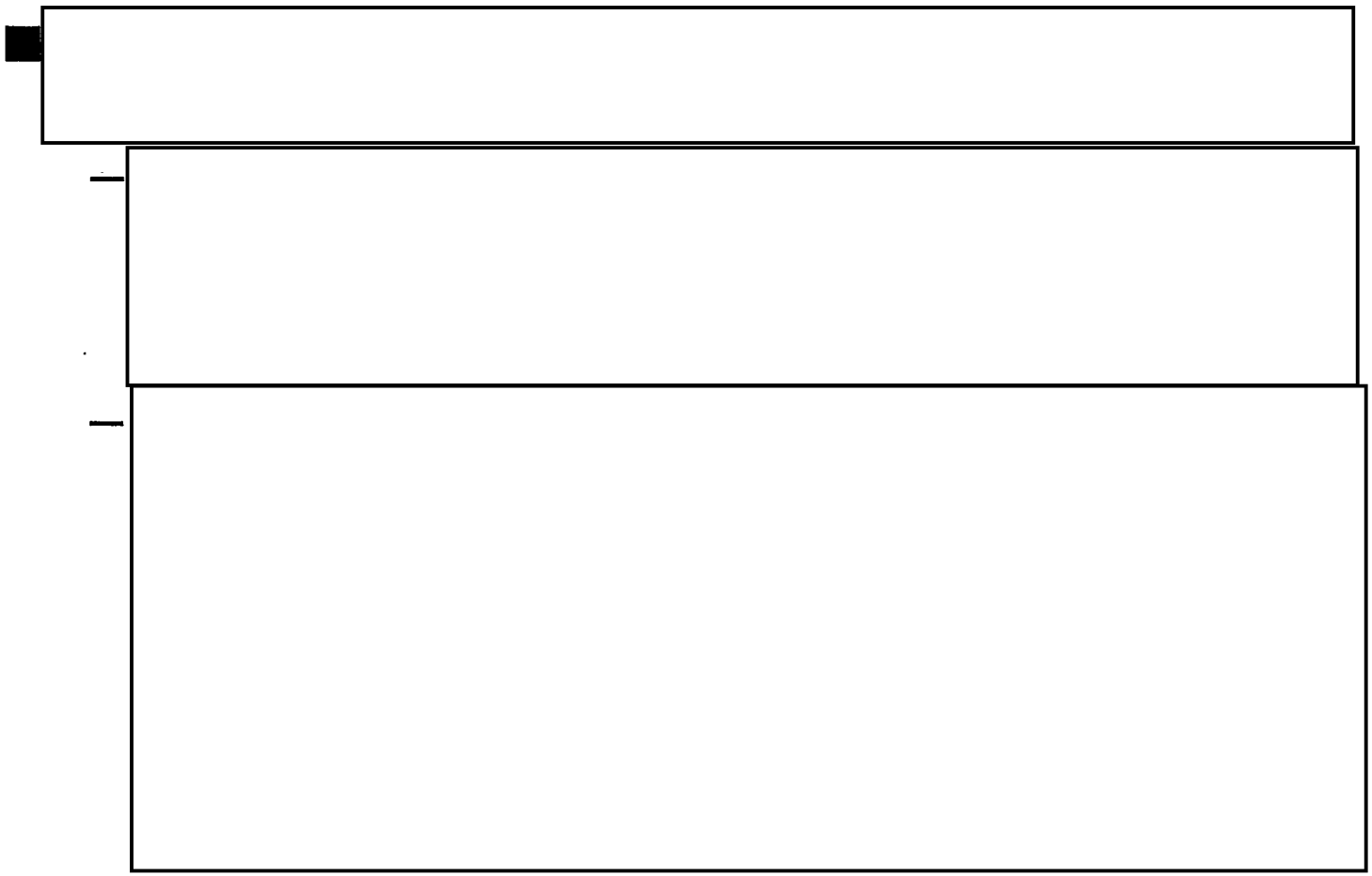
Cell Phone Locating - WITT



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T-III

- **Title III & Electronic Communications Protection Act**
  - Title III, 18 USC sec. 2510, Omnibus Crime Control and Safe Streets Act, Commonly referred to as the Wire Tap Act
  - As amended by the ECPA, Title III **prohibits the interception of wire and oral communications, and electronic communications.**
  - Provides for criminal penalties and civil damages against anyone who "intentionally intercepts, endeavors to intercept" any covered communication.

Title III Order

- **Law enforcement exception** - the government may apply for a court order authorizing an interception. 18 U.S.C. §2516(1)
- Application must specify the offense being investigated, the nature and location of the facilities where the communications are to be intercepted, and a particular description of the communications sought to be intercepted. 18 U.S.C. § 2518(1)
- Standard: **Probable cause** to believe that a particular offense is being committed and that targeting the specified facility will yield communications concerning the offense.18 U.S.C. § 2518(3)

Title III Order (cont.)

- Good for up to thirty (30) days. Extensions allowed, but same PC standard applies to extension. 18 U.S.C. § 2518(5)
- Required to "minimize" the interception unrelated to criminal activity. 18 U.S.C. § 2518(5)
- Requires a finding that normal investigative procedures are unlikely to be successful or are too dangerous. 18 U.S.C. § 2518(3)(c)
- Requires notice to the target within 90 days. 18 U.S.C. § 2518(8)(d); Delayed notice may be authorized by court.

Pen Register/
Trap and Trace

- Court ordered surveillance
- Government must certify that information likely to be obtained by use of device "is relevant to an ongoing criminal investigation." 18 U.S.C. § 3122(b)(2)

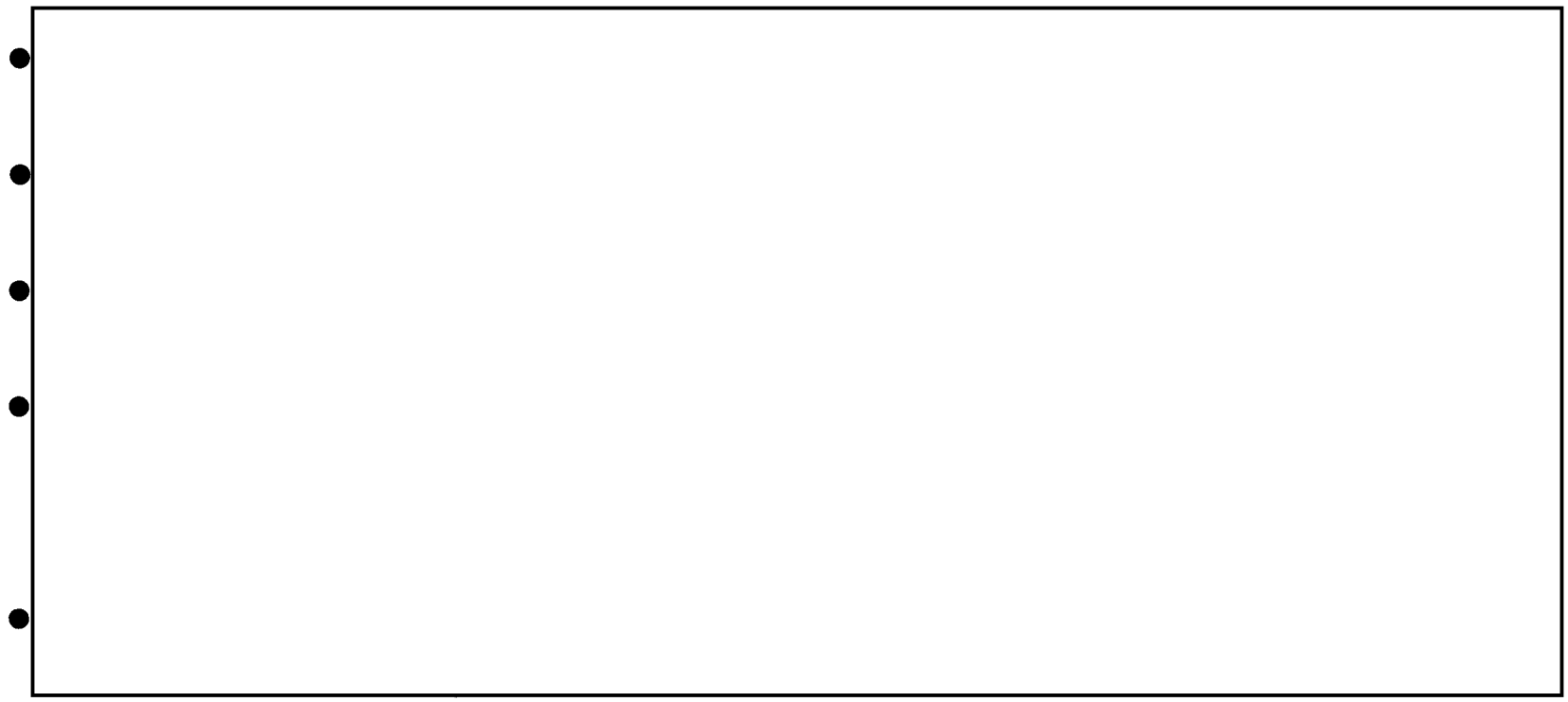
What is the Pen/Trap "addressing information"?

- Dialing, Routing, Addressing, Signaling Information
- Transmitted by Instrument or Facility from which a Communication is Transmitted (outgoing call) (pen)
- Identifies Originating Number or Other D/R/A/S or is Reasonably Likely to Identify the Source (incoming call) (trap)
- Utilized in Processing or Transmission of Communications
- Is not "Contents of any…Communications"

Limitation:

- Thou shall NOT collect the Contents of any communication
  - 18 USC sec. 3121 (c) – "use technology reasonably available to restrict . . . so as not to include the contents of any wire or electronic communications"
  - 18 USC sec. 3127 pen/trap definition: "shall not include the contents of any communication"
  - [redacted] b5

Law of Consent
Versus Court Order/Search Warrant



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Loan of ELSUR Equipment

- AG Order 2954-2008
- DIOG Ch. 12 – Assistance to Other Agencies
- OTD Policy –

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[redacted]@ic.fbi.gov

[redacted] Physical Surveillance Course - Legal Training

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[redacted]

Science and Technology Law Unit
Office of General Counsel
Federal Bureau of Investigation

TOPICS

- **General Discussion/Guidance**
- [redacted]
- [redacted]
- **Title III**
- **Law of Consent**
- **Loan of ELSUR Equipment**

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General Operational Guidelines

-

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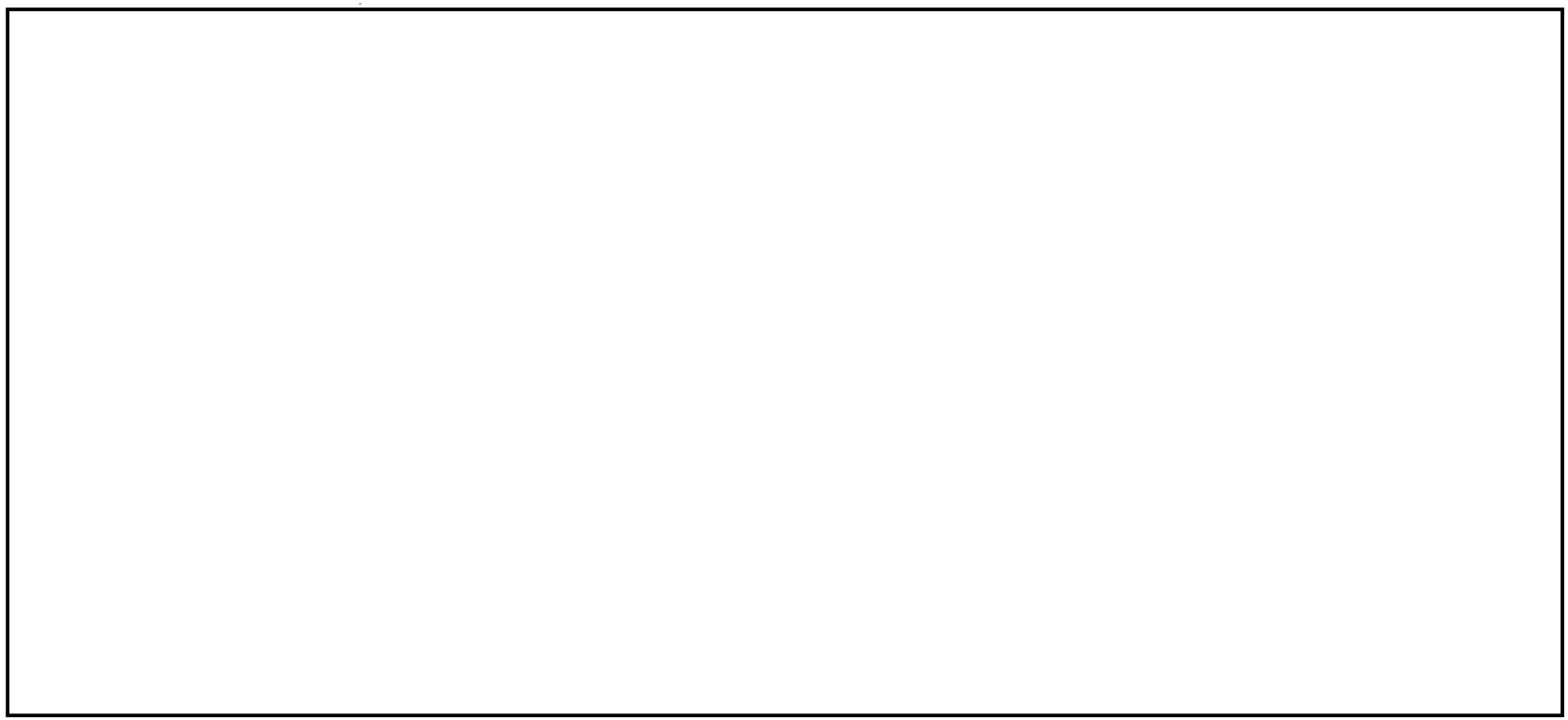
- Law Enforcement Sensitive collection devices, systems, and techniques are not to be disclosed. Only the product of the technical operation is disclosed.

Law enforcement sensitive

- FOUO (For Official Use Only) – a caveat applied to sensitive but unclassified information that may be exempt from release under FOIA
- LES (Law Enforcement Sensitive) is another of 9 potential exemptions under FOIA to protect law enforcement sources and methods, evidence, reports, tools and techniques, etc.
- FOUO/LES is unclassified information

Law of Consent



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Loan of ELSUR Equipment

- AG Order 2954-2008
- DIOG Ch. 12 – Assistance to Other Agencies
- OTD Policy –

b5

CONTACT INFO

[redacted]

Assistant General Counsel
Office of the General Counsel
Science and Technology Law Unit

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[redacted]@ic.fbi.gov

TOPICS

- **General Discussion/Guidance**
- [redacted] b7E
- [redacted]
- **Title III**
- **Law of Consent**
- **Loan of ELSUR Equipment**

Tracking Technology Unit

Wireless Intercept

Tracking Team

Legal Briefing

Assistant General Counsel

[redacted] b6 b7C

OGC

WITT

Wireless Intercept and Tracking Team

CELLSITE-10075

Legal Authority for use of WITT in Support of Federal, State, and Local Requests for Assistance

- 18 USC § 3121 - § 3125
- AG Order 2954-2008
- DIOG 11.11
- [redacted] b5

WITT
Wireless Intercept and Tracking Team

Legal Authority for use of Pen Register Trap and Trace

- Besides 18 USC § 3121 – 3125 (… relevant to an ongoing criminal investigation …)
- [redacted]
- [redacted]
- 18 USC § 3121 states, " … no person may install or use a PRT&T device without first obtaining a court order …"
- The FBI may not use WITT without an order.

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WITT
Wireless Intercept and Tracking Team

Legal Authority to Deploy WITT

- [redacted]

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WITT
Wireless Intercept and Tracking Team

Legal Authority to Deploy WITT

- When is a Rule 41 Search Warrant necessary? (Probable cause standard)
- [redacted]
- [redacted]

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WITT
Wireless Intercept and Tracking Team

FBI Technical Assistance to US Federal, State and Local law enforcement Agencies

- It must be lawful. (4.a)
- Appropriate and consistent with the law. (4.b)
- Appropriate use of personnel and financial resources. (4.c)
- Not jeopardize any ongoing sensitive or classified investigation. (4.d)

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WITT
Wireless Intercept and Tracking Team

Request by Executive Level Official in writing (letterhead, email, fax, etc). (5.a)

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WTT
Wireless Intercept and Tracking Team

The Requesting Agency shall certify that: (5.c)

- Technical Assistance will be used lawfully.(5.c.1)
-
-

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Supporting the Request shall be the written certification of an appropriate attorney for the prosecutorial office.(5.d)

- It is lawful and authorized under the relevant law of the applicable jurisdiction for the Requesting Agency:
  - To make use of the FBI Technical Assistance requested and(5.d.1)
  - For the FBI to provide the Technical Assistance requested, including the FBI personnel involved.(5.d.2)

WITT
Wireless Intercept and Tracking Team

In Emergency Situation

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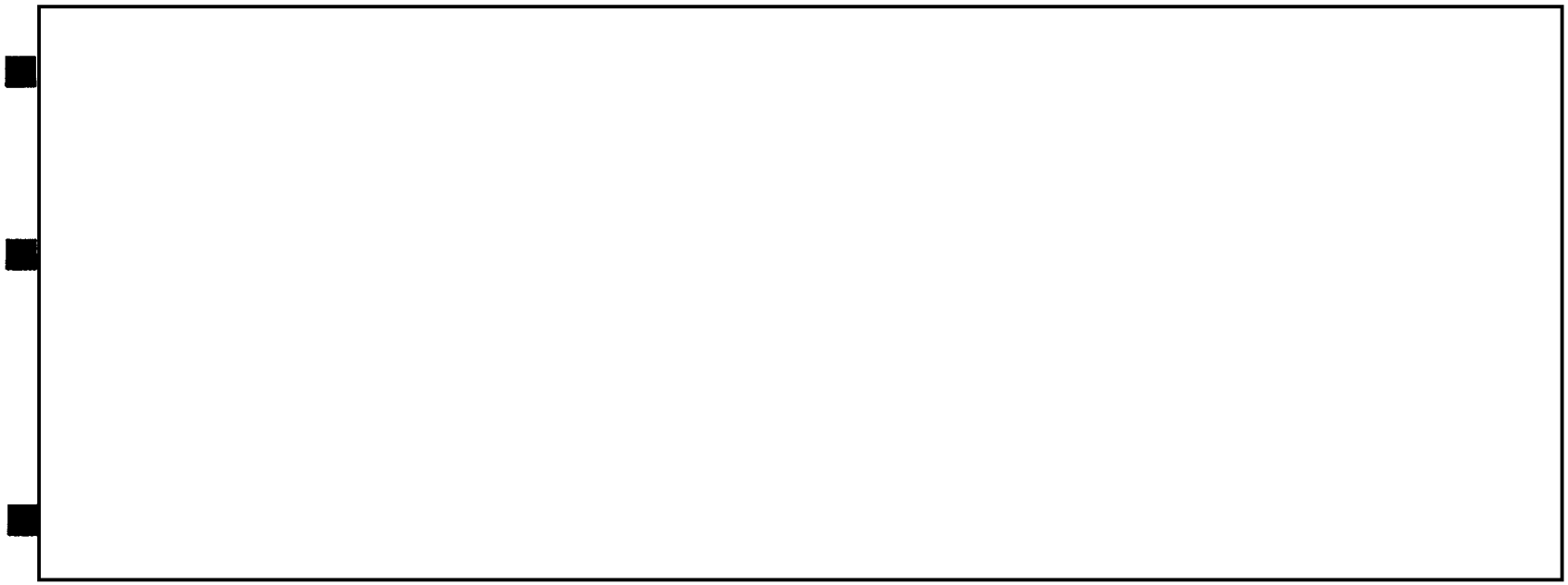
WITT
Wireless Intercept and Tracking Team

In Emergency Situation



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WITT
Wireless Intercept and Tracking Team

CELLSITE-10085

Procedures for field office approval for technical assistance (6)

- The CDC shall review the request, the certification(s) and supporting court order and other legal process.(6.1.a)
- [redacted]

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Continued

- Is Authorized under the AG Order No 2954-2008. (6.1.c.1)
- Can be implemented as specified within the order or other legal process. (6.1.c.2)
- Is lawful, reasonable and appropriate. (6.1.c.3)
- Complies with FBI policy. (6.1.c.4)

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WITT
Wireless Intercept and Tracking Team

FBI Field Office Approving Official

-

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Law Enforcement Sensitive

- Law Enforcement Sensitive (LES) collection devices, systems, techniques, and related information are not to be disclosed. Only the product of the technical operation is disclosed.
- WITT equipment is LES.

Law Enforcement Sensitive

- FOUO (For Official Use Only) – a caveat applied to sensitive but unclassified information that may be exempt from release under FOIA
- LES (Law Enforcement Sensitive) is another of 9 potential exemptions under FOIA to protect law enforcement sources and methods, evidence, reports, tools and techniques, etc.
- FOUO/LES is unclassified information

Testimony Re WITT Equipment

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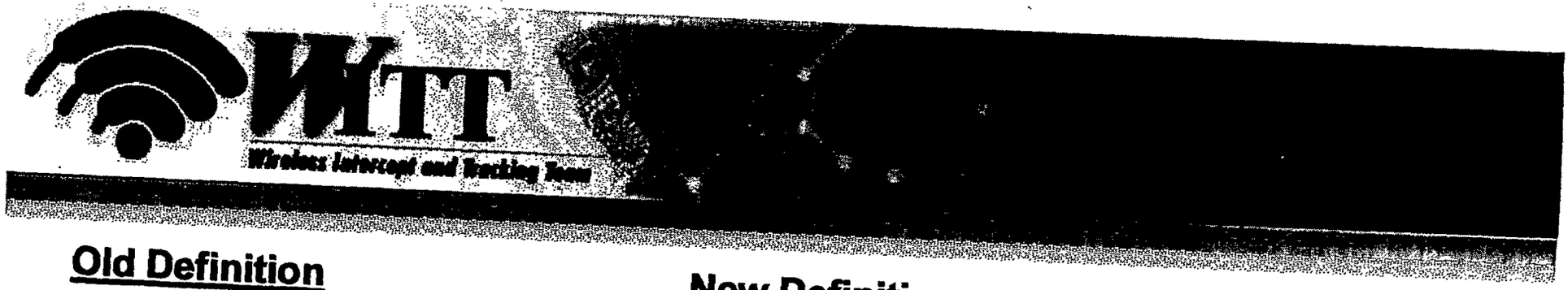
WITT
Wireless Intercept and Tracking Team

CELLSITE-10093

- DOJ's Policy on Cellsite Simulators: **Pen Register Device** (18 U.S.C. § 3127(3))
  - **BEST PRACTICES**
- Emergency Pen Register Authority
  - Federal v. State Orders
  - Voluntary Disclosures
- Loan of ELSUR Policy
  - **Using State Orders**
  - **Liability-scope of authority**
- [redacted] b7E
- [redacted]
- Protecting Sensitive Techniques
  - Use as evidence

CELLSITE-10094



Old Definition

- "pen register" means a device which records or decodes electronic or other impulses which **identify the numbers dialed or otherwise transmitted on the telephone line to which such device is attached….**

New Definition

- "pen register" means a device ***or process*** which records or decodes ***dialing, routing, addressing, or*** **signaling** ***information*** **transmitted by an instrument or facility from which a wire or electronic communication is transmitted,** ***provided, however, that such information shall not include the contents of any communication….***

CELLSITE-10095

DOJ/CCIPS & OEO:

- ✓ [redacted]
- ✓ [redacted]

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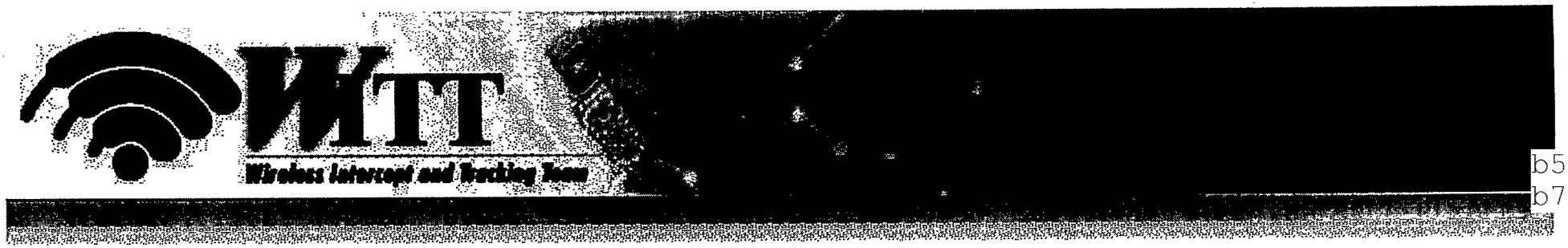
- ✓ **"signaling information":** any non-content information "transmitted by" a telephone instrument

http://30.100.99.18/ogc/usabook/usabook/esis/13esis.htm



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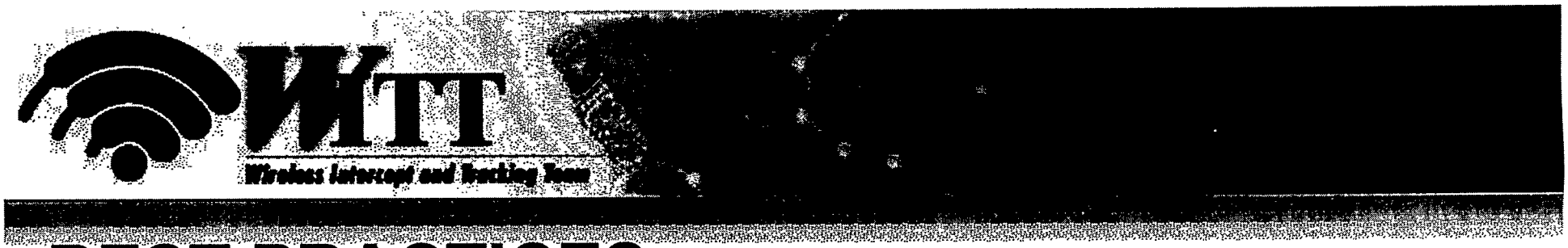
DOJ: Pen/Trap **order** [redacted]

to use a Pen Register Device to obtain "signaling information" transmitted from a cellular telephone to:

1) Identify a target phone **or**
2) Locate a phone

CELLSITE-10097



BEST PRACTICES:

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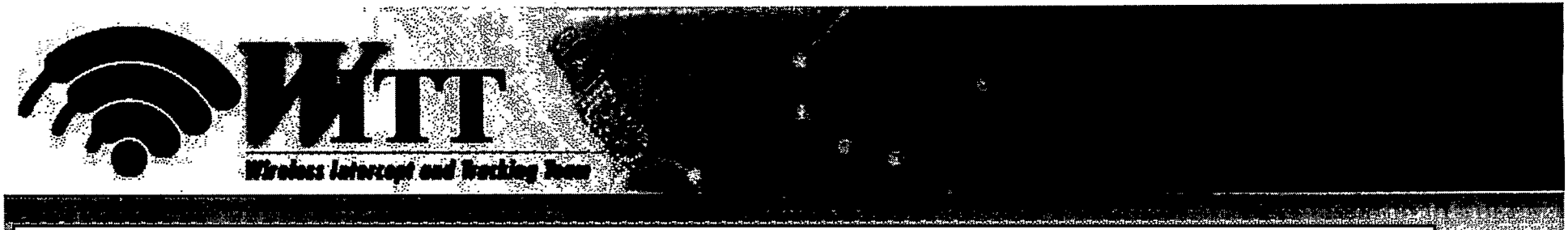
Use PR/TT order to authorize use of WITT gear [redacted]

1. authorize installation & use [redacted]
2. Advise of potential [redacted]
3. Not retain records beyond use to locate target phone

CELLSITE-10098



- 47 U.S.C. § 333 prohibits interference with cellular frequencies
  - [redacted]
- 18 USC 3124: requires that a pen register be implemented with "minimum of interference" to those accorded service-
  - [redacted]
- [redacted]

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[redacted] preserve 1st Amendment rights & Minimize [redacted] data

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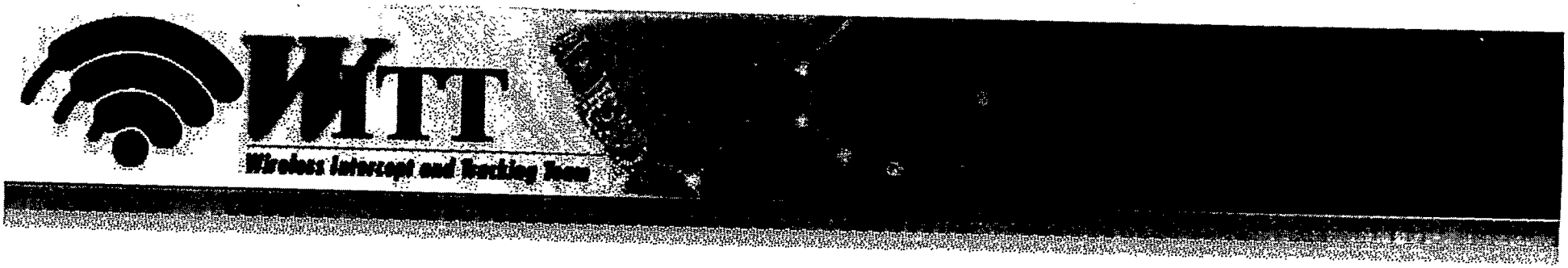
[redacted]

CELLSITE-10101



- Maintaining/Purging "Pen" data?
  - WITT policy EC [redacted]
    - [redacted]

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[redacted]

- [redacted]

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[redacted] Therefore, pursuant to 18 U.S.C. § 3123(d), I request that this application and order be sealed until otherwise ordered by this court; and

- [redacted]

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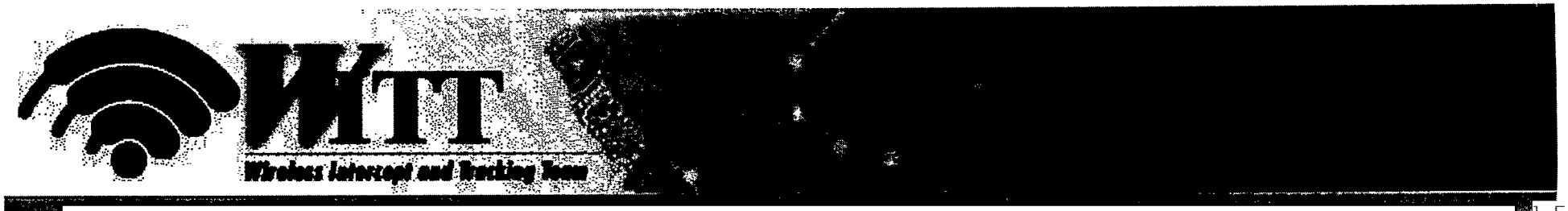

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- DOJ command Center
- OEO (business hours)
- Emergencies involving:
  - Immediate danger of death or serious injury or immediate threat to a national security interest
-

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  - MIOG, Part 2, 10-10.7.1
  -

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Consent (18 USC 3121(b)(3))

Voluntary Disclosure by Provider (18 USC 2702(c)(4)) : if provider "reasonably believes that an emergency involving immediate danger of death or serious physical injury to any person justifies the disclosure of: "a record or other information pertaining to a subscriber or customer of such service."

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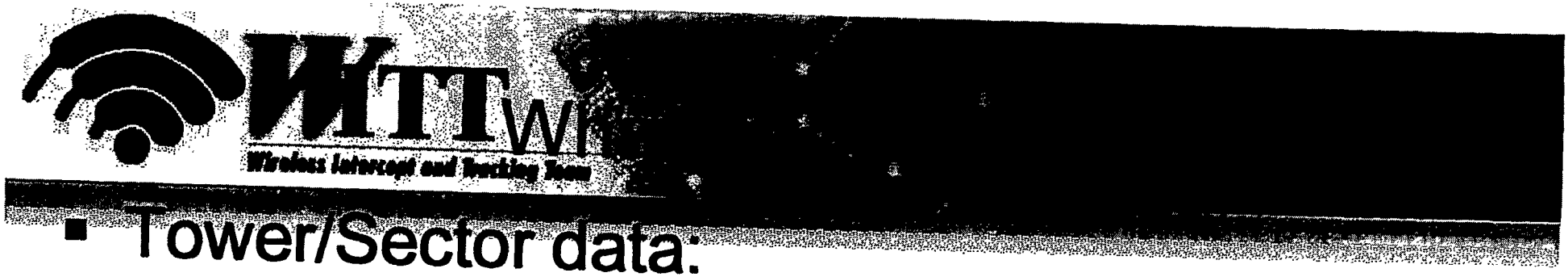
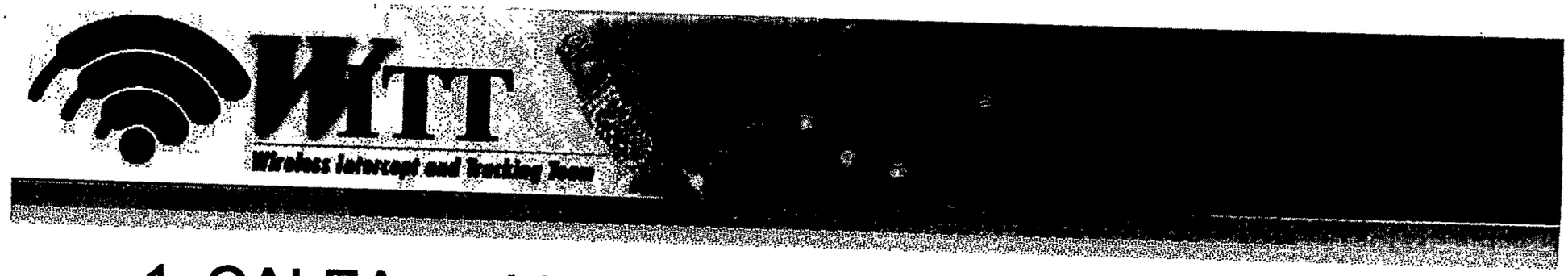
CELLSITE-10107

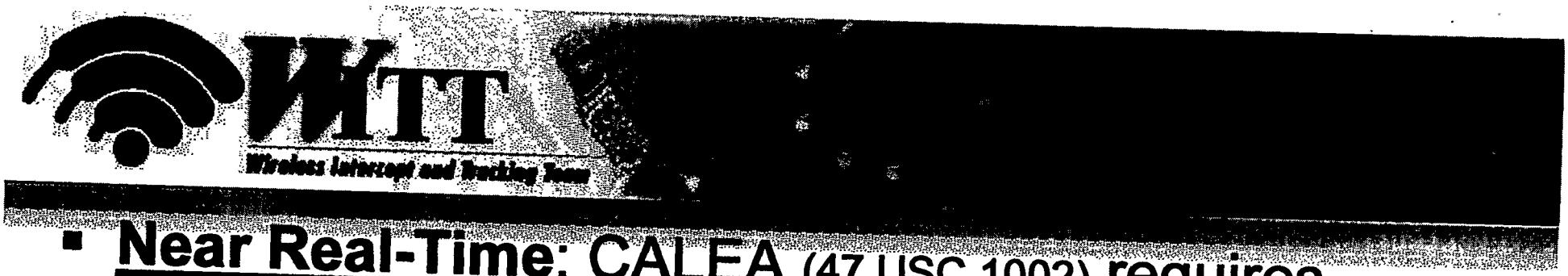


- Tower/Sector data:
  1. is generated by the network for network purposes regardless of a LE order.
  2. is necessary to Provision of Service & a call cannot be processed without it.
  3. exists in the network as a **RECORD or Other Information** prior to its being obtained by LE.
  4. NON-Content data; not substance of a communication.
  5. is delivered only at the beginning and end of calls per CALEA J-Std

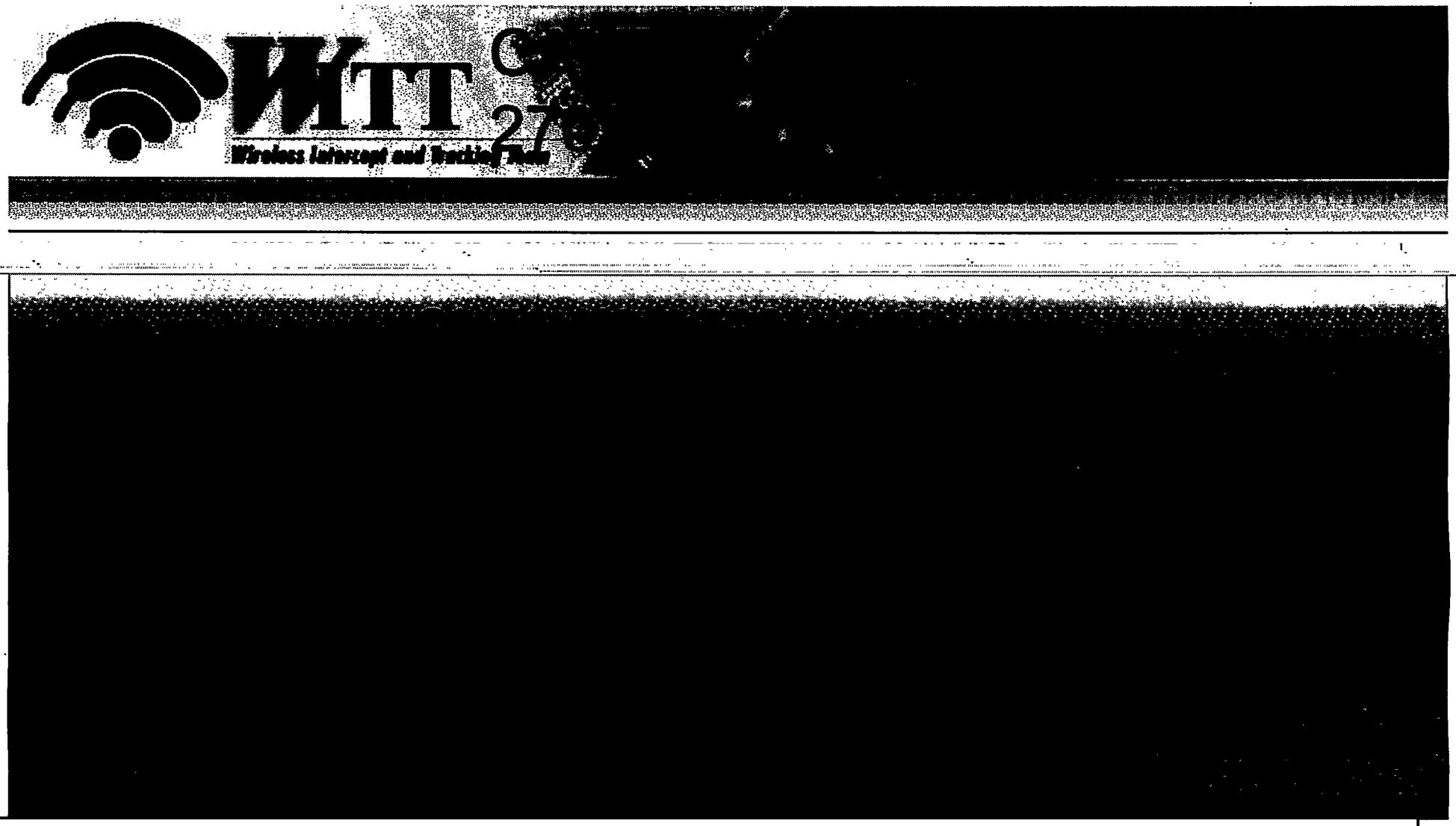


1. CALEA prohibits collecting location information "solely pursuant" to a PR/TT
2. 18 USC 2703(d) (stored communication act
3. b5

CELLSITE-10110



- **Near Real-Time**: CALEA (47 USC 1002) requires carriers to "expeditiously isolates"
  - "call-identifying information": includes cell site information utilized in processing calls
  - for government access "before, during, or immediately after the transmission of a [ ] communication" (i.e., in real-time or near real-time)
- CALEA J-Standard: location information is delivered after generation of data by the carrier's network and use in the provision of service (e.g., call origination, Answer, call release)



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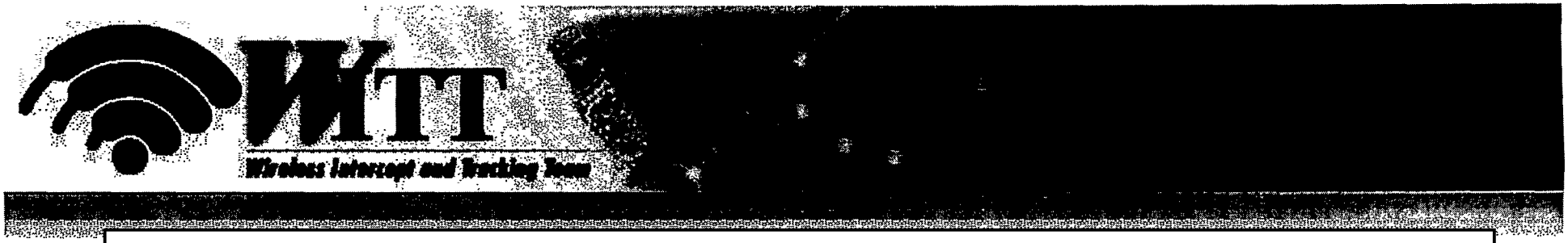
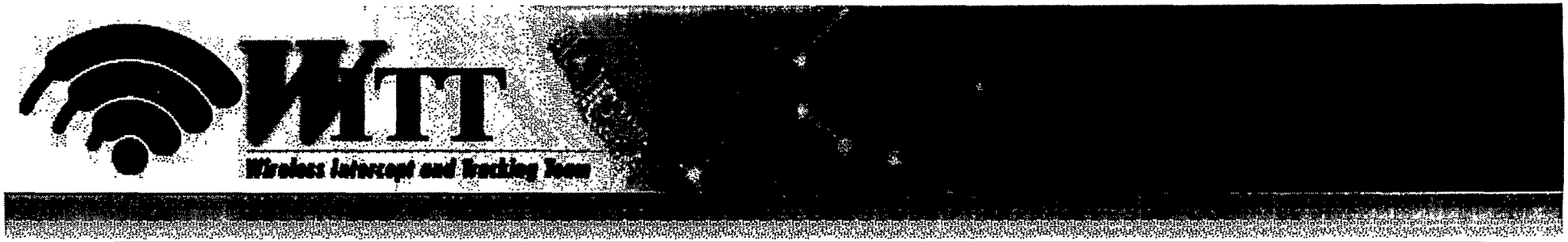


- [redacted] b5

- **AND Use a PR/TT order for WITT gear**
  1. [redacted]
  2. Advise of [redacted] b5
  3. Not retain [redacted] records b7E

- [redacted]
  - [redacted]



- [redacted] b5 b7E
  - [redacted] Smith v. Maryland, 442 U.S. 435, 744 (1979).
    - no legitimate expectation of privacy in information knowingly conveyed to a third party
    - In re Digital Analyzer found "[n]o logical distinction between telephone numbers called and a party's own telephone number (or ESN number), all of which are regularly voluntarily exposed and known to others. 885 F. Supp. at 199 (citing Smith v. Maryland, 442 U.S. 735, 742-45 (1979)).
- [redacted] b5 b7E
  - [redacted]

- 2703(d) order—
  - will provision for up to max. charge
- Language:

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- *Qualified* Government Privilege in Non-disclosure based on ***Roviaro v. United States*, 353 U.S. 53 (1957):** disclosure of identity (and testimony) of informant.
  - Generally technique, type of device, location of install, etc. is protected
    - unless Defense can establish disclosure is necessary to defense, I.e., no other/adequate means to cross-examine/test evidence; if so:
    - then Balancing of interests
  - [redacted] b5 b7E
  - see also Jayme S. Walker "The qualified privilege to protect sensitive investigative techniques from disclosure," LEB Vol 69 NO.5 at 26 (May 2000).

CELLSITE-10121

- **Compare, United States v. Van Horn**, 789 F.2d 1492 (11th Cir.), cert. denied, 479 U.S. 854 (1986) (concealed microphone in office, defendant sought information about location of device claiming necessary to demonstrate that voices on tape could have been distorted by way mic was hidden and the distortion led to misidentification of the voice), recognized a qualified government privilege not to disclose sensitive investigative techniques.
  - [redacted] b5
  - [redacted]
- **With United States v. Foster**, 986 F.2d 541, 543 (D.C. Cir. 1993) (defendant sought location of observation post: officer's observation of drug transaction was key evidence implicating defendant; surveillance not taped or photographed, so no alternative evidence for jury to examine to determine whether surveillance post provided clear view from which officer could make accurate identification of defendant).

- U.S. v. Garey, 2004 WL 2663023 (M.D.Ga. Nov. 15, 2004)
  - Defendant sought nature & details of pen register used to determine the geographical location of a cellular phone
  - Court found the information protected by qualified investigative techniques privilege & national security privilege
  - Balanced government's interest in maintaining privilege with Defendant's need for the information
- Defendant had the Product of the Surveillance: the cellphone used in making threatening calls was found in defendant's house during search of residence;
  - Defendant did not need to know how the technology traced the geographic location of the phone.
  - locating the phone in the residence confirmed the accuracy of the geographic surveillance;
  - Moreover,Defendant could challenge the technology used to establish that phone found in residence was the one that actually made the criminal calls.

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Contact Info:

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Assistant General Counsel,

Science &Technology Law Unit,

Office of the General Counsel

- DOJ (CCIPS): www.cybercrime.gov

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
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FOI/PA# 1212582-1

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Page 28 ~ b7E;
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Cellular Tracking and Other Legal Issues

June 2008

Overview

- DOJ's Policy on Cellsite Simulators: **Pen Register Device** (18 U.S.C. 3127(3))
  - **BEST PRACTICES**
- Emergency Pen Register Authority
  - Federal v. State Orders
  - Voluntary Disclosures
- Prospective Cell Site Location data
  - Distinguished from WITT
- GPS/Triangulation from provider
- Protecting Sensitive Techniques
  - Use as evidence
- Loan of ELSUR Policy
  - **Using State Orders**
  - **Liability-scope of authority**
- [redacted] b7E

CELLSITE-4841

Pen Register Device: 18 USC 3127(3)

Old Definition

- "pen register" means a device which records or decodes electronic or other impulses which **identify the numbers dialed or otherwise transmitted on the telephone line to which such device is attached....**

New Definition

- "pen register" means a device ***or process*** which records or decodes ***dialing, routing, addressing, or*** **signaling** ***information*** **transmitted by an instrument or facility from which a wire or electronic communication is transmitted,** ***provided, however, that such information shall not include the contents of any communication....***

CELLSITE-4842

New Law: USA Patriot Act

DOJ/CCIPS & OEO:

- ✓ [redacted]
- ✓ [redacted]

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- ✓ **"signaling information":** any non-content information "transmitted by" a telephone instrument

http://30.100.99.18/ogc/usabook/usabook/esis/13esis.htm

DOJ Opinion:

DOJ: Pen/Trap **order** [redacted] b7E

to use a Pen Register Device to obtain "signaling information" transmitted from a cellular telephone to:

1) Identify a target phone **or**
2) Locate a phone

CELLSITE-4844

WITT Pen Register—
BEST PRACTICES

BEST PRACTICES:

Use PR/TT order to authorize use of WITT gear –

1. authorize installation & use

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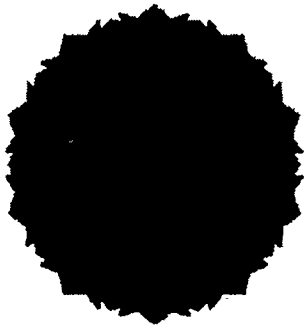
2. Advise of potential

3. Will not retain records beyond use to locate target phone

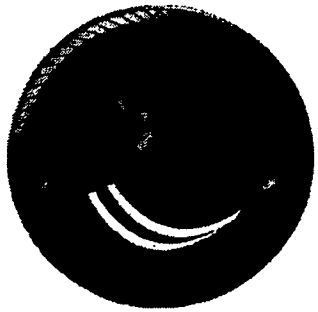
Disruption of Service

[redacted]

- **47 U.S.C. § 333 prohibits interference with cellular frequencies** b5 b7E
  - [redacted]
- **18 USC 3124: requires that a pen register be implemented with "minimum of interference" to those accorded service-**
  - [redacted]
- [redacted] b5



Purge [redacted] Data



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[redacted] preserve 1st Amendment rights & Minimize [redacted] data

[redacted]

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CELLSITE-4848

Data Retention

- Maintaining/Purging "Pen" data?
  - WITT policy EC 268-HQ-1068430:
    - [redacted]

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CELLSITE-4849

Sensitive Technique

[redacted]

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- [redacted]

[redacted] Therefore, pursuant to 18 U.S.C. § 3123(d), I request that this application and order be sealed until otherwise ordered by this court; and

- [redacted]

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Emergency Provision
3125(a)(1)

- DOJ command Center
- OEO (business hours)
- Emergencies involving:
  - Immediate danger of death or serious injury or immediate threat to a national security interest
-
  - MIOG, Part 2, 10-10.7.1
  -

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CELLSITE-4851

Alternative authority

Consent (18 USC 3121(b)(3))

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Voluntary Disclosure by Provider (18 USC 2702(c)(4)) : if provider "reasonably believes that an emergency involving immediate danger of death or serious physical injury to any person justifies the disclosure of: "a record or other information pertaining to a subscriber or customer of such service."

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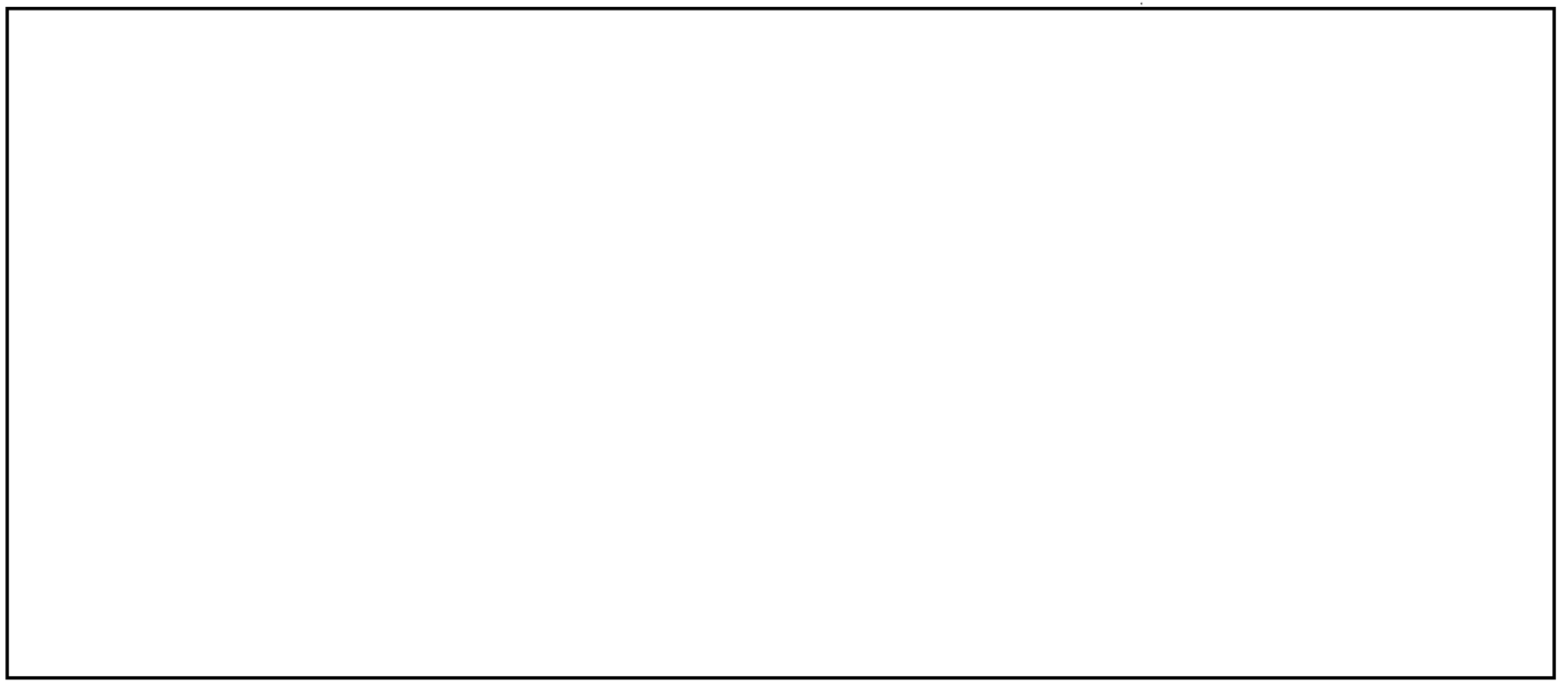
CELLSITE-4852

WITT Function vs. Location (Tower/Sector) data from Provider

WITT doesn't collect Cell site data

WITT equipment:



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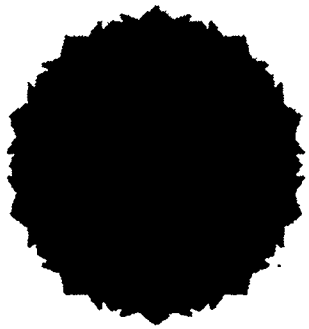
CELLSITE-4854



What is Cell site location data

- Tower/Sector data:
  1. is generated by the network for network purposes regardless of a LE order.
  2. is necessary to Provision of Service & a call cannot be processed without it.
  3. exists in the network as a **RECORD or Other Information** prior to its being obtained by LE.
  4. NON-Content data; not substance of a communication.
  5. is delivered only at the beginning and end of calls per CALEA J-Std

CELLSITE-4855

Obtaining Cell Site Data

1. CALEA prohibits collecting location information "solely pursuant" to a PR/TT- 47 USC 10029(a)(2)(B)
2. 18 USC 2703(d) (Stored Communications Act)
3. b5

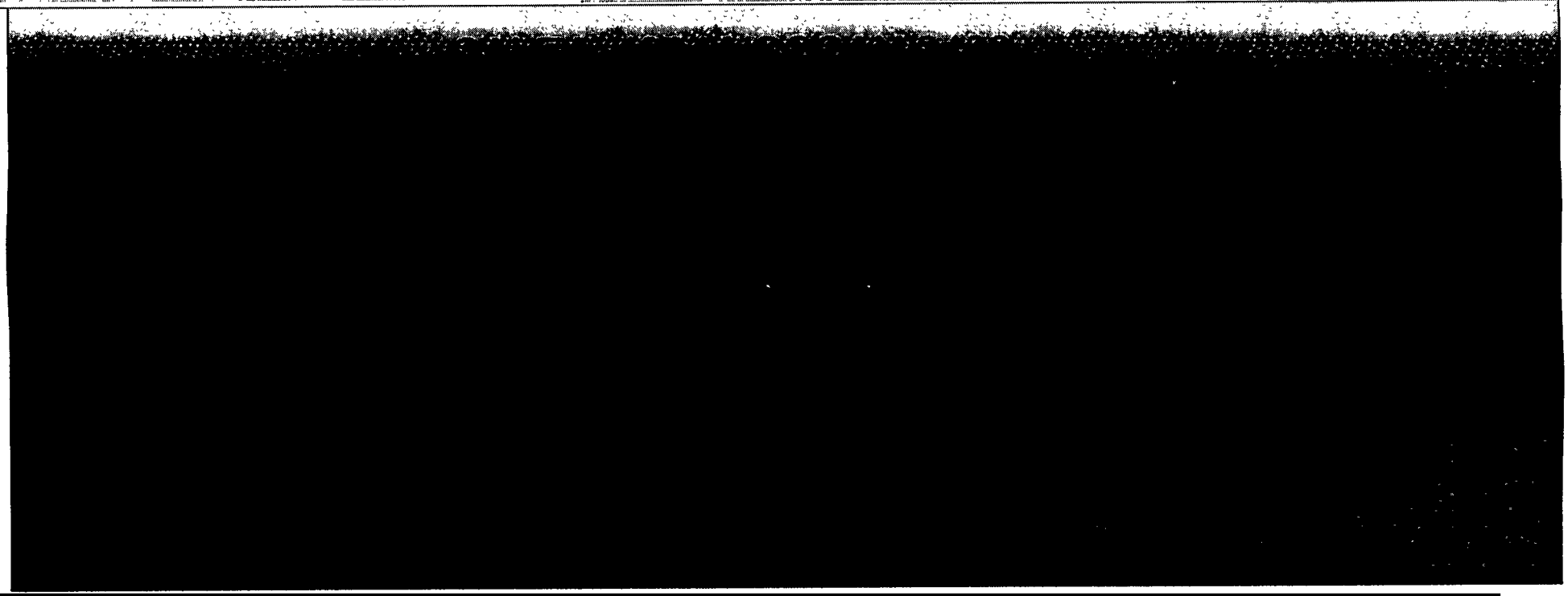
CELLSITE-4856

CALEA Delivery of location data

- **Near Real-Time**: CALEA (47 USC 1002) requires carriers to "expeditiously isolates"
  - "call-identifying information": includes cell site information utilized in processing calls
  - for government access "before, during, or immediately after the transmission of a [ ] communication" (i.e., in real-time or near real-time)
- CALEA J-Standard: location information is delivered after generation of data by the carrier's network and use in the provision of service (e.g., call origination, Answer, call release)

CELLSITE-4857

CALEA amended SCA 18 USC 2703(d) ("Transactional Data")



b5

Prospective disclosure of Cell site data

- [redacted]
- [redacted]

b5

CELLSITE-4859

Guidance

- [redacted]

b5

- **AND Use a PR/TT order for WITT gear**
  1. [redacted]
  2. Advise of [redacted]
  3. Not retain [redacted] records

b5
b7E

- [redacted]

b5

[redacted]

CELLSITE-4860

4th Amendment Privacy Interest

- [redacted]

b5
b7E

  - [redacted] Smith v. Maryland, 442 U.S. 435, 744 (1979).
    - no legitimate expectation of privacy in information knowingly conveyed to a third party
    - In re Digital Analyzer found "[n]o logical distinction between telephone numbers called and a party's own telephone number (or ESN number), all of which are regularly voluntarily exposed and known to others. 885 F. Supp. at 199 (citing Smith v. Maryland, 442 U.S. 735, 742-45 (1979)).

- [redacted]

b5
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CELLSITE-4861

4th Amendment Privacy Interest

b5
b7E

- [redacted]

- See Kyllo v. United States, 533 U.S. 27 (2001) (use of thermal imager to measure heat emitted from home constituted a search in part because there was no objective reason for the home owner to know that a device would be routinely used to detect and measure heat emitted from his home).

- [redacted]

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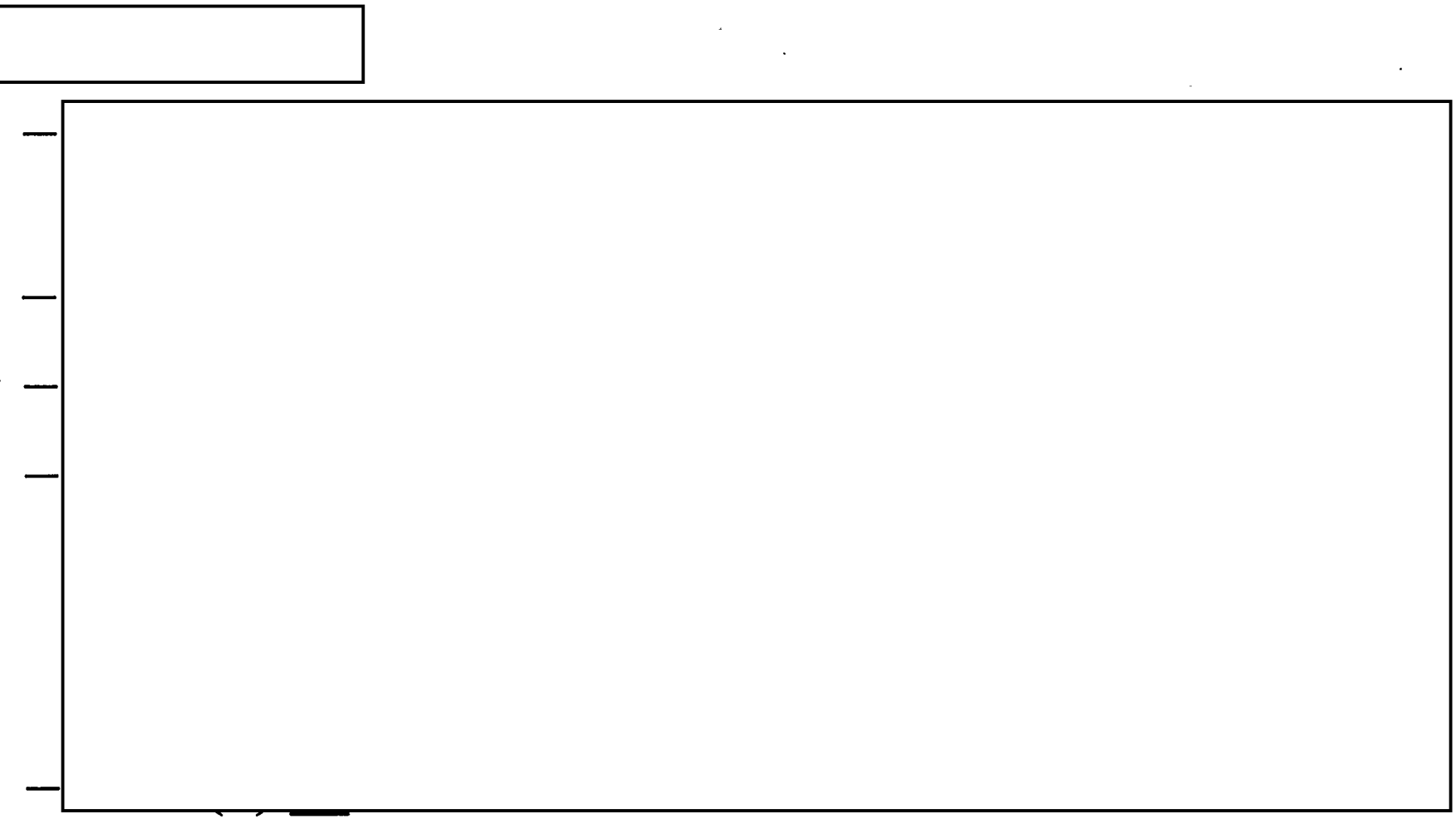
- [redacted]

- See, e.g., United States v. White, 401 U.S. 745, 752 (1971) (plurality opinion) (party to conversation accepts the risk that his listener may betray his confidences); Hoffa v. United States, 385 U.S. 293, 300-03 (1966).

CELLSITE-4862

GPS / Ping



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CELLSITE-4863

GEOLocation Data—E911

b4
b7E

b7E

CELLSITE-4864

Court order: 2703(d)

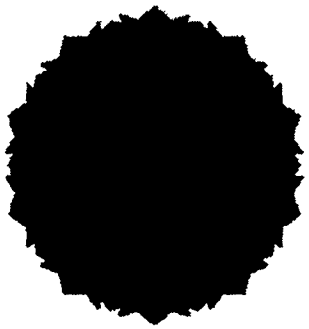
- 2703(d) order—[redacted]
  - —[redacted] will provision for up to [redacted] max. charge
- [redacted] Language:

[redacted]

b4
b5
b7E

CELLSITE-4865

Increased Investigative Use of Technique



- [redacted]

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- [redacted]

- WITT policy EC 268-HQ-1068430--serial 342 or 66F-HQ-C1384970--serial 13634 entitled Wireless Intercept and Tracking Team (WITT), dated 08/24/2004.

[redacted]

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Cellular Tracking as Evidence

b5
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CELLSITE-4868

Protecting Sensitive Techniques

- *Qualified* Government Privilege in Non-disclosure based on ***Roviaro v. United States*, 353 U.S. 53 (1957):** disclosure of identity (and testimony) of informant.
  - Generally technique, type of device, location of install, etc. is protected
    - unless Defense can establish disclosure is necessary to defense, I.e., no other/adequate means to cross-examine/test evidence; if so:
    - then Balancing of interests
  - [redacted]
  - see also Jayme S. Walker "The qualified privilege to protect sensitive investigative techniques from disclosure," LEB Vol 69 NO.5 at 26 (May 2000).

[redacted]

b5
b7E

CELLSITE-4869

LOAN of ELSUR: STATE Authority

b7E

Contact Info:

- [redacted]

b6
b7C

Assistant General Counsel,

Science &Technology Law Unit,

Office of the General Counsel

- DOJ (CCIPS): www.cybercrime.gov

CELLSITE-4871

Science & Technology Law Unit

Violent Gang Safe Street Task Forces Legal Issues

[redacted]

Assistant General Counsel
Science and Technology Law Unit
Office of General Counsel
Federal Bureau of Investigation

b6
b7C

July 29, 2010

(U) SECRET-4872

Science & Technology Law Unit

TOPICS

- General discussion and DES/OTD policy discussion
- Law Enforcement Sensitive (LES) – what is it and why is it important
- Pen Register/Trap and Trace and WITT
- ELSUR support for State and locals
- Other topics as time permits

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The Disclaimer

Comments/Materials are subject to the case law or statutes in your jurisdiction. The law in your federal circuit may be different.

Consult YOUR Chief Division Counsel!

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General Operational Guidelines

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OTD Policy

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Legal Authority Review

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- Why?

[redacted]

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Law Enforcement Sensitive

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- Law Enforcement Sensitive (LES) collection devices, systems, techniques, and related information are not to be disclosed. Only the product of the technical operation is disclosed.
- Examples: WITT equipment is LES; CART SOPs are LES.

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Law Enforcement Sensitive

Science & Technology Law Unit

- FOUO (For Official Use Only) – a caveat applied to sensitive but unclassified information that may be exempt from release under FOIA
- LES (Law Enforcement Sensitive) is another of 9 potential exemptions under FOIA to protect law enforcement sources and methods, evidence, reports, tools and techniques, etc.
- FOUO/LES is unclassified information

Law Enforcement Sensitive

Science & Technology Law Unit

- Law Enforcement Sensitive (LES) equipment enjoys "qualified privilege"
- State/local vs. Federal prosecutions
- Testimony – how to …
  - [redacted]

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WITT

- WITT = Wireless Intercept Tracking Team
- WITT doesn't intercept; and
- WITT doesn't track

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Pen Register/Trap and Trace

- Court ordered surveillance
- Government must certify that information likely to be obtained by use of device "is **relevant to an ongoing criminal investigation.**" 18 U.S.C. § 3122(b)(2)

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What is the Pen/Trap "addressing information"?

- Dialing, Routing, Addressing, Signaling (DRAS) Information
- Transmitted by Instrument or Facility from which a Communication is Transmitted (outgoing call) (pen)
- Identifies Originating Number or Other D/R/A/S or is Reasonably Likely to Identify the Source (incoming call) (trap)
- Utilized in Processing or Transmission of Communications
- Is not "Contents of any…Communications"

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Limitations:

- Thou shall NOT collect the Contents of any communication
  - 18 USC sec. 3121 (c) – "use technology reasonably available to restrict . . . so as not to include the contents of any wire or electronic communications"
  - 18 USC sec. 3127 pen/trap definition: "shall not include the contents of any communication"
  - [redacted]
  - [redacted]

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Legal Authority for use of Pen Register Trap and Trace - Summary

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- Besides 18 USC § 3121 – 3125 (… relevant to an ongoing criminal investigation …)
- PRT&T captures "… dialing, routing, addressing, and signaling information …"
- WITT [redacted]
- **WITT is not** [redacted]
- 18 USC § 3121 states, " … no person may install or use a PRT&T device without first obtaining a court order …" (CALEA)
- The FBI may not use WITT without an order.

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Legal Authority to Deploy WITT

–

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Legal Authority to Deploy WITT

- When is a Rule 41 Search Warrant necessary? (Probable cause standard)
-
-

[redacted] b5

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Legal Authority For Technical Assistance to Federal, State, and Local Law Enforcement Agencies

- 18 USC § 3121 - § 3125
- AG Order 2954-2008
- DIOG 11.11
- [redacted]

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FBI Technical Assistance to Federal, State and Local Law Enforcement Agencies

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[redacted] b5

- It must be lawful. (4.a)
- Appropriate and consistent with the law. (4.b)
- Appropriate use of personnel and financial resources. (4.c)
- Not jeopardize any ongoing sensitive or classified investigation. (4.d)

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The Requesting Agency shall certify that: (5.c)

- Technical Assistance will be used lawfully.(5.c.1)
- Shall not be used outside of its jurisdiction. (5.c.2)
- [redacted]

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Supporting the Request shall be the written certification of an appropriate attorney for the prosecutorial office.(5.d)

- It is lawful and authorized under the relevant law of the applicable jurisdiction for the Requesting Agency:
  - To make use of the FBI Technical Assistance requested and(5.d.1)
  - For the FBI to provide the Technical Assistance requested, including the FBI personnel involved.(5.d.2)

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Request by Executive Level Official in writing (letterhead, email, fax, etc). (5.a)

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In Emergency Situation

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In Emergency Situation

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Procedures for field office approval for technical assistance (6)

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- The CDC shall review the request, the certification(s) and supporting court order and other legal process.(6.1.a)
-

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Continued

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- Is Authorized under the AG Order No 2954-2008. (6.1.c.1)
- Can be implemented as specified within the order or other legal process. (6.1.c.2)
- Is lawful, reasonable and appropriate. (6.1.c.3)
- Complies with FBI policy. (6.1.c.4)

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FBI Field Office Approving Official

Science & Technology Law Unit

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(U) SME-4897

4th Amendment Concerns

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- [redacted]
  - *Zweibon v. Mitchell,* 516 F.2d 594 (D.C. Cir. 1975), *cert. den.*, 425 U.S. 944 (1976) (damages authorized against FBI agents engaged in unjustified warrantless wiretap for national security)
  - [redacted] b5
  - *U.S. v. Ehrlichman*, *supra* (government official who authorizes or conducts warrantless search for national security purposes is subsequently determined no authority existed for search)
- [redacted]

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T-III

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- **Title III & Electronic Communications Protection Act**
  - Title III, Omnibus Crime Control and Safe Streets Act
    - Codified at 18 USC § 2510
    - Commonly referred to as the Wire Tap Act
  - **Prohibits the interception of wire and oral communications, and electronic communications.**
  - Provides for criminal penalties and civil damages against anyone who "intentionally intercepts, endeavors to intercept" any covered communication.

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Title III Order

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- **Law enforcement exception** - the government may apply for a court order authorizing an interception. 18 U.S.C. §2516(1)
- Application must specify the offense being investigated, the nature and location of the facilities where the communications are to be intercepted, and a particular description of the communications sought to be intercepted. 18 U.S.C. § 2518(1)
- Standard: **Probable cause** to believe that a particular offense is being committed and that targeting the specified facility will yield communications concerning the offense.18 U.S.C. § 2518(3)

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Title III Order (cont.)

- Good for up to thirty days. Extensions allowed, but same PC standard applies to extension. 18 U.S.C. § 2518(5)
- Required to "minimize" the interception unrelated to criminal activity. 18 U.S.C. § 2518(5)
- Requires a finding that normal investigative procedures are unlikely to be successful or are too dangerous. 18 U.S.C. § 2518(3)(c)
- Requires notice to the target within 90 days. 18 U.S.C. § 2518(8)(d); Delayed notice may be authorized by court.

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Title III vs. Pen/Trap

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- Pen/Trap (non-content; [redacted]
  - [redacted]
- Title III – content of communications
  - [redacted]

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Consent Exception to Title III

[redacted] b5

- Must have the consent of a "party" to the communication

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Science & Technology Law Unit

Questions?

[redacted]

[redacted]

[redacted]@ic.fbi.gov

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Office of the General Counsel
Science and Technology Law Unit

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Page 126 ~ b3; b5; b6; b7C; b7E;
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X No Duplication Fee X
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UNCLASSIFIED
NON-RECORD

[redacted] This is coming our way. Nothing unusual, same.. We hand carry and no one touches our gear..

[redacted]

b6
b7C
b7E

From: [redacted]
Sent: Tuesday, June 16, 2009 1:52 PM
To: [redacted]
Cc: [redacted]
Subject: From [redacted]

UNCLASSIFIED
NON-RECORD

b6
b7C
b7E

[redacted]

[redacted] WITT [redacted]
[redacted] WITT [redacted]
[redacted]

[redacted]
[redacted] WITT. [redacted]
[redacted]

Will continue to update as we receive information.

[redacted]

<< File: WITT.WPD >>

UNCLASSIFIED

UNCLASSIFIED

==========

Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-06-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Monday, April 23, 2012 10:35 AM
To: [redacted]
Subject:

Classification: UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE
==========

b6
b7C
b7E

[redacted]

Violent Crimes has a request to send the WIT [redacted] to [redacted] They are looking for [redacted] to provide them language to use for purposes of telling the [redacted] Do we have language that we use to use when the WITT guys were going [redacted] a lot?

[redacted]

Confidentiality Statement:
This message is transmitted to you by the Office of the General Counsel of the Federal Bureau of Investigation. The message, along with any attachments, may be confidential and legally privileged. If you are not the intended recipient of this message, please destroy it promptly without further retention or dissemination (unless otherwise required by law). Please notify the sender of the error by a separate e-mail or by calling [redacted]

==========
Classification: UNCLASSIFIED//LAW ENFORCEMENT SENSITIVE

[redacted]

From: [redacted]
Sent: Tuesday, January 10, 2012 12:23 PM
To: [redacted]
Cc: [redacted]
Subject: RE: WITT --- UNCLASSIFIED

b6
b7C
b7E

Classification: UNCLASSIFIED
==========

Thanks, [redacted]

It's the [redacted] who want the info, so for planning purposes, please know that we'll have to coordinate a conference call or something.

From: [redacted]
Sent: Monday, September 12, 2011 5:09 PM
To: [redacted]
Subject: WITT --- UNCLASSIFIED

b6
b7C
b7E
b3

Classification: UNCLASSIFIED
==========

Hi [redacted]

[redacted] WITT [redacted]

[redacted] WITT [redacted]

[redacted]

[redacted]

[redacted]

[redacted] WITT [redacted]

[redacted]

[redacted] WITT [redacted]

[redacted] WITT [redacted]

[redacted]

[redacted] WITT [redacted]

[redacted]

[redacted]

[redacted] WITT [redacted] WITT [redacted]

[redacted]

[redacted]

[redacted]

[redacted] WITT [redacted]

[redacted]

Thanks for your time!

[redacted]

b6
b7C
b3
b7E

==========

Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

To:
Subject: RE: WITT --- UNCLASSIFIED

Classification: UNCLASSIFIED
==========

Sure will be TDY in in the near future, the 19th I think. He's in as I type this. I wonder if he could meet with your people...

b6
b7C
b7E

From:
Sent: Tuesday, January 10, 2012 12:23 PM
To:
Cc:
Subject: RE: WITT --- UNCLASSIFIED

Classification: UNCLASSIFIED
==========

Thanks,

It's the who want the info, so for planning purposes, please know that we'll have to coordinate a conference call or something.

From:
Sent: Monday, September 12, 2011 5:09 PM
To:
Subject: WITT --- UNCLASSIFIED

b6
b7C
b7E
b3

Classification: UNCLASSIFIED
==========

Hi

WITT

WITT

CELLSITE-15244

[redacted]

[redacted]

[redacted] WITT [redacted]

[redacted]

[redacted] WITT [redacted]

[redacted] WITT [redacted]

[redacted] WITT [redacted]

[redacted] WITT [redacted]

[redacted]

[redacted] b6 b7C b7E b3

[redacted] WITT [redacted] WITT [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted] WITT [redacted]

[redacted]

Thanks for your time!

[redacted]

==========

Classification: UNCLASSIFIED

THIS MAY BE A PRIVILEGED ATTORNEY CLIENT ATTORNEY WORK PRODUCT COMMUNICATION AND SHOULD NOT BE DISCLOSED OUTSIDE THE FBI WITHOUT OGC'S PRIOR PERMISSION.

From:
Sent: Thursday, November 10, 2011 9:46 AM
To:
Cc:
Subject: RE: WITT --- UNCLASSIFIED

b6
b7C

Classification: UNCLASSIFIED
==========

Following up on this once again.

From:
Sent: Wednesday, October 05, 2011 1:20 PM
To:
Subject: RE: WITT --- UNCLASSIFIED

Classification: UNCLASSIFIED
==========

I've been digging out since I got back, and will get an answer to your shortly.

b6
b7C

THIS MAY BE A PRIVILEGED ATTORNEY CLIENT ATTORNEY WORK PRODUCT COMMUNICATION AND SHOULD NOT BE DISCLOSED OUTSIDE THE FBI WITHOUT OGC'S PRIOR PERMISSION.

From:
Sent: Wednesday, October 05, 2011 3:45 PM
To:
Subject: RE: WITT --- UNCLASSIFIED

b6
b7C

Classification: UNCLASSIFIED
==========

CELLSITE-15246

[redacted]

Just checking in to see if this got buried in your email while you were away. We still need a response, please.

Thanks,
[redacted]

b6
b7C

From: [redacted]
Sent: Tuesday, September 13, 2011 1:11 PM
To: [redacted]
Subject: RE: WITT --- UNCLASSIFIED

Classification: UNCLASSIFIED
==========

[redacted]

b6
b7C

AGC [redacted] will respond to this WITT inquiry.

Thanks

[redacted]

From: [redacted]
Sent: Tuesday, September 13, 2011 9:53 AM
To: [redacted]
Cc: [redacted]
Subject: FW: WITT --- UNCLASSIFIED

b6
b7C
b7E

Classification: UNCLASSIFIED
==========

Hi [redacted]

Could you or another WITT [redacted] please weigh in on the below email?

Thanks,
[redacted]

From: [redacted]
Sent: Monday, September 12, 2011 5:09 PM
To: [redacted]
Subject: WITT --- UNCLASSIFIED

b6
b7C

Classification: UNCLASSIFIED
==========

Hi

WITT

WITT

WITT

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b7E
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WITT

WITT

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WITT

WITT

Thanks for your time!

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Classification: UNCLASSIFIED

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[redacted]

Sorry for not getting back to you sooner. I have your questions, but they're not simple yes/no answers, and I want to be able to give you a full answer. I hope to get back to you around the week of the 19th, as I am TDY for 5 days over the next 2 weeks, and handling a complicated trial for [redacted]

[redacted]

[redacted]

b6
b7C
b7E

THIS MAY BE A PRIVILEGED ATTORNEY CLIENT ATTORNEY WORK PRODUCT COMMUNICATION AND SHOULD NOT BE DISCLOSED OUTSIDE THE FBI WITHOUT OGC'S PRIOR PERMISSION.

From: [redacted]
Sent: Thursday, November 10, 2011 9:46 AM
To: [redacted]
Cc: [redacted]
Subject: RE: WITT --- UNCLASSIFIED

Classification: UNCLASSIFIED
==========

b6
b7C

Following up on this once again.

From: [redacted]
Sent: Wednesday, October 05, 2011 1:20 PM
To: [redacted]
Subject: RE: WITT --- UNCLASSIFIED

Classification: UNCLASSIFIED
==========

b6
b7C

[redacted]

I've been digging out since I got back, and will get an answer to your shortly.

[redacted]

[redacted] b6 b7C

THIS MAY BE A PRIVILEGED ATTORNEY CLIENT ATTORNEY WORK PRODUCT COMMUNICATION AND SHOULD NOT BE DISCLOSED OUTSIDE THE FBI WITHOUT OGC'S PRIOR PERMISSION.

From: [redacted]
Sent: Wednesday, October 05, 2011 3:45 PM
To: [redacted]
Subject: RE: WITT --- UNCLASSIFIED

Classification: UNCLASSIFIED
==========

[redacted] b6 b7C

Just checking in to see if this got buried in your email while you were away. We still need a response, please.

Thanks,
[redacted]

From: [redacted]
Sent: Tuesday, September 13, 2011 1:11 PM
To: [redacted]
Subject: RE: WITT --- UNCLASSIFIED

Classification: UNCLASSIFIED
==========

[redacted] b6 b7C

AGC [redacted] will respond to this WITT inquiry.

Thanks

[redacted]

From: [redacted]
Sent: Tuesday, September 13, 2011 9:53 AM
To: [redacted]
Cc: [redacted]
Subject: FW: WITT --- UNCLASSIFIED b6 b7C

Classification: UNCLASSIFIED
==========

H [redacted]

Could you or another WITT [redacted] please weigh in on the below email?

Thanks,

[redacted]

b6
b7C
b7E

From: [redacted]
Sent: Monday, September 12, 2011 5:09 PM
To: [redacted]
Subject: WITT --- UNCLASSIFIED

b6
b7C
b7E
b3

Classification: UNCLASSIFIED
==========

Hi [redacted]

[redacted] WITT [redacted]

[redacted] WITT [redacted]

[redacted]

[redacted]

[redacted] WITT [redacted]

[redacted] WITT [redacted]

[redacted] WITT [redacted]

[redacted] WITT [redacted]

[redacted]

WITT [redacted] WITT [redacted]

[redacted]

[redacted]

[redacted] WITT [redacted]

[redacted]

b6
b7C
b7E
b3

Thanks for your time!

[redacted]

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

From: [redacted]
Sent: Wednesday, October 05, 2011 1:20 PM
To: [redacted]
Subject: RE: WITT --- UNCLASSIFIED

Classification: UNCLASSIFIED
==========

[redacted]

b6
b7C

I've been digging out since I got back, and will get an answer to your shortly.

[redacted]

[redacted]

THIS MAY BE A PRIVILEGED ATTORNEY CLIENT ATTORNEY WORK PRODUCT COMMUNICATION AND SHOULD NOT BE DISCLOSED OUTSIDE THE FBI WITHOUT OGC'S PRIOR PERMISSION.

From: [redacted]
Sent: Wednesday, October 05, 2011 3:45 PM
To: [redacted]
Subject: RE: WITT --- UNCLASSIFIED

b6
b7C

Classification: UNCLASSIFIED
==========

[redacted]

Just checking in to see if this got buried in your email while you were away. We still need a response, please.

Thanks,

[redacted]

From: [redacted]
Sent: Tuesday, September 13, 2011 1:11 PM
To: [redacted]
Subject: RE: WITT --- UNCLASSIFIED

b6
b7C

CELLSITE-15254

Classification: UNCLASSIFIED
==========

[redacted]

AGC [redacted] will respond to this WITT inquiry.

Thanks

b6
b7C

[redacted]

From: [redacted]
Sent: Tuesday, September 13, 2011 9:53 AM
To: [redacted]
Cc: [redacted]
Subject: FW: WITT --- UNCLASSIFIED

Classification: UNCLASSIFIED
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b6
b7C
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Thanks,

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From: [redacted]
Sent: Monday, September 12, 2011 5:09 PM
To: [redacted]
Subject: WITT --- UNCLASSIFIED

Classification: UNCLASSIFIED
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b6
b7C
b7E
b3

Hi [redacted]

[redacted] WITT [redacted]

[redacted] WITT [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted] WITT [redacted]

[redacted] WITT [redacted]

[redacted] WITT [redacted] WITT [redacted]

[redacted] WITT [redacted]

[redacted]

[redacted] WITT [redacted] WITT [redacted]

[redacted]

[redacted]

[redacted]

[redacted] WITT [redacted]

[redacted]

b6
b7C
b7E
b3

Thanks for your time!

[redacted]

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

Sent: Thursday, November 10, 2011 9:46 AM
To: [redacted]
Cc:
Subject: RE: WITT --- UNCLASSIFIED

b6
b7C

Classification: UNCLASSIFIED
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b6
b7C

[redacted]

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b6
b7C
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Classification: UNCLASSIFIED
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WITT

[redacted] WITT [redacted]

[redacted]

[redacted] WITT [redacted]

[redacted] WITT [redacted]

[redacted] WITT [redacted] b6
b7C
b7E
b3

[redacted] WITT [redacted]

[redacted] WITT [redacted] WITT [redacted]

[redacted]

[redacted]

[redacted] WITT [redacted]

[redacted]

Thanks for your time!

[redacted]

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Classification: UNCLASSIFIED

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b6
b7C

[redacted]

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b7C

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b6
b7C
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b3

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[redacted] WITT [redacted]

[redacted] WITT [redacted]

[redacted]

[redacted]

[redacted] WITT [redacted]

[redacted]

[redacted] WITT [redacted]

WITT [redacted]

[redacted]

[redacted] WITT [redacted]

[redacted]

[redacted]

[redacted]

WITT [redacted] WITT [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted] WITT [redacted]

[redacted]

b6
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Thanks for your time!

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-06-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Friday, December 02, 2011 9:38 AM
To: [redacted]
Cc: [redacted]
Subject: RE: WITT --- UNCLASSIFIED

Classification: UNCLASSIFIED
==========

[redacted]

b6
b7C
b7E

Sorry for not getting back to you sooner. I have your questions, but they're not simple yes/no answers, and I want to be able to give you a full answer. I hope to get back to you around the week of the 19th, as I am TDY for 5 days over the next 2 weeks, and handling a complicated trial for [redacted]

[redacted]

[redacted]

THIS MAY BE A PRIVILEGED ATTORNEY CLIENT ATTORNEY WORK PRODUCT COMMUNICATION AND SHOULD NOT BE DISCLOSED OUTSIDE THE FBI WITHOUT OGC'S PRIOR PERMISSION.

From: [redacted]
Sent: Thursday, November 10, 2011 9:46 AM
To: [redacted]
Cc: [redacted]
Subject: RE: WITT --- UNCLASSIFIED

Classification: UNCLASSIFIED
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b6
b7C

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Sent: Wednesday, October 05, 2011 1:20 PM
To: [redacted]
Subject: RE: WITT --- UNCLASSIFIED

Classification: UNCLASSIFIED
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b6
b7C

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b6
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Subject: RE: WITT --- UNCLASSIFIED

b6
b7C

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From: [redacted]
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To: [redacted]
Cc: [redacted]
Subject: FW: WITT --- UNCLASSIFIED

Classification: UNCLASSIFIED
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Hi [redacted]

Could you or another WIT [redacted] please weigh in on the below email?

b6
b7C
b7E

Thanks,
[redacted]

From: [redacted]
Sent: Monday, September 12, 2011 5:09 PM
To: [redacted]
Subject: WITT --- UNCLASSIFIED

b6
b7C
b7E
b3

Classification: UNCLASSIFIED
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Hi [redacted]

[redacted] WITT [redacted]

[redacted] WITT [redacted]

[redacted]

[redacted]

[redacted]

[redacted] WITT [redacted]

[redacted]

[redacted] WITT [redacted]

[redacted] WITT [redacted]

[redacted]

[redacted] WITT [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted] WITT [redacted]

[redacted]

Thanks for your time!

[redacted]

b6
b7C
b7E
b3

Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

Classification: UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-06-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Friday, October 14, 2011 11:52 AM
To: [redacted]
Cc:
Subject: [redacted] Suit - [redacted] WITT [redacted]

Classification: UNCLASSIFIED//LES/FOUO
==========

[redacted]

Understand from [redacted] that you are working on a [redacted] WITT [redacted] b6 b7C
[redacted] The [redacted] is one of my clients, and I can probably be of some assistance in negotiating through the law enforcement sensitive issues concerning the tool. Please feel free to call me. b7E b5

[redacted]

[redacted]

THIS MAY BE A PRIVILEGED ATTORNEY CLIENT ATTORNEY WORK PRODUCT COMMUNICATION AND SHOULD NOT BE DISCLOSED OUTSIDE THE FBI WITHOUT OGC'S PRIOR PERMISSION.

==========
Classification: UNCLASSIFIED//LES/FOUO

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-06-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Wednesday, October 05, 2011 3:45 PM
To: [redacted]
Subject: RE: WITT --- UNCLASSIFIED

Classification: UNCLASSIFIED
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b6
b7C

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From: [redacted]
Sent: Tuesday, September 13, 2011 1:11 PM
To: [redacted]
Subject: RE: WITT --- UNCLASSIFIED

Classification: UNCLASSIFIED
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[redacted]

b6
b7C

AGC [redacted] will respond to this WITT inquiry.

Thanks

[redacted]

From: [redacted]
Sent: Tuesday, September 13, 2011 9:53 AM
To: [redacted]
Cc: [redacted]
Subject: FW: WITT --- UNCLASSIFIED

b6
b7C
b7E

Classification: UNCLASSIFIED
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Could you or another WITT [redacted] please weigh in on the below email?

Thanks,
[redacted]

From:
Sent: Monday, September 12, 2011 5:09 PM
To:
Subject: WITT --- UNCLASSIFIED

b6
b7C
b7E
b3

Classification: UNCLASSIFIED
==========

Hi

WITT

WITT

WITT

WITT

WITT

WITT

WITT

WITT

WITT

[redacted] WITT[redacted]

[redacted]

b6
b7C
b7E
b3

Thanks for your time!

[redacted]

==========

Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-06-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Thursday, September 29, 2011 3:05 PM
To: [redacted]
Subject: [redacted] conference

Classification: UNCLASSIFIED
==========

[redacted]

I currently have OGC scheduled to speak at the [redacted] conference on Monday October 17 from 3:30pm-4:30pm. Attached is the draft schedule.

As far as talking points, I think it is important to discuss some of most significant matters that have been brought to you attention over the past 18 months from [redacted] I know you are constantly asked for technical legal assistance. I know I have received questions from the field mostly about [redacted] WITT [redacted] [redacted]

b6
b7C
b7E

[redacted] You may be able to piggyback on those sessions with [redacted] Unit to provide additional guidance.

Please give me a call if you have any questions.

[redacted]

==========
Classification: UNCLASSIFIED

CELLSITE-15274

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-06-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Tuesday, September 27, 2011 4:52 PM
To: [redacted]
Cc: [redacted]
Subject: RE: Use of WITT technology [redacted]

Classification: UNCLASSIFIED
==========

Very helpful. Thanks.

I will copy you on the final response I send to the CDC.

b6
b7C
b7E

[redacted]

[redacted]

THIS MAY BE A PRIVILEGED ATTORNEY-CLIENT/WORK-PRODUCT COMMUNICATION. DO NOT DISCLOSE OUTSIDE THE FBI WITHOUT OGC'S PRIOR PERMISSION.

From: [redacted]
Sent: Tuesday, September 27, 2011 4:23 PM
To: [redacted]
Cc: [redacted]
Subject: RE: Use of WITT technology [redacted]

Classification: UNCLASSIFIED
==========

b6
b7C
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b5
b3

[redacted]

[redacted] WITT [redacted]

[redacted]

[redacted] WITT [redacted]

[redacted]

[redacted]

b6
b7C

THIS MAY BE A PRIVILEGED ATTORNEY CLIENT ATTORNEY WORK PRODUCT COMMUNICATION AND SHOULD NOT BE DISCLOSED OUTSIDE THE FBI WITHOUT OGC'S PRIOR PERMISSION.

From: [redacted]
Sent: Monday, September 26, 2011 3:04 PM
To: [redacted]
Cc: [redacted]
Subject: RE: Use of WITT technology [redacted]

b6
b7C
b7E
b5
b3

Classification: UNCLASSIFIED
==========

Thanks. A question, though: Do you know whether what he states it's true: that [redacted] does [redacted]

[redacted]

[redacted]

[redacted]

THIS MAY BE A PRIVILEGED ATTORNEY-CLIENT/WORK-PRODUCT COMMUNICATION. DO NOT DISCLOSE OUTSIDE THE FBI WITHOUT OGC'S PRIOR PERMISSION.

From: [redacted]
Sent: Monday, September 26, 2011 2:14 PM
To: [redacted]
Cc: [redacted]
Subject: RE: Use of WITT technology [redacted]

b6
b7C
b7E

Classification: UNCLASSIFIED
==========

[redacted]

[redacted]

[redacted]

b6
b7C
b5

THIS MAY BE A PRIVILEGED ATTORNEY CLIENT ATTORNEY WORK PRODUCT COMMUNICATION AND SHOULD NOT BE DISCLOSED OUTSIDE THE FBI WITHOUT OGC'S PRIOR PERMISSION.

From: [redacted]
Sent: Monday, September 26, 2011 1:44 PM
To: [redacted]
Cc: [redacted]
Subject: FW: Use of WITT technology [redacted]

Classification: UNCLASSIFIED
==========

Thoughts? Thanks!!!

b6
b7C
b7E

[redacted]

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From: [redacted]
Sent: Monday, September 26, 2011 11:46 AM
To: [redacted]
Subject: Use of WITT technology [redacted]

b6
b7C
b7E
b5
b3

[redacted]

[redacted] (Wireless Intercept and Tracking Team - WITT), [redacted]

	WITT	

Thanks for any information.

b3
b7E
b5
b6
b7C

ATTORNEY CLIENT WORK PRODUCT. DO NOT FURTHER DISSEMINATE WITHOUT THE PERMISSION OF THE AUTHOR.

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Classification: UNCLASSIFIED

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DATE 11-06-2012 BY 65179/dmh/stp/as

From:
Sent: Tuesday, September 27, 2011 4:23 PM
To:
Cc:
Subject: RE: Use of WITT technology by

Classification: UNCLASSIFIED
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WITT.

WITT

b6
b7C
b7E
b5
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b6
b7C
b7E
b3
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[redacted]

[redacted]

b6
b7C
b5

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Cc: [redacted]
Subject: RE: Use of WITT technology [redacted]

b6
b7C
b3
b7E
b5

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[redacted]

[redacted]

[redacted]

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b6
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b6
b7C
b3
b7E
b5

[redacted]

[redacted] (Wireless Intercept and Tracking Team - WITT), [redacted]

[redacted] WITT [redacted]

[redacted]

Thanks for any information.

[redacted]

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Cc:
Subject: RE: Use of WITT technology [redacted]

Classification: UNCLASSIFIED
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Thanks. A question, though: [redacted]

[redacted]

[redacted]

b6
b7C
b3
b7E
b5

[redacted]

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Sent: Monday, September 26, 2011 2:14 PM
To: [redacted]
Cc:
Subject: RE: Use of WITT technology [redacted]

b6
b7C
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Classification: UNCLASSIFIED
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[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

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Subject: FW: Use of WITT technology [redacted]

b6
b7C
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Sent: Monday, September 26, 2011 11:46 AM
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Subject: Use of WITT technology [redacted]

b6
b7C
b3
b7E
b5

[redacted]

[redacted] (Wireless Intercept and Tracking Team - WITT), [redacted]

[redacted] WITT [redacted]

[redacted]

Thanks for any information.

[redacted]

[redacted] b6
b7C

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b6
b7C
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[redacted]

[redacted]

[redacted]

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b6
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b7E

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Thoughts? Thanks!!!

[redacted]

THIS MAY BE A PRIVILEGED ATTORNEY-CLIENT/WORK-PRODUCT COMMUNICATION. DO NOT DISCLOSE OUTSIDE THE FBI WITHOUT OGC'S PRIOR PERMISSION.

From:
Sent: Monday, September 26, 2011 11:46 AM
To:
Subject: Use of WITT technology

b6
b7C
b3
b5
b7E

(Wireless Intercept and Tracking Team - WITT)

WITT

Thanks for any information.

ATTORNEY CLIENT WORK PRODUCT. DO NOT FURTHER DISSEMINATE WITHOUT THE PERMISSION OF THE AUTHOR.

==========

Classification: UNCLASSIFIED

==========

Classification: UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-06-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Monday, September 26, 2011 1:44 PM
To: [redacted]
Cc:
Subject: FW: Use of WITT technology [redacted]

Classification: UNCLASSIFIED
==========

Thoughts? Thanks!!!

b6
b7C
b7E

[redacted]

THIS MAY BE A PRIVILEGED ATTORNEY-CLIENT/WORK-PRODUCT COMMUNICATION. DO NOT DISCLOSE OUTSIDE THE FBI WITHOUT OGC'S PRIOR PERMISSION.

From [redacted]
Sent: Monday, September 26, 2011 11:46 AM
To: [redacted]
Subject: Use of WITT technology [redacted]

b6
b7C
b3
b5
b7E

[redacted]

[redacted] (Wireless Intercept and Tracking Team - WITT), [redacted]

[redacted] WITT [redacted]

[redacted]

Thanks for any information.

[redacted]

ATTORNEY CLIENT WORK PRODUCT. DO NOT FURTHER DISSEMINATE WITHOUT THE PERMISSION OF THE AUTHOR.

==========

Classification: UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-06-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Monday, September 26, 2011 10:13 AM
To: [redacted]
Subject: FW: WITT

Classification: UNCLASSIFIED
==========

[redacted]

b6
b7C
b7E

From: [redacted]
Sent: Monday, September 26, 2011 10:06 AM
To: [redacted]
Subject: WITT

Classification: UNCLASSIFIED
==========

[redacted]

Thanks.

[redacted]

==========
Classification: UNCLASSIFIED

==========
Classification: UNCLASSIFIED

~~SECRET~~

DATE: 11-06-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,d)
DECLASSIFY ON: 11-06-2037

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

[redacted]

From: [redacted]
Sent: Monday, September 19, 2011 4:26 PM
To: [redacted]
Subject: RE: WITT Request/Classification --- ~~SECRET~~

Classification: ~~SECRET~~

b6
b7C

~~Classified By: C83W69B70~~
~~Declassify On: 20210919~~
~~Derived From: FBI NSISC~~
==========

Just spoke to her!! She stated that that is exactly what she thought she needed. We're good to execute!

Thanks again! [redacted]

From: [redacted]
Sent: Monday, September 19, 2011 4:25 PM
To: [redacted]
Subject: RE: WITT Request/Classification --- ~~SECRET~~

Classification: ~~SECRET~~

~~Classified By: C83W69B70~~
~~Declassify On: 20210919~~
~~Derived From: FBI NSISC~~
==========

b6
b7C

[redacted]

Better make sure that [redacted] is okay with it.

[redacted]

From: [redacted]
Sent: Monday, September 19, 2011 4:22 PM
To: [redacted]
Cc: [redacted]
Subject: RE: WITT Request/Classification --- ~~SECRET~~

b6
b7C

~~SECRET~~

~~SECRET~~

Classification: ~~SECRET~~

~~Classified By: C83W69B70~~
~~Declassify On: 20210919~~
~~Derived From: FBI NSISC~~
==========

[redacted] I think that pretty much sums up what we were looking for. I'll get with the [redacted] on the execution of the order.

Thanks for the clarification.....and, Thanks, [redacted] for making it all happen!

b6
b7C
b7E

[redacted]

From: [redacted]
Sent: Monday, September 19, 2011 4:18 PM
To: [redacted]
Cc: [redacted]
Subject: RE: WITT Request/Clarification --- ~~SECRET~~

b6
b7C
b1
b3
b7E

Classification: ~~SECRET~~

~~Classified By: C83W69B70~~
~~Declassify On: 20210919~~
~~Derived From: FBI NSISC~~
==========

(S) [redacted]

From: [redacted]
Sent: Monday, September 19, 2011 2:25 PM
To: [redacted]
Subject: FW: WITT Request/Clarification --- ~~SECRET~~

b6
b7C

Classification: ~~SECRET~~

~~SECRET~~

~~SECRET~~

Classified By: C83W69B70
Declassify On: 20210919
Derived From: FBI NSISC
==========

[redacted] sorry, I had to run out of office to tend to some duties. I'll get back with you tomorrow morning on this.

I still have not had a chance to coordinate with [redacted] to pull the [redacted]

From: [redacted]
Sent: Monday, September 19, 2011 2:21 PM
To: [redacted]
Cc: [redacted]
Subject: FW: WITT Request/Clarification --- ~~SECRET~~

Classification: ~~SECRET~~

b6
b7C
b7E

Classified By: C83W69B70
Declassify On: 20210919
Derived From: FBI NSISC
==========

FYI....sent to wrong [redacted] first time around.

[redacted]

[redacted]

From: [redacted]
Sent: Monday, September 19, 2011 2:05 PM
To: [redacted]

Subject: WITT Request/Clarification --- ~~SECRET~~

b6
b7C

Classification: ~~SECRET~~

Classified By: C83W69B70
Declassify On: 20210919
Derived From: FBI NSISC

~~SECRET~~

~~SECRET~~

b6
b7C
b1
b3
b7E

==========

(S)

[redacted]

From: [redacted]
Sent: Monday, September 19, 2011 10:21 AM
To: [redacted]
Cc: [redacted]
Subject: RE: --- ~~SECRET~~

Classification: ~~SECRET~~

b6
b7C
b3
b7E

~~Classified By: C83W69B70~~
~~Declassify On: 20210919~~
~~Derived From: FBI NSISC~~
==========

Per our meeting, see attached [redacted]

[redacted]

[redacted]

From: [redacted]
Sent: Monday, September 19, 2011 9:55 AM
To: [redacted]
Cc: [redacted]
Subject: --- ~~SECRET~~

b6
b7C

Classification: ~~SECRET~~

~~Classified By: C83W69B70~~
~~Declassify On: 20210919~~
~~Derived From: FBI NSISC~~

~~SECRET~~

CELLSITE-15294

==========

[redacted] See the link below.

Please call with questions; look forward to speaking again.

Thanks again, [redacted]

[redacted]

b6
b7C
b3
b7E

[redacted]

==========

Classification: ~~SECRET~~

==========

Classification: ~~SECRET~~

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Classification: ~~SECRET~~

==========

Classification: ~~SECRET~~

==========

Classification: ~~SECRET~~

==========

Classification: ~~SECRET~~

~~SECRET~~

DATE: 11-06-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,d)
DECLASSIFY ON: 11-06-2037

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

From:
Sent: Monday, September 19, 2011 4:22 PM
To:
Cc:
Subject: RE: WITT Request/Classification --- ~~SECRET~~

Classification: ~~SECRET~~

~~Classified By: C83W69B70~~
~~Declassify On: 20210919~~
~~Derived From: FBI NSISC~~
==========

b6
b7C
b7E

[redacted].I think that pretty much sums up what we were looking for. I'll get with the [redacted] on the execution of the order.

Thanks for the clarification.....and, Thanks [redacted] for making it all happen!

[redacted]

From: [redacted]
Sent: Monday, September 19, 2011 4:18 PM
To: [redacted]
Cc: [redacted]
Subject: RE: WITT Request/Classification --- ~~SECRET~~

b6
b7C
b1
b3
b7E

Classification: ~~SECRET~~

~~Classified By: C83W69B70~~
~~Declassify On: 20210919~~
~~Derived From: FBI NSISC~~
==========

(S) [redacted]

~~SECRET~~

CELLSITE-15296

~~SECRET~~

From:
Sent: Monday, September 19, 2011 2:25 PM
To:
Subject: FW: WITT Request/Clarification --- ~~SECRET~~

Classification: ~~SECRET~~

~~Classified By: C83W69B70~~
~~Declassify On: 20210919~~
~~Derived From: FBI NSISC~~
==========

b6
b7C
b7E

sorry, I had to run out of office to tend to some duties. I'll get back with you tomorrow morning on this.

I still have not had a chance to coordinate with to pull the

From:
Sent: Monday, September 19, 2011 2:21 PM
To:
Cc:
Subject: FW: WITT Request/Clarification --- ~~SECRET~~

Classification: ~~SECRET~~

b6
b7C

~~Classified By: C83W69B70~~
~~Declassify On: 20210919~~
~~Derived From: FBI NSISC~~
==========

FYI....sent to wrong first time around.

b6
b7C

From:
Sent: Monday, September 19, 2011 2:05 PM
To:

~~SECRET~~

~~SECRET~~

Subject: WITT Request/Clarification --- ~~SECRET~~

Classification: ~~SECRET~~

~~Classified By: C83W69B70~~
~~Declassify On: 20210919~~
~~Derived From: FBI NSISC~~
==========

b6
b7C
b1
b3
b7E

(S)

From:
Sent: Monday, September 19, 2011 10:21 AM
To:
Cc:

Subject: RE: --- ~~SECRET~~

Classification: ~~SECRET~~

~~Classified By: C83W69B70~~
~~Declassify On: 20210919~~
~~Derived From: FBI NSISC~~
==========

b6
b7C
b3
b7E

Per our meeting, see attached

From:
Sent: Monday, September 19, 2011 9:55 AM
To:
Cc:

b6
b7C

CELLSITE-15298

[redacted]

Subject: --- SECRET

Classification: SECRET

Classified By: C83W69B70
Declassify On: 20210919
Derived From: FBI NSISC
==========

[redacted] See the link below.
Please call with questions; look forward to speaking again.

Thanks again, [redacted]

b6
b7C
b3
b7E

[redacted]

[redacted]

==========
Classification: SECRET

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Classification: SECRET

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Classification: SECRET

==========
Classification: SECRET

SECRET

Subject: WITT Request/Clarification --- SECRET

Classification: SECRET

Classified By: C83W69B70
Declassify On: 20210919
Derived From: FBI NSISC
==========

b6
b7C
b1
b3
b7E

(S)

From:
Sent: Monday, September 19, 2011 10:21 AM
To:
Cc:

Subject: RE: --- SECRET

b6
b7C
b3
b7E

Classification: SECRET

Classified By: C83W69B70
Declassify On: 20210919
Derived From: FBI NSISC
==========

Per our meeting, see attached

SECRET

CELLSITE-15300

~~SECRET~~

[redacted]

From: [redacted]
Sent: Monday, September 19, 2011 9:55 AM
To: [redacted]
Cc: [redacted]
Subject: --- ~~SECRET~~

b6
b7C
b3
b7E

Classification: ~~SECRET~~

~~Classified By: C83W69B70~~
~~Declassify On: 20210919~~
~~Derived From: FBI NSISC~~
==========

[redacted] See the link below.
Please call with questions; look forward to speaking again.

Thanks again, [redacted]

[redacted]

[redacted]

==========
Classification: ~~SECRET~~

==========
Classification: ~~SECRET~~

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-07-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Tuesday, September 13, 2011 4:12 PM
To: [redacted]
Subject: RE: WITT --- UNCLASSIFIED

b6
b7C

Classification: UNCLASSIFIED
==========

Thanks! I have a feeling another fight is brewing between groups, so I want to make sure the responses provided are accurate.

From: [redacted]
Sent: Tuesday, September 13, 2011 1:11 PM
To: [redacted]
Subject: RE: WITT --- UNCLASSIFIED

Classification: UNCLASSIFIED
==========

b6
b7C

[redacted]

AGC [redacted] will respond to this WITT inquiry.

Thanks

[redacted]

From: [redacted]
Sent: Tuesday, September 13, 2011 9:53 AM
To: [redacted]
Cc: [redacted]
[redacted]
Subject: FW: WITT --- UNCLASSIFIED

Classification: UNCLASSIFIED
==========

b6
b7C
b7E

Hi [redacted]

Could you or another WITT [redacted] please weigh in on the below email?

Thanks,

[redacted]

From: [redacted]
Sent: Monday, September 12, 2011 5:09 PM

To:
Subject: WITT --- UNCLASSIFIED

b6
b7C
b3
b7E

Classification: UNCLASSIFIED
==========

Hi

WITT

WITT

WITT

WITT

WITT

WITT

WITT

WITT

I don't understand how the [redacted]

Thanks for your time!

[redacted]

b6
b7C
b7E

==========
Classification: UNCLASSIFIED
==========
Classification: UNCLASSIFIED
==========
Classification: UNCLASSIFIED
==========
Classification: UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-07-2012 BY 65179/dmh/stp/as

From:
Sent: Tuesday, September 13, 2011 9:53 AM
To:
Cc:

Subject: FW: WITT --- UNCLASSIFIED

Classification: UNCLASSIFIED
==========

Hi

b6
b7C
b7E

Could you or another WITT please weigh in on the below email?

Thanks,

From:
Sent: Monday, September 12, 2011 5:09 PM
To:
Subject: WITT --- UNCLASSIFIED

b6
b7C
b3
b7E

Classification: UNCLASSIFIED
==========

Hi

WITT

WITT

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-07-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Friday, September 09, 2011 9:57 AM
To: [redacted]
Subject: FW: questions re WITT [redacted] - UNCLASSIFIED

b6
b7C
b7E

Classification: UNCLASSIFIED
==========

From: [redacted]
Sent: Friday, September 09, 2011 9:56 AM
To: [redacted]
Cc: [redacted]
Subject: FW: questions --- UNCLASSIFIED

b6
b7C

Classification: UNCLASSIFIED
==========

FYI.

From: [redacted]
Sent: Friday, September 09, 2011 9:30 AM
To: [redacted]

[redacted]

Subject: questions --- UNCLASSIFIED

b6
b7C
b3
b7E

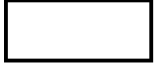
Classification: UNCLASSIFIED
==========

All---for what it's worth:

[redacted]

Hopefully this is at least somewhat helpful.

Thanks,



b6
b7C
b3
b7E

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-07-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Tuesday, March 22, 2011 5:19 PM
To: [redacted]
Cc:
Subject: FW: WITT Slides

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

As per [redacted] out of office. These need to be included in the materials for the CDC Conference.

[redacted]

b6
b7C

THIS MAY BE A PRIVILEGED ATTORNEY CLIENT ATTORNEY WORK PRODUCT COMMUNICATION AND SHOULD NOT BE DISCLOSED OUTSIDE THE FBI WITHOUT OGC'S PRIOR PERMISSION.

From: [redacted]
Sent: Tuesday, March 22, 2011 5:15 PM
To: [redacted]
Cc:
Subject: WITT Slides

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

[redacted] asked me to send you these slides which are for handouts only for the CDCs (they will not be briefed).

Thanks.

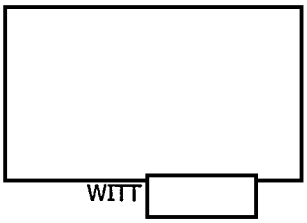
[redacted]

[redacted]

b6
b7C

THIS MAY BE A PRIVILEGED ATTORNEY CLIENT ATTORNEY WORK PRODUCT COMMUNICATION AND SHOULD NOT BE DISCLOSED OUTSIDE THE FBI WITHOUT OGC'S PRIOR PERMISSION.

CELLSITE-15311



b7E

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-07-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Tuesday, March 22, 2011 5:15 PM
To: [redacted]
Cc:
Subject: WITT Slides

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

[redacted] asked me to send you these slides which are for handouts only for the CDCs (they will not be briefed).

Thanks.

[redacted]

b6
b7C
b7E

[redacted]

THIS MAY BE A PRIVILEGED ATTORNEY CLIENT ATTORNEY WORK PRODUCT COMMUNICATION AND SHOULD NOT BE DISCLOSED OUTSIDE THE FBI WITHOUT OGC'S PRIOR PERMISSION.

[redacted]
WITT [redacted]

SENSITIVE BUT UNCLASSIFIED

CELLSITE-15313

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-07-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Thursday, December 02, 2010 8:43 AM
To: [redacted]
Cc: [redacted]
Subject: RE: Re [redacted]

UNCLASSIFIED
NON-RECORD

As per [redacted] request, please see attached.

[redacted]

b6
b7C
b7E

From: [redacted]
Sent: Thursday, December 02, 2010 7:48 AM
To: [redacted]
Cc:
Subject: Re [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

b6
b7C
b7E

The attachment has been coordinated with [redacted] It needs formating work as I couldn't fix the problems on the last page. [redacted] will be here at 8:00 to re-format this but I wanted you to have to draft. We will forward the final ASAP.

[redacted]

UNCLASSIFIED

UNCLASSIFIED

b6
b7C
b5
b3
b7E

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-07-2012 BY 65179/dmh/stp/aa

[redacted]

From: [redacted]
Sent: Thursday, November 04, 2010 5:12 PM
To: [redacted]
Cc:
Subject: RE: [redacted]

[redacted]

CELLSITE-15315

[redacted] WITT [redacted]

[redacted]

[redacted]

THIS MESSAGE MAY CONTAIN PRIVILEGED ATTORNEY-CLIENT COMMUNICATION AND ATTORNEY WORK PRODUCT. DO NOT DISSEMINATE WITHOUT OGC APPROVAL.

b6
b7C
b5
b3
b7E

PRIVILEGED ATTORNEY-CLIENT COMMUNICATION AND ATTORNEY WORK PRODUCT. DO NOT DISSEMINATE WITHOUT OGC APPROVAL.

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-07-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Thursday, November 04, 2010 9:58 AM
To: [redacted]
Cc:
Subject: RE: [redacted]

[redacted]

THIS MESSAGE MAY CONTAIN PRIVILEGED ATTORNEY-CLIENT COMMUNICATION AND ATTORNEY WORK PRODUCT. DO NOT DISSEMINATE WITHOUT OGC APPROVAL.

b6
b7C
b5

[redacted]

From: [redacted]
Sent: Thursday, November 04, 2010 8:48 AM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted]

b6
b7C
b5

UNCLASSIFIED
NON-RECORD

[redacted]

From: [redacted]
Sent: Thursday, November 04, 2010 9:16 AM
To: [redacted]
Cc:
Subject: FW [redacted]

[redacted]

[redacted]

Thanks!

THIS MESSAGE MAY CONTAIN PRIVILEGED ATTORNEY-CLIENT COMMUNICATION AND ATTORNEY WORK PRODUCT. DO NOT DISSEMINATE WITHOUT OGC APPROVAL.

b6
b7C
b5

[redacted]

From [redacted]
Sent: Thursday, November 04, 2010 7:52 AM
To: [redacted]
Subject: RE: [redacted]

b6
b7C
b5
b7E

UNCLASSIFIED
NON-RECORD

Thanks for copying me. [redacted] WITT

[redacted]

From: [redacted]
Sent: Wednesday, November 03, 2010 9:39 AM
To: [redacted]
Cc:
Subject: FW: [redacted]

b6
b7C
b5
b3
b7E

[redacted]

b6
b7C
b5
b3
b7E

PRIVILEGED ATTORNEY-CLIENT COMMUNICATION AND ATTORNEY WORK PRODUCT. DO NOT DISSEMINATE WITHOUT OGC APPROVAL.

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-07-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Thursday, November 04, 2010 9:30 AM
To: [redacted]
Subject: RE: Re [redacted] - WITT

UNCLASSIFIED
NON-RECORD

b6
b7C
b7E

Thanks [redacted] Your memory is bette than mine. Now that you mention our discussions, I do recall. Thanks for getting me straight on this. I'll resolve this with [redacted]

[redacted]

From: [redacted]
Sent: Thursday, November 04, 2010 9:02 AM
To: [redacted]
Subject: RE: Re [redacted]

[redacted]

[redacted]

b6
b7C
b5
b3
b7E

From: [redacted]
Sent: Wednesday, November 03, 2010 11:40 AM
To [redacted]
Subject: Re [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

[redacted]

Thanks

b6
b7C
b5
b3
b7E

UNCLASSIFIED

UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-07-2012 BY 65179/dmh/stp/aa

[redacted]

From: [redacted]
Sent: Thursday, October 07, 2010 10:18 AM
To: [redacted]
Subject: FW: WITT [redacted]

b6
b7C
b7E

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

From: [redacted]
Sent: Friday, June 25, 2010 10:11 AM
To: [redacted]
Subject: RE: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Government furnished equipment

b6
b7C
b7E

[redacted]

From: [redacted]
Sent: Friday, June 25, 2010 9:18 AM
To: [redacted]
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b6
b7C
b7E
b3

[redacted]

I don't know [redacted]

From: [redacted]
Sent: Friday, June 25, 2010 6:27 AM
To: [redacted]
Subject: RE: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

[redacted] WITT [redacted]

[redacted]

[redacted]

From: [redacted]
Sent: Wednesday, June 23, 2010 2:01 PM
To: [redacted]
Subject: FW: [redacted]

b6
b7C
b7E

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

I need your positions on this matter before I can respond. Frankly, I don't see how the [redacted] WITT [redacted]

[redacted]

From: [redacted]
Sent: Wednesday, June 23, 2010 7:57 AM
To: [redacted]
Subject: [redacted]

b6
b7C
b3
b7E

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Hi [redacted]

[redacted]

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-07-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Tuesday, September 28, 2010 9:21 AM
To: [redacted]
Subject: FW: [redacted]

UNCLASSIFIED
NON-RECORD

b6
b7C
b7E

From: [redacted]
Sent: Monday, September 27, 2010 3:55 PM
To: [redacted]
Subject: FW: [redacted]

UNCLASSIFIED
NON-RECORD

From: [redacted]
Sent: Friday, August 06, 2010 1:06 PM
To: [redacted]
Subject: RE: [redacted]

UNCLASSIFIED
NON-RECORD

b6
b7C
b7E

[redacted]

I hear you. I've explained this policy to the case agents and supervisor, but they're adamant about using the data. And they have the support of their AUSA. I've brought this to the attention of my ASAC and CDC. I will share your statement with them.

Thanks,

[redacted]

From: [redacted]
Sent: Friday, August 06, 2010 9:51 AM
To: [redacted]
Subject: RE: [redacted]

UNCLASSIFIED
NON-RECORD

b6
b7C
b7E

[redacted]

[redacted]

[redacted]

From: [redacted]
Sent: Friday, August 06, 2010 10:10 AM
To: [redacted]
Subject: FW: [redacted]

b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

This is the first I've heard about this issue, I do not recall talking to sender re this matter.

[redacted]

From: [redacted]
Sent: Thursday, August 05, 2010 3:39 PM
To: [redacted]
Subject: FW: [redacted]

UNCLASSIFIED
NON-RECORD

b6
b7C
b7E

[redacted]

Here's the email to my CDC containing [redacted] opinion and the [redacted]

Thanks,

[redacted]

From: [redacted]
Sent: Wednesday, August 04, 2010 11:11 AM
To: [redacted]
Subject: FW [redacted]

b6
b7C
b7E
b5

UNCLASSIFIED
NON-RECORD

[redacted]

[redacted]

Call me if you need any additional answers or clarifications.

Thanks,

[redacted]

Regarding [redacted] email below and the [redacted]

[redacted]

[redacted]

Hope this is helpful,
PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

[redacted]

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[redacted]

[redacted] WITT [redacted]
[redacted] "WITT" [redacted]

[redacted]

Thanks.

From: [redacted]
Sent: Thursday, April 29, 2010 5:18 PM
To: [redacted] ALL EMPLOYEES
Subject: WITT [redacted]

b6
b7C
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b7E

UNCLASSIFIED
RECORD 197A HO C63379

WITT [redacted] **WITT** [redacted] **WITT** [redacted]

[redacted]

[redacted] b7E

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

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UNCLASSIFIED

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UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-07-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Tuesday, September 28, 2010 9:21 AM
To: [redacted]
Subject: RE: Witt [redacted]

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b7C
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UNCLASSIFIED
NON-RECORD

[redacted]

[redacted] WITT [redacted]

[redacted]

[redacted]

From: [redacted]
Sent: Tuesday, September 28, 2010 9:05 AM
To: [redacted]
Cc: [redacted]
Subject: RE: Witt [redacted]

b6
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UNCLASSIFIED
NON-RECORD

[redacted] WITT [redacted]

[redacted] (WITT) [redacted]

[redacted]

[redacted]

From: [redacted]
Sent: Tuesday, September 28, 2010 8:56 AM
To: [redacted]
Cc: [redacted]
Subject: RE: Witt [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

b6
b7C
b5

[redacted]

From: [redacted]
Sent: Monday, September 27, 2010 3:58 PM
To: [redacted]
Subject: RE [redacted]

[redacted] Witt [redacted]

[redacted]

[redacted]

b6
b7C
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b5

From: [redacted]
Sent: Friday, September 10, 2010 11:28 AM
To: [redacted]
Subject: RE: Witt [redacted]

b6
b7C
b7E
b5

UNCLASSIFIED
NON-RECORD

[redacted]

[redacted]

WITT [redacted]

[redacted]

[redacted]

From: [redacted]
Sent: Friday, September 10, 2010 2:09 PM
To: [redacted]
Subject: Witt[redacted]

Hi [redacted]

[redacted] Witt [redacted]

[redacted] Wit [redacted]

[redacted]

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[redacted]

UNCLASSIFIED

UNCLASSIFIED

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UNCLASSIFIED

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HEREIN IS UNCLASSIFIED
DATE 11-07-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Tuesday, September 28, 2010 9:05 AM
To: [redacted]
Cc: [redacted]
Subject: RE: Witt [redacted]

b6
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b7E

UNCLASSIFIED
NON-RECORD

[redacted] WITT [redacted]

[redacted] WITT) [redacted]

[redacted]

[redacted]

From: [redacted]
Sent: Tuesday, September 28, 2010 8:56 AM
To: [redacted]
Cc: [redacted]
Subject: RE: Witt [redacted]

b6
b7C
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UNCLASSIFIED
NON-RECORD

[redacted]

[redacted]

[redacted]

From: [redacted]
Sent: Monday, September 27, 2010 3:58 PM
To: [redacted]
Subject: RE: [redacted]

[redacted] Witt [redacted]

[redacted]

b6
b7C
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UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-07-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Monday, September 27, 2010 3:58 PM
To: [redacted]
Subject: RE: Witt [redacted]

[redacted] Witt [redacted]

[redacted]

[redacted]

b6
b7C
b5
b7E

From: [redacted]
Sent: Friday, September 10, 2010 11:28 AM
To: [redacted]
Subject: RE: Witt [redacted]

UNCLASSIFIED
NON-RECORD

b6
b7C
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[redacted]

[redacted]

WITT [redacted]

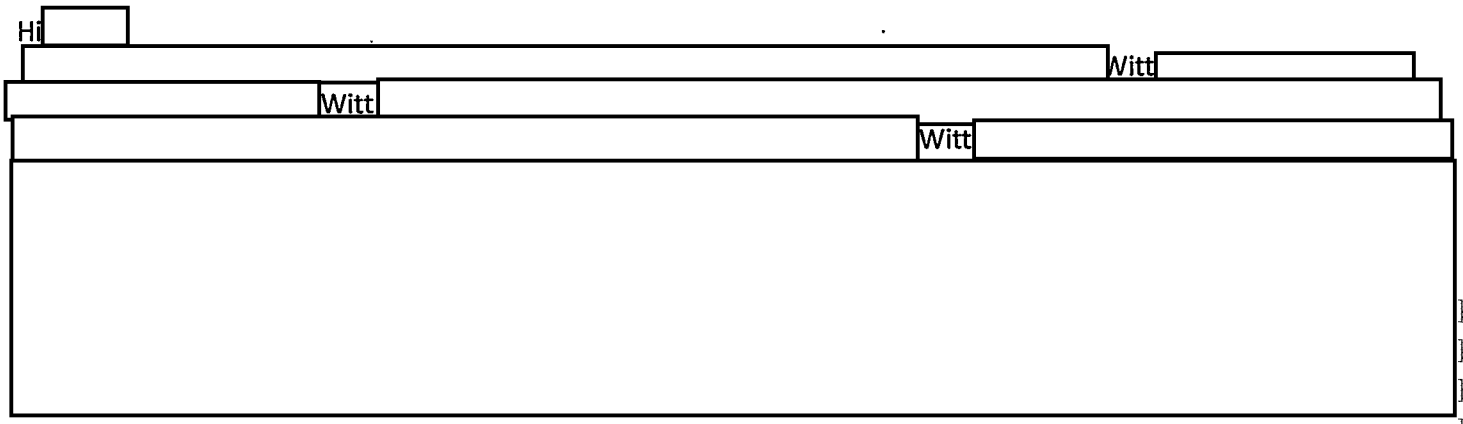
[redacted]

I am interested in knowing what your CDC's office thinks about this as well.

Thanks for the unique question. I will come back to you with an answer, whatever it turns out to be.

John

From: [redacted]
Sent: Friday, September 10, 2010 2:09 PM
To: [redacted]
Subject: Witt [redacted]



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UNCLASSIFIED

CELLSITE-15338

~~SECRET~~

DATE: 11-07-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,d)
DECLASSIFY ON: 11-07-2037

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

From:
Sent: Thursday, September 09, 2010 1:47 PM
To:
Cc:
(S) **Subject:** RE:

b6
b7C
b1
b7E
b3

~~SECRET~~
(S) RECORD

(S)

From:
Sent: Wednesday, September 08, 2010 10:15 AM
To:
Cc:
(S) **Subject:** RE:

b6
b7C
b1
b7E
b3

~~SECRET~~
(S) RECORD

(S)

From:
Sent: Tuesday, September 07, 2010 10:19 AM
To:
(S) **Subject:** RE:

b6
b7C
b1

~~SECRET~~
(S) RECORD

(S)

~~SECRET~~

CELLSITE-15339

~~SECRET~~

From:
Sent: Friday, September 03, 2010 1:59 PM
To:
(S) **Subject:** RE:

~~SECRET~~
(S) RECORD

b6
b7C
b1

(S)

Thanks

From:
Sent: Friday, September 03, 2010 11:37 AM
To:
Cc:
(S) **Subject:** RE:

~~SECRET~~
(S) RECORD

b6
b7C
b1

(S)

From:
Sent: Thursday, September 02, 2010 4:39 PM
To:
Cc:
(S) **Subject:** RE:

(S) ~~SECRET//NOFORN~~
(S) RECORD

b6
b7C
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b7E

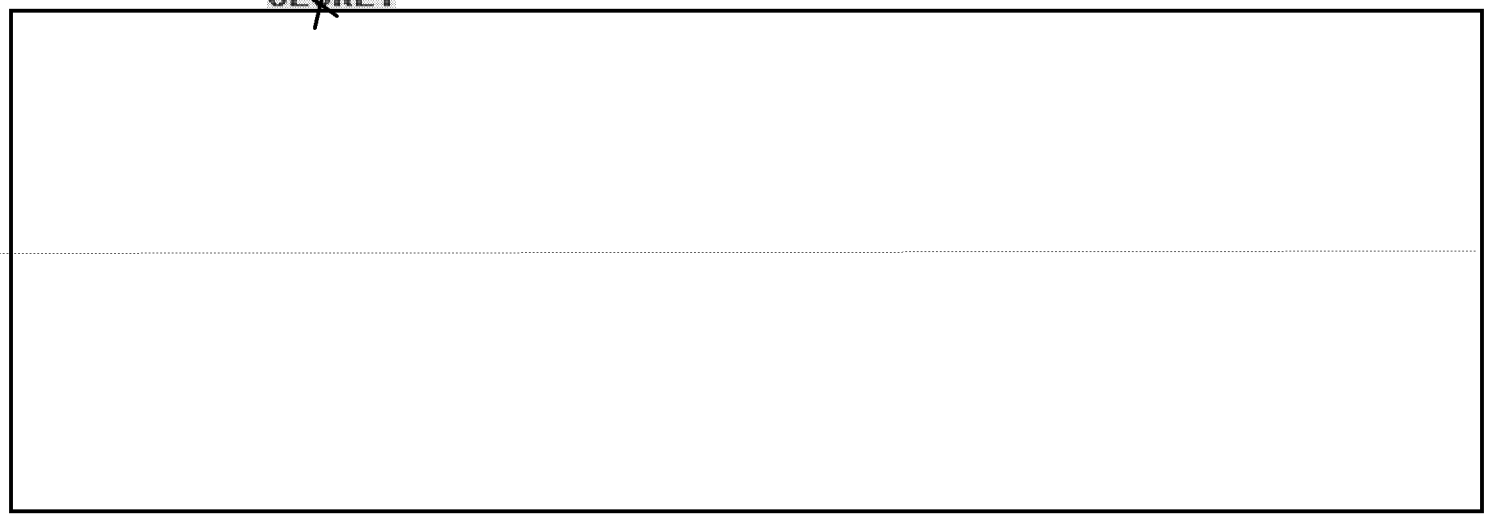
Hi

Thanks for your feedback and replies:

(S)

SECRET

(S)



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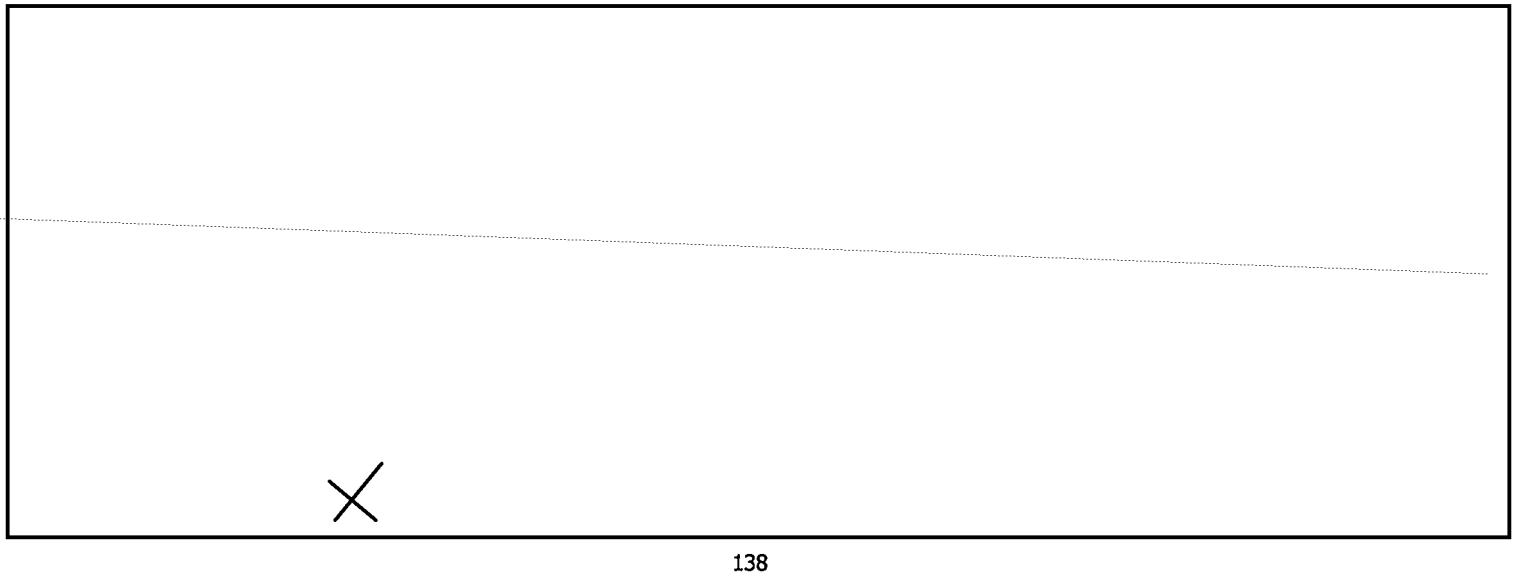
(S) SECRET//NOFORN
RECORD
(S)

From:
Sent: Thursday, September 02, 2010 11:57 AM
To:
Cc:
(S) **Subject:** RE

b6
b7C
b1

SECRET
RECORD x

(S)



CELLSITE-15341

~~SECRET~~

(S) [redacted]

Thanks.

[redacted]

b6
b7C
b1

From: [redacted]
Sent: Wednesday, September 01, 2010 3:54 PM
To: [redacted]
Cc: [redacted]
(S) **Subject:** [redacted]

(S) ~~SECRET~~//NOFORN [redacted]
(S) RECORD [redacted]

b6
b7C
b1

Hi [redacted]

(S) [redacted]

Please let me know if you need anything else.

Thanks,

(S) ~~SECRET~~//NOFORN [redacted]
(S) RECORD [redacted]

[redacted]

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations~~
~~DECLASSIFY ON: 20350902~~
~~SECRET~~

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations~~
~~DECLASSIFY ON: 20350903~~
~~SECRET~~

~~DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations~~

DECLASSIFY ON: 20350903
SECRET

DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations
DECLASSIFY ON: 20350903
SECRET

DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations
DECLASSIFY ON: 20350903
SECRET

DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations
DECLASSIFY ON: 20350903
SECRET

~~SECRET~~

DATE: 11-07-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,d)
DECLASSIFY ON: 11-07-2037

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[redacted]

From: [redacted]
Sent: Thursday, September 09, 2010 1:44 PM
To: [redacted]
Cc: [redacted]
(S) **Subject:** RE: [redacted]

~~SECRET~~
(S) **RECORD** [redacted]

b6
b7C
b1

(S) [redacted]

Thanks again.

[redacted]

From: [redacted]
Sent: Tuesday, September 07, 2010 3:10 PM
To: [redacted]
Cc: [redacted]
(S) **Subject:** RE: [redacted]

b6
b7C
b1

~~SECRET~~
(S) **RECORD** [redacted]

Sir,

(S) [redacted]

~~SECRET~~
(S) **RECORD** [redacted]

[redacted]

From: [redacted]
Sent: Tuesday, September 07, 2010 2:35 PM
To: [redacted]
(S) **Subject:** RE: [redacted]

b6
b7C
b1

CELLSITE-15344

~~SECRET~~

(S) SECRET//NOFORN

(S) RECORD

Hi

(S)

Please let me know if you need anything else.

Thanks,

b6
b7C
b1

(S) SECRET//NOFORN

(S) RECORD

DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations
DECLASSIFY ON: 20350902
SECRET

DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations
DECLASSIFY ON: 20350903
SECRET

DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations
DECLASSIFICATION EXEMPTION 1
SECRET

DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations
DECLASSIFICATION EXEMPTION 1
SECRET

DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations
DECLASSIFICATION EXEMPTION 1
SECRET

~~SECRET~~

DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations
DECLASSIFICATION EXEMPTION 1
SECRET

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

Total Deleted Page(s) = 1
Page 140 ~ b6; b7C;

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X Deleted Page(s) X
X No Duplication Fee X
X For this Page X
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DATE 11-08-2012 BY 65179/dmh/stp/as

From:
Sent: Friday, August 06, 2010 1:06 PM
To:
Subject:

UNCLASSIFIED
NON-RECORD

I hear you. I've explained this policy to the case agents and supervisor, I've brought this to the attention of my ASAC and CDC. I will share your statement with them.

Thanks,

From:
Sent: Friday, August 06, 2010 9:51 AM
To:
Subject:

UNCLASSIFIED
NON-RECORD

b3
b5
b6
b7C
b7E

The utilization of

This is done by human means..

SSA
Unit Chief

From:
Sent: Friday, August 06, 2010 10:10 AM
To:
Subject:

UNCLASSIFIED
NON-RECORD

This is the first I've heard about this issue, I do not recall talking to sender re this matter.

From:
Sent: Thursday, August 05, 2010 3:39 PM
To:
Subject:

UNCLASSIFIED
NON-RECORD

[redacted]

Here's the email to my CDC containing [redacted]

Thanks,
[redacted]

From: [redacted]
Sent: Wednesday, August 04, 2010 11:11 AM
To: [redacted]
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

Please see below email concerning the [redacted] I sent you yesterday. [redacted]

[redacted]

[redacted]

Call me if you need any additional answers or clarifications.

Thanks,
[redacted]

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b7E

Regarding [redacted] email below and the article in [redacted]

[redacted]

CELLSITE-6351

b3
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b7C
b7E

Hope this is helpful,
PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

[redacted]
Assistant General Counsel
Science & Technology Law Unit

CELLSITE-6352

Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

Also, please note that the banner "WITT in the email below has nothing to do with the "WITT" discussed in the article.

Please take into consideration the information above before Please contact the if you have any concerns or questions about .

Thanks.

From:
Sent: Thursday, April 29, 2010 5:18 PM
To: LL EMPLOYEES
Subject: WITT

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UNCLASSIFIED
RECORD 197A HO C63379

WITT **WITT** **WITT**

This brief e-mail is intended as a follow-up to the 01/20/2010 e-mail I had sent on Below is a short article dug out of the

<< File: Bad Guys.pdf >>

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CELLSITE-6353

UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-09-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Friday, August 06, 2010 12:51 PM
To: [redacted]
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted] The utilization of any [redacted]

[redacted] This is done by human means..

SSA [redacted]
Unit Chief
[redacted]

From: [redacted]
Sent: Friday, August 06, 2010 10:10 AM
To: [redacted]
Subject: [redacted]

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b7E

UNCLASSIFIED
NON-RECORD

This is the first I've heard about this issue, I do not recall talking to sender re this matter.

[redacted]

From: [redacted]
Sent: Thursday, August 05, 2010 3:39 PM
To: [redacted]
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

Here's the email to my CDC containing [redacted]

Thanks,
[redacted]

From: [redacted]
Sent: Wednesday, August 04, 2010 11:11 AM
To: [redacted]
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

Please see below email concerning [redacted]

[redacted]

Call me if you need any additional answers or clarifications.

Thanks

[redacted]

Regarding Kevin's email below and the article [redacted]

[redacted]

b3
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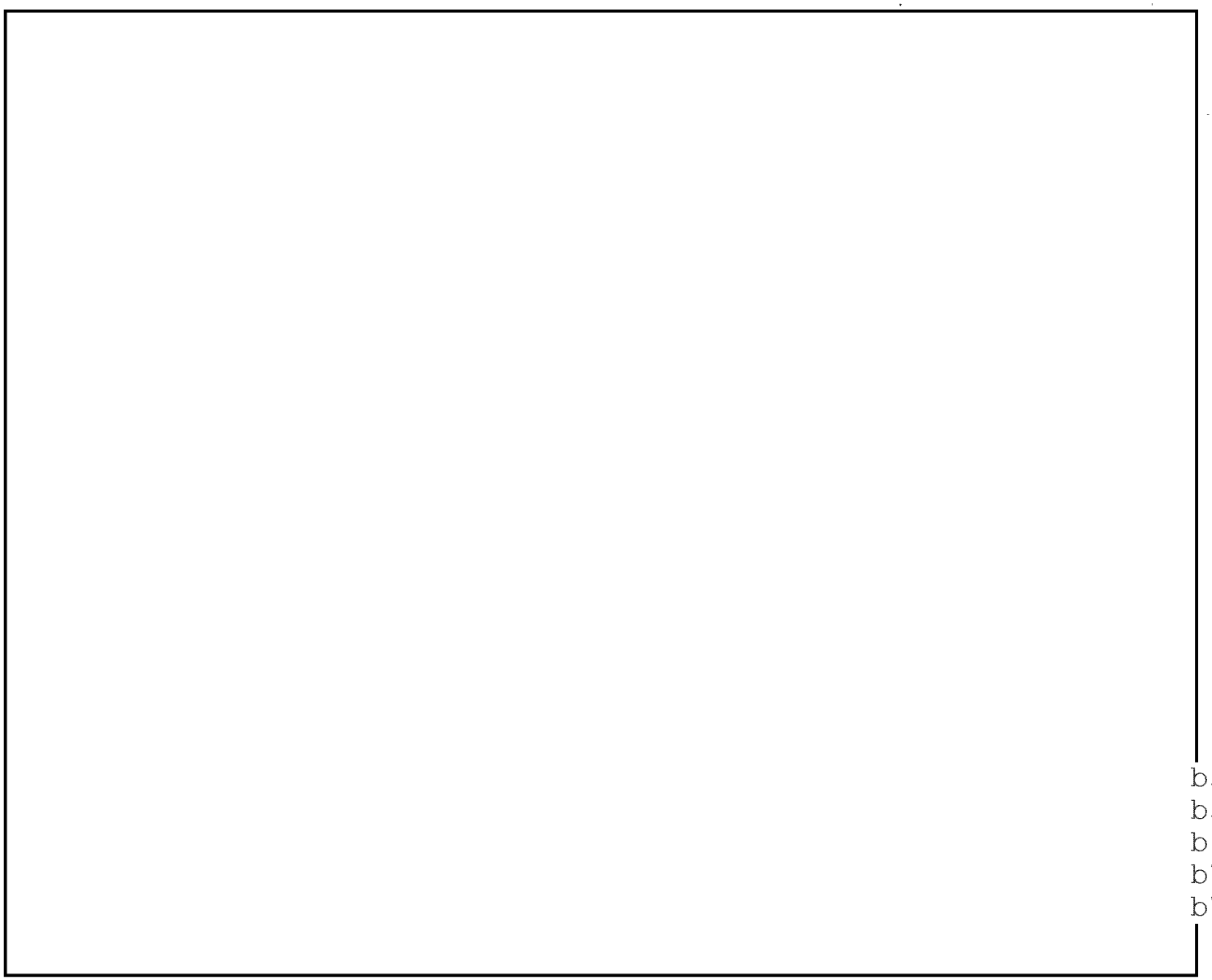
CELLSITE-6356



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Hope this is helpful,
PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

[redacted]
Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va 22135
[redacted]

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

Also, please note that the banner "WITT [redacted] "WITT" [redacted] discussed in the article.

Please take into consideration the information above before [redacted] Please contact the [redacted] if you have any concerns or questions about [redacted]

CELLSITE-6357

Thanks.

From:
Sent: Thursday, April 29, 2010 5:18 PM
To: ALL EMPLOYEES
Subject: WITT

UNCLASSIFIED
RECORD 197A HO C63379

WITT **WITT** **WITT**

This brief e-mail is intended as a follow-up to the 01/20/2010 e-mail I had sent on
Below is a short article dug out of the

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<< File: Bad Guys.pdf >>

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UNCLASSIFIED

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DATE 11-09-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Thursday, June 24, 2010 5:39 PM
To: [redacted]
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

[redacted]

If my comments above are correct, you may forward this response to [redacted] as required.

[redacted]

From: [redacted]
Sent: Wednesday, June 23, 2010 5:08 PM
To: [redacted]
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

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[redacted]

Please see the email below. Can you assist me in answering this question. I don't recall any discussions regarding a [redacted]

From: [redacted]
Sent: Wednesday, June 23, 2010 4:48 PM
To: [redacted]
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

Sorry to bother you again. [redacted]

[redacted]

Thanks AGAIN.

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-09-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Wednesday, April 28, 2010 2:12 PM
To: [redacted]
Cc:
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

It is DOJ/OEO who has opined on this issue. [redacted]

[redacted]

From: [redacted]
Sent: Tuesday, April 27, 2010 1:21 PM
To: [redacted]
Cc:
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

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If the FBI only [redacted]

[redacted]

[redacted] any thoughts or other views?

From: [redacted]
Sent: Tuesday, April 27, 2010 10:01 AM
To: [redacted]
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

From: [redacted]
Sent: Monday, April 26, 2010 5:01 PM
To: [redacted]
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

UNCLASSIFIED
NON-RECORD

I think the answer lies in acknowledging [redacted]

From: [redacted]
Sent: Monday, April 26, 2010 9:43 AM
To:
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted] when we meet, I have one more issue that I would like to address. In regards to the current mentality to obtain a [redacted]

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From: [redacted]
Sent: Thursday, April 22, 2010 4:13 PM
To:
Cc:
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

Can we pick this up tomorrow morning?

[redacted]

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-09-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Tuesday, April 27, 2010 1:21 PM
To: [redacted]
Cc:
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

If the FBI only wants [redacted]

[redacted] any thoughts or other views?

From: [redacted]
Sent: Tuesday, April 27, 2010 10:01 AM
To: [redacted]
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

b3
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From: [redacted]
Sent: Monday, April 26, 2010 5:01 PM
To: [redacted]
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

UNCLASSIFIED
NON-RECORD

I think the answer lies in acknowledging [redacted]

From: [redacted]
Sent: Monday, April 26, 2010 9:43 AM
To: [redacted]
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted] when we meet. I have one more issue that I would like to address. In regards to the current mentality to obtain a [redacted]

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From: [redacted]
Sent: Thursday, April 22, 2010 4:13 PM
To: [redacted]
Cc:
Subject:

UNCLASSIFIED
NON-RECORD

[redacted]

Can we pick this up tomorrow morning?

[redacted]

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-09-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Monday, April 26, 2010 5:02 PM
To: [redacted]
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

From: [redacted]
Sent: Monday, April 26, 2010 9:43 AM
To: [redacted]
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted] when we meet, I have one more issue that I would like to address. In regards to the current mentality to obtain a [redacted]

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b7E

From: [redacted]
Sent: Thursday, April 22, 2010 4:13 PM
To: [redacted]
Cc: [redacted]
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

Can we pick this up tomorrow morning?

[redacted]

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

~~SECRET~~

DATE: 11-09-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c)
DECLASSIFY ON: 11-09-2037

ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

[redacted]

From: [redacted]
Sent: Monday, April 05, 2010 9:03 AM
To: [redacted]
Cc:
Subject: RE: WITT [redacted]

~~SECRET//NOFORN~~
RECORD 319-0

I'll give the easy answer, or at least the ones that I would recommend. We have two options.

[redacted] pass that charge [redacted]
[redacted] can't charge [redacted]
[redacted]

[redacted]

SSA [redacted]
Assistant Section Chief
[redacted]

b3
b6
b7C
b7E

From: [redacted]
Sent: Monday, April 05, 2010 8:47 AM
To: [redacted]
Cc:
Subject: RE: WITT [redacted]

~~SECRET//NOFORN~~
RECORD 319-0

I'll ask the hard question. Who will pay [redacted]
[redacted] And just an update, I reviewed the minor revisions/clarifications that UC [redacted]
[redacted], I am of the opinion that the [redacted]
[redacted]

From: [redacted]
Sent: Friday, April 02, 2010 3:05 PM
To: [redacted]
Cc:
Subject: WITT [redacted]

~~SECRET//NOFORN~~ ~~SECRET~~
RECORD 319-0

(S)

b1
b3
b7E

With that, it appears to me that the next step in the process is to have

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20350402~~
~~SECRET//NOFORN~~

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20350402~~
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~~SECRET~~

DATE: 11-09-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c)
DECLASSIFY ON: 11-09-2037
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

[redacted]

From: [redacted]
Sent: Monday, April 05, 2010 8:51 AM
To: [redacted]
Subject: RE: WITT [redacted]

~~SECRET//NOFORN~~
RECORD 319-0

[redacted]

Thanks

From: [redacted]
Sent: Monday, April 05, 2010 8:47 AM
To: [redacted]
Cc: [redacted]
Subject: RE: WITT [redacted]

~~SECRET//NOFORN~~
RECORD 319-0

I'll ask the hard question. Who will pay [redacted] b1
[redacted] And just an update, I reviewed the minor revisions/clarifications that UC [redacted] b3
few minor additional revisions, I am of the opinion that the [redacted] b6
b7C
b7E

From: [redacted]
Sent: Friday, April 02, 2010 3:05 PM
To: [redacted]
Cc: [redacted]
Subject: WITT [redacted]

~~SECRET//NOFORN~~
RECORD 319-0

[redacted]

(S)

~~SECRET~~

CELLSITE-6369

(S)

With that, it appears to me that the next step in the process is to have

b1
b3
b7E

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~~DECLASSIFY ON: 20350402~~
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~~DERIVED FROM: Multiple Sources~~
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~~SECRET~~

DATE: 11-09-2012
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REASON: 1.4 (c)
DECLASSIFY ON: 11-09-2037

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

[redacted]

From: [redacted]
Sent: Monday, April 05, 2010 8:47 AM
To: [redacted]
Cc:
Subject: RE: WITT [redacted]

~~SECRET//NOFORN~~
RECORD 319-0

I'll ask the hard question. Who will pay [redacted] And just an update, I reviewed the minor revisions/clarifications that UC [redacted] and with a few minor additional revisions, I am of the opinion that the [redacted]

From: [redacted]
Sent: Friday, April 02, 2010 3:05 PM
To: [redacted]
Cc:
Subject: WITT [redacted]

~~SECRET//NOFORN~~
RECORD 319-0

b1
b3
b6
b7C
b7E

(S) [redacted]

With that, it appears to me that the next step in the process is to have [redacted]

[redacted]

DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20350402
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CELLSITE-6371

~~SECRET~~

DATE: 11-09-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c)
DECLASSIFY ON: 11-09-2037

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

[redacted]

From: [redacted]
Sent: Friday, April 02, 2010 3:05 PM
To: [redacted]
Cc:
Subject: WITT [redacted]

~~SECRET//NOFORN~~
RECORD 319-0

[redacted]

b1
b3
b6
b7C
b7E

(S)

With that, it appears to me that the next step in the process is to have [redacted]

[redacted]

DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20350402
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~~SECRET~~

CELLSITE-6372

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FOI/PA# 1212582-1

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Page 26 ~ b1; b3; b5; b7E;
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DATE: 11-14-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c,g)
DECLASSIFY ON: 11-14-2037

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WHERE SHOWN OTHERWISE

From:
Sent: Wednesday, January 06, 2010 11:20 AM
To:
Subject: RE: Update for EC.

SECRET
RECORD 268-HQ-1068430

b6
b7C

Yes I am here all week long. If possible, please send us a draft, and I will coordinate having or take a look at it before uploading so we're all in agreeance of the wording in the document. Call me on my cell phone if you need me to come over...

From:
Sent: Tuesday, January 05, 2010 4:50 PM
To:
Subject: RE: Update for EC.

SECRET
RECORD 268-HQ-1068430

Thanks I'll go thru this tomorrow. Will you be working tomorrow if I need to talk to you? Will or need to go thru the final before I send it up my chain?

From:
Sent: Tuesday, January 05, 2010 4:48 PM
To:
Cc:
Subject: Update for EC.

b3
b6
b7C
b7E

SECRET
RECORD 268-HQ-1068430

My remarks are below for the re-write, starting with paragraph 2. Paragraph 3 is the one that is most different...to include footnote 11. I didn't know what to do about footnote 12.

b1
b3
b5
b7E

(S)

To:
Cc:
Subject: RE: Update on Actions arising from last quarterly update for AD Thomas

~~SECRET//NOFORN~~
~~RECORD~~

b3
b6
b7C
b7E

In response to your question "Provide an update on OTD support to this is where we currently stand. TTU has made contact with to discuss and define their operational needs. With that information TTU developed a statement of work. has reviewd and approved the SOW, which will now become part of a task order under the program.

Let me know if you need anything else.

From:
Sent: Monday, December 07, 2009 3:51 PM
To:
Cc:
Subject: RE: Update on Actions arising from last quarterly update for AD Thomas

~~SECRET//NOFORN~~
~~RECORD~~

Can you answer questions about the Concept of Operations of the and the use of the

Can you answer question about the Legal analysis for

Can you answer question about

b5
b6
b7C
b7E

From:
Sent: Monday, December 07, 2009 3:01 PM
To:
Subject: FW: Update on Actions arising from last quarterly update for AD Thomas

Importance: High

~~SECRET//NOFORN~~
~~RECORD~~

Please handle this

b6
b7C

SSA
Unit Chief
Tracking Technology Unit
Operational Technology Division

From:
Sent: Monday, December 07, 2009 2:56 PM
To:
Cc:
Subject: Update on Actions arising from last quarterly update for AD Thomas

~~SECRET//NOFORN~~
~~RECORD~~

b5
b6
b7C
b7E

Thank you,

OTD
Operational Technology Division

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~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20191207~~
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DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20191207
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DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20191207
SECRET//NOFORN

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CELLSITE-19213

DECLASSIFIED BY 65179/dmh/stp/as
ON 11-14-2012

[redacted]

From: [redacted]
Sent: Monday, December 14, 2009 10:52 AM
To: [redacted]
Cc:
Subject: RE: Update on Actions arising from last quarterl[redacted]pdate for AD Thomas

~~SECRET//NOFORN~~
~~RECORD~~ [redacted]

b3
b6
b7C
b7E

[redacted]

In response to your question "Provide an update on OTD support to [redacted] this is where we currently stand. TTU has made contact with [redacted] to discuss and define their operational needs. With that information TTU developed a statement of work [redacted] has reviewd and approved the SOW, which will now become part of a task order under the [redacted] program.

Let me know if you need anything else.

[redacted]

From: [redacted]
Sent: Monday, December 07, 2009 3:51 PM
To: [redacted]
Cc:
Subject: RE: Update on Actions arising from last quarterly [redacted]pdate for AD Thomas

~~SECRET//NOFORN~~
~~RECORD~~ [redacted]

b3
b6
b7C
b7E

[redacted] Can you answer [redacted] questions about the Concept of Operations of the [redacted] and the use of the [redacted]

[redacted] Can you answer [redacted] question about the Legal analysis for [redacted]

[redacted] Can you answe[redacted] question about [redacted]

b5
b6
b7C
b7E

[redacted]

[redacted]

CELLSITE-19214

[redacted] b5

From: [redacted]
Sent: Monday, December 07, 2009 3:01 PM
To: [redacted]
Subject: FW: Update on Actions arising from last quarterly [redacted] update for AD Thomas
Importance: High

~~SECRET//NOFORN~~
~~RECORD~~ [redacted]

b6
b7C

[redacted] Please handle this

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted]

From: [redacted]
Sent: Monday, December 07, 2009 2:56 PM
To: [redacted]
Cc: [redacted]
Subject: Update on Actions arising from last quarterly [redacted] update for AD Thomas

~~SECRET//NOFORN~~
~~RECORD~~ [redacted]

b5
b6
b7C

[redacted]

[redacted]

Thank you,

[redacted]
OTD [redacted]
Operational Technology Division
[redacted]

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20191207~~
~~SECRET//NOFORN~~

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20191207~~
~~SECRET//NOFORN~~

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20191207~~
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~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20191207~~
~~SECRET//NOFORN~~

CELLSITE-19216

DECLASSIFIED BY 65179/dmh/stp/as
ON 11-14-2012

[redacted]

From: [redacted]
Sent: Monday, December 07, 2009 3:51 PM
To: [redacted]
Cc: [redacted]
Subject: RE: Update on Actions arising from last quarterly [redacted] update for AD Thomas

b6
b7C

~~SECRET//NOFORN~~
~~RECORD~~ [redacted]

[redacted] Can you answer [redacted] questions about the Concept of Operations of the [redacted] and the use of the [redacted]

[redacted] Can you answer [redacted] question about the Legal analysis for [redacted]

[redacted] Can you answer [redacted] question about [redacted]

b5
b6
b7C

[redacted]

[redacted]

From: [redacted]
Sent: Monday, December 07, 2009 3:01 PM
To: [redacted]
Subject: ~~FW: Update on Actions arising from~~ last quarterly [redacted] update for AD Thomas
Importance: High

~~SECRET//NOFORN~~
~~RECORD~~ [redacted]

[redacted] Please handle this

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted]

From: [redacted]
Sent: Monday, December 07, 2009 2:56 PM
To: [redacted]
Cc:
Subject: Update on Actions arising from last quarterly NGW update for AD Thomas

b6
b7C

~~SECRET//NOFORN~~
~~RECORD NGW~~

[redacted]

[redacted]

b5
b6
b7C
b7E

[redacted]

OTD rep to IC Wireless Working Group
Operational Technology Division

[redacted]

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20191207~~
~~SECRET//NOFORN~~

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20191207~~
~~SECRET//NOFORN~~

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20191207~~
~~SECRET//NOFORN~~

CELLSITE-19218

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DATE 11-14-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Monday, November 23, 2009 3:12 PM
To: [redacted]
Subject: FW: [redacted] Guidance re Emergency acquistion

Importance: High

UNCLASSIFIED
NON-RECORD

b6
b7C
b7E

From: [redacted]
Sent: Monday, November 23, 2009 3:11 PM
To: [redacted]
Subject: [redacted]
Importance: High

UNCLASSIFIED
NON-RECORD

From: [redacted]
Sent: Monday, November 23, 2009 2:49 PM
To: [redacted]
Subject: [redacted]
Importance: High

UNCLASSIFIED
NON-RECORD

b5
b6
b7C
b7E

[redacted]

[redacted]

[redacted]

b5
b6
b7C
b7E

Sincerely,

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
(Offic[redacted]
(Cell)
(Secr
(Fax)

PRIVILEGED ATTORNEY-CLIENT COMMUNICATION AND ATTORNEY WORK PRODUCT. DO NOT DISSEMINATE WITHOUT OGC APPROVAL.

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

~~SECRET~~

Hope this answers your questions..

(S) [redacted]

No formal guidance has been provided other that [redacted] addressing the above during our Annual [redacted] conference.. We are awaiting assistance from [redacted] in the production of a [redacted] This training will hopefully address the below concerns.. Just need to pin [redacted] down to get this finished..

b1
b3
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b7E

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted]

From: [redacted]
Sent: Thursday, October 22, 2009 3:46 PM
To: [redacted]
(S) **Subject:** FW: [redacted]
Importance: High

SECRET
RECORD HQ

From: [redacted]
Sent: Thursday, October 22, 2009 3:38 PM
To: [redacted]
Cc: [redacted]
(S) **Subject:** RE [redacted]

SECRET
RECORD HQ

(S) [redacted]

[redacted]

Sir,

(S) [redacted]

Thanks,

[redacted]

From: [redacted]
Sent: Thursday, October 22, 2009 3:38 PM
To: [redacted]
Cc: [redacted]
(S) **Subject:** FW [redacted]
Importance: High

SECRET
RECORD HQ

~~SECRET~~

Can you look into this for [redacted] and let [redacted] and me know what's going on before we respond to [redacted]?

~~SECRET~~

Thanks

[redacted]

From: [redacted]
Sent: Thursday, October 22, 2009 3:14 PM
To: [redacted]
Cc:
Subject: [redacted]
(S) **Importance:** High

b1
b3
b5
b6
b7C
b7E

SECRET
RECORD HQ

(S) [redacted]

Thanks.

[redacted]

[redacted]

[redacted]

U.S. Department of Justice
950 Pennsylvania Ave., NW, Suite 6150
Washington, DC 20530

[redacted]

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~~**SECRET**~~

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~~**DECLASSIFICATION EXEMPTION 1**~~
~~**SECRET**~~

~~**DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations**~~
~~**DECLASSIFICATION EXEMPTION 1**~~
~~**SECRET**~~

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~~SECRET~~

CELLSITE-19223

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DATE 11-14-2012 BY 65179/dmh/stp/as

From:
Sent: Monday, November 02, 2009 9:18 AM
To:
Subject: RE: Cellular Analysis and Survey Team

UNCLASSIFIED
NON-RECORD

b5
b6
b7C
b7E

SSA
Unit Chief
Tracking Technology Unit
Operational Technology Division

From:
Sent: Monday, November 02, 2009 9:06 AM
To:
Subject: RE: Cellular Analysis and Survey Team

UNCLASSIFIED
NON-RECORD

b5
b6
b7C
b7E

From:
Sent: Monday, November 02, 2009 9:03 AM
To:
Subject: RE: Cellular Analysis and Survey Team

UNCLASSIFIED
NON-RECORD

I'm at that day and is in

SSA
Unit Chief
Tracking Technology Unit
Operational Technology Division

From:
Sent: Monday, November 02, 2009 8:35 AM
To:
Subject: FW: Cellular Analysis and Survey Team

DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations
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DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations
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DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations
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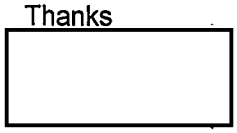
SECRET

Thanks



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CELLSITE-19269

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HEREIN IS UNCLASSIFIED
DATE 11-15-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Thursday, September 17, 2009 2:25 PM
To: [redacted]
Subject: Pony_Cell Phone ID [redacted]

UNCLASSIFIED
NON-RECORD

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b7C

From: [redacted]
Sent: Thursday, September 17, 2009 2:01 PM
To: [redacted]
Subject: FW: Updated [redacted]

UNCLASSIFIED
NON-RECORD

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FYI

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted]

From: [redacted]
Sent: Thursday, September 17, 2009 12:46 PM
To: [redacted]
Cc:
Subject: Updated [redacted]

UNCLASSIFIED
NON-RECORD

The order I previously sent to you guys was redone by our AUSA for the current [redacted] I am conducting here in [redacted] The latest and greatest Application and Order is attached for your use in your districts if your AUSAs would like some guidance on what to write [redacted]

[redacted]

[redacted]

Order.pdf

SA [redacted]
[redacted]

[redacted]
office
fax
cell
[redacted]

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b7C
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Electronic Tech Request:

[redacted]

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-15-2012 BY 65179/dmh/stp/aa

[redacted]

From: [redacted]
Sent: Wednesday, September 16, 2009 2:15 PM
To: [redacted]
Subject: RE: Satellite TV // PinPoint

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

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Good catch. Thanks.

From: [redacted]
Sent: Wednesday, September 16, 2009 11:11 AM
To: [redacted]
Subject: RE: Satellite TV // PinPoint

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

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[redacted]

[redacted]

[redacted]

From: [redacted]
Sent: Wednesday, September 16, 2009 10:40 AM
To: [redacted]
Cc: [redacted]
Subject: RE: Satellite TV Piracy Case - OIA Question

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

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b7C

Thanks for the help.

From: [redacted]
Sent: Wednesday, September 16, 2009 7:36 AM
To: [redacted]
Cc: [redacted]
Subject: FW: Satellite TV Piracy Case - OIA Question

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

I've asked [redacted] ILU, to respond to the OIA question. If the case agent needs assistance with the [redacted] of this I'd recommend that he call SSA [redacted] OTD.

From: [redacted]
Sent: Friday, July 31, 2009 4:27 PM
To: [redacted]
Subject: RE: Satellite TV Piracy Case - OIA Question

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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

I'll send this around and see what I can come up with.

From: [redacted]
Sent: Friday, July 31, 2009 3:12 PM
To: [redacted]
Cc:
Subject: FW: Satellite TV Piracy Case - OIA Question

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted] here's the question. I'm out for the afternoon and all next week, but available on BB. If you track down the "answer person," could you please have them contact the case agent directly? Thanks [redacted]

From: [redacted]
Sent: Wednesday, July 29, 2009 12:00 PM
To: [redacted]
Subject: Satellite TV Piracy Case - OIA Question

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

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Hi [redacted]

[redacted]

[redacted]

SENSITIVE BUT UNCLASSIFIED

CELLSITE-19276

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

Thanks again for everyone's help,

[redacted]

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P.S. Special thanks to [redacted] for such a quick response.

SSA [redacted]
Violent Crimes Unit - FBIHQ
Desk [redacted]
Fax [redacted]

From: [redacted]
Sent: Wednesday, September 02, 2009 1:00 PM
To:
Cc: [redacted] P
Subject: Track with [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

b3
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Just wanted to report the good news from yesterday and make sure we did everything right.

As I told you, we got a call from [redacted] saying their [redacted]

[redacted]

Please let us know if there is anything we need to know for next time.

[redacted]

CELLSITE-19278

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SECRET

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DECLASSIFY ON: 20340729
SECRET

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DECLASSIFY ON: 20340729
SECRET

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted]

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(S)

From:
Sent: Monday, May 04, 2009 8:54 AM
To:
Cc:
Subject: RE: Cyber question

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~~NON-RECORD~~

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this seems to be a recurring theme. What is our latest guidance on this?

Please advise.

Thanks,

From:
Sent: Monday, May 04, 2009 8:33 AM
To:
Cc:
Subject: RE: Cyber question

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Thanks, and no worries.

Thanks

Special Agent
Associate Division Counsel

~~SECRET~~

CELLSITE-19303

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FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

Total Deleted Page(s) = 4
Page 197 ~ b3; b5; b6; b7C; b7E;
Page 198 ~ b3; b5; b6; b7C; b7E;
Page 220 ~ b3; b5; b7E;
Page 224 ~ b3; b5; b6; b7C; b7E;

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X Deleted Page(s) X
X No Duplication Fee X
X For this Page X
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DATE 11-16-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Tuesday, January 20, 2009 1:05 PM
To: [redacted]
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

We must also consider the DIOG which is being implemented into the new [redacted]

SSA [redacted]
Unit Chief
[redacted]

From: [redacted]
Sent: Tuesday, January 20, 2009 12:50 PM
To: [redacted]
Cc:
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

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[redacted]

I've asked [redacted] for his views on this as well. I am only concerned with one sentence, the last of the second paragraph - [redacted]

It is not clear to me what is intended here. Is this a piece of the prior sentence relating to [redacted]

[redacted]

[redacted]
Assistant General Counsel
[redacted]
Office of the General Counsel
Federal Bureau of Investigation
[redacted]

From: [redacted]

CELLSITE-17867

Sent: Tuesday, January 20, 2009 10:49 AM
To:
Subject:

UNCLASSIFIED
NON-RECORD

Can you take a look/give me a sanity check on this? From a CDC...
Thank you.

This weekend some issues came up and I wanted to make sure that I am giving the correct advise on the issue of I am aware of no cases in the 6th Circuit that have used that courts in other circuits have used.

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Let me know if I am off base. Thanks.

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

CELLSITE-17868

ALL INFORMATION CONTAINED
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DATE 11-16-2012 BY 65179/dmh/stp/as

From:
Sent: Tuesday, January 20, 2009 1:04 PM
To:
Subject:

UNCLASSIFIED
NON-RECORD

You are correct. We do not need to go to As for SAC, until the policy is approved which should be in the next few weeks it remains

SSA
Unit Chief

From:
Sent: Tuesday, January 20, 2009 12:13 PM
To:
Subject:

UNCLASSIFIED
NON-RECORD

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Please review the CDC's synopsis of how is authorized. Any comments? I think he has it wrong at the end of the second paragraph

Assistant General Counsel
Office of the General Counsel
Federal Bureau of Investigation

From:
Sent: Tuesday, January 20, 2009 10:49 AM
To:
Subject:

UNCLASSIFIED
NON-RECORD

Can you take a look/give me a sanity check on this? From a CDC...

Thank you.

[redacted]

This weekend some issues came up and I wanted to make sure that I am giving the correct advise on the issue of [redacted] I am aware of no cases in the 6th Circuit that have used the [redacted] that courts in other circuits have used.

[redacted]

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Let me know if I am off base. Thanks.

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

CELLSITE-17870

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-16-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Tuesday, January 20, 2009 12:50 PM
To: [redacted]
Cc:
Subject: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

I've asked [redacted] for his views on this as well. I am only concerned with one sentence, the last of the second paragraph [redacted]

It is not clear to me what is intended here. Is this a piece of the prior sentence relating to [redacted]

[redacted]

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[redacted]
Assistant General Counsel
[redacted]
Office of the General Counsel
Federal Bureau of Investigation
[redacted]

From: [redacted]
Sent: Tuesday, January 20, 2009 10:49 AM
To: [redacted]
Subject: [redacted]

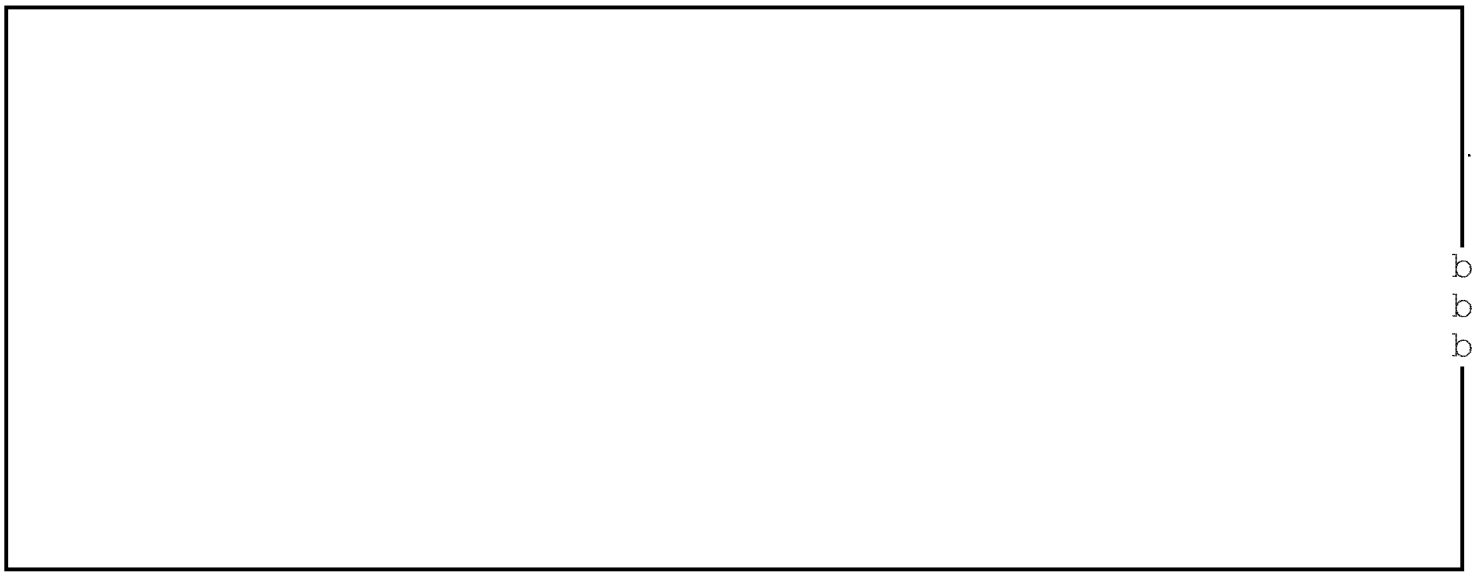
UNCLASSIFIED
NON-RECORD

Can you take a look/give me a sanity check on this? From a CDC...
Thank you.

[redacted]

This weekend some issues came up and I wanted to make sure that I am giving the correct advise on the issue of [redacted] I am aware of no cases in the 6th Circuit that have used the [redacted] that courts in other circuits have used.

CELLSITE-17871



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Let me know if I am off base. Thanks.

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UNCLASSIFIED

CELLSITE-17872

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-16-2012 BY 65179/dmh/stp/as

From:
Sent: Tuesday, January 20, 2009 10:49 AM
To:
Subject:

UNCLASSIFIED
NON-RECORD

Can you take a look/give me a sanity check on this? From a CDC...
Thank you.

This weekend some issues came up and I wanted to make sure that I am giving the correct advise on the issue of [redacted] I am aware of no cases in the 6th Circuit that have used the [redacted] that courts in other circuits have used.

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[redacted]

Let me know if I am off base. Thanks.

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CELLSITE-17873

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DATE: 11-16-2012
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REASON: 1.4 (c)
DECLASSIFY ON: 11-16-2037

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From:
Sent: Tuesday, November 25, 2008 10:29 AM
To:
(U) **Subject:** (S) Re Cell Site/WITT

~~SECRET~~
RECORD

Assistant General Counsel
Office of the General Counsel
Federal Bureau of Investigation

From:
Sent: Monday, November 24, 2008 10:01 AM
To:
Cc:
(U) **Subject:** RE: Final Draft (S)

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RECORD

(S)

Assistant General Counsel
Office of General Counsel FBI

From:
Sent: Monday, November 24, 2008 9:48 AM
To:
Cc:
(U) **Subject:** RE: Final Dr (S)

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RECORD

(S)

From:
Sent: Friday, November 21, 2008 5:37 PM
To:

Cc:
(U) **Subject:** RE: Final Draft - (S)

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RECORD

(S)

Assistant General Counsel
Office of General Counsel FBI

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From:
Sent: Friday, November 21, 2008 5:35 PM
To:

Cc:
(U) **Subject:** RE: Final Draft - (S)

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RECORD

(S)

From:
Sent: Friday, November 21, 2008 3:53 PM
To:

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Cc:

(U) **Subject:** RE: Final Draft (S)

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(S)

Assistant General Counsel
Office of General Counsel FBI

From:
Sent: Friday, November 21, 2008 3:16 PM
To:

Cc:

(U) **Subject:** RE: Final Draft (S)

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RECORD

(S)

From:
Sent: Friday, November 21, 2008 2:45 PM
To:

Cc:

(U) **Subject:** RE: Final Draft (S)

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(S)

Assistant General Counsel
Office of General Counsel FBI

From:
Sent: Friday, Novem~~SECRET~~8 10:01 AM

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To:

Cc:

Subject: RE: Final Draft - (S)

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(S)

thanks,

From:
Sent: Thursday, November 20, 2008 7:56 PM
To:
Cc:
(U) **Subject:** RE: Final Draft - (S)

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~~SECRET~~
RECORD

Having read the submission, I have a couple of questions and await OTD's technical review.

(S)

Otherwise great Thanks.

Assistant General Counsel
Office of General Counsel FBI

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From:
Sent: Thursday, November 20, 2008 6:28 PM
To
Cc
(U) **Subject:** Final Draft - (S)

~~SECRET~~
RECORD

Attached is the final draft of the submission. It incorporates the edits that sent to yesterday (11/19/08) at 10:27 a.m.

(S)

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Please review the entire draft carefully to make sure we correctly incorporated your comments and let us know if you have any questions or comments. Our current plan is to file the attached version with the tomorrow (Friday) as an unsigned "read copy" (i.e., proposed final submission).

Thanks,

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CELLSITE-17878

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DATE: 11-16-2012
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From:
Sent: Friday, November 21, 2008 3:38 PM
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(S)

Assistant General Counsel
Office of General Counsel FBI

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From:
Sent: Friday, November 21, 2008 3:16 PM
To:
Cc:
(U) **Subject:** RE: Final Draft - (S)

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(S)

From:
Sent: Friday, November 21, 2008 2:52 PM
To:
Cc:
(U) **Subject:** RE: Final Draft - (S)

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RECORD

(S)

Section Chief
Science and Technology Law Office
Office of the General Counsel

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From:
Sent: Friday, November 21, 2008 2:45 PM
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Assistant General Counsel
Office of General Counsel FBI

From:
Sent: Friday, November 21, 2008 10:01 AM
To:
Cc:
(U) **Subject:** RE: Final Draft (S)

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CELLSITE-17881

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(S)

thanks,

From:
Sent: Thursday, November 20, 2008 7:56 PM
To:
Cc:
(U) **Subject:** RE: Final Draft (S)

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RECORD

Having read the submission, I have a couple of questions and await OTD's technical review.

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(S)

Otherwise great Thanks.

Assistant General Counsel
Office of General Counsel FBI

From:
Sent: Thursday, November 20, 2008 6:28 PM
To:
Cc:
(U) **Subject:** Final Draft (S)

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CELLSITE-17882

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RECORD

Attached is the final draft of the [redacted] It incorporates the edits that [redacted] sent to [redacted] yesterday (11/19/08) at 10:27 a.m.

(S) [redacted]

Please review the entire draft carefully to make sure we correctly incorporated your comments and let us know if you have any questions or comments. Our current plan is to file the attached version with the [redacted] tomorrow (Friday) as an unsigned "read copy" (i.e., proposed final submission).

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Thanks,

[redacted]

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[redacted]

From: [redacted]
Sent: Friday, November 21, 2008 3:16 PM
To: [redacted]
Cc:
Subject: RE: Final Draft [redacted] (S)

(U)

~~SECRET~~
RECORD [redacted]

(S) [redacted]

From: [redacted]
Sent: Friday, November 21, 2008 2:52 PM
To: [redacted]
Cc: [redacted]
Subject: RE: Final Draft [redacted] (S)

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RECORD [redacted]

(S) [redacted]

[redacted]
Section Chief
Science and Technology Law Office
Office of the General Counsel
[redacted]

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

From: [redacted]
Sent: Friday, November 21, 2008 2:45 PM
To: [redacted]

CELLSITE-17885

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Cc:

(U) **Subject:** RE: Final Draft - (S)

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(S)

Assistant General Counsel
Office of General Counsel FBI

From
Sent: Friday, November 21, 2008 10:01 AM
To:
Cc:
(U) **Subject:** RE: Final Draft - (S)

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(S)

thanks,

From:
Sent: Thursday, November 20, 2008 7:56 PM
To:
Cc:
(U) **Subject:** RE: Final Draft - (S)

~~SECRET~~ ~~SECRET~~
RECORD

~~SECRET~~

Having read the submission, I have a couple of questions and await OTD's technical review.

(S)

Otherwise great Thanks.

Assistant General Counsel
Office of General Counsel FBI

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From:
Sent: Thursday, November 20, 2008 6:28 PM
To:
Cc:
Subject: Final Draft -

(U)

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RECORD

Attached is the final draft of the It incorporates the edits that sent to yesterday (11/19/08) at 10:27 a.m.

(S)

Please review the entire draft carefully to make sure we correctly incorporated your comments and let us know if you have any questions or comments. Our current plan is to file the attached version with the tomorrow (Friday) as an unsigned "read copy" (i.e., proposed final submission).

Thanks,

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20331120~~
~~SECRET~~

~~SECRET~~

DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20331120
SECRET

DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20331120
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DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20331120
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DECLASSIFY ON: 20331120
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DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20331120
SECRET

~~SECRET~~

DATE: 11-16-2012
CLASSIFIED BY 65179/dmh/stp/as
REASON: 1.4 (c)
DECLASSIFY ON: 11-16-2037

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

[redacted]

From: [redacted]
Sent: Friday, November 21, 2008 3:16 PM
To: [redacted]
Cc:
Subject: RE: Final Draft [redacted] (S)

(U)

~~SECRET~~
RECORD [redacted]

(S) [redacted]

From [redacted]
Sent: Friday, November 21, 2008 2:45 PM
To: [redacted]
Cc: [redacted]
Subject: RE: Final Draft [redacted] (S)

(U)

~~SECRET~~
RECORD [redacted]

(S) [redacted]

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[redacted]
Assistant General Counsel
Office of General Counsel FBI
[redacted]

From: [redacted]
Sent: Friday, November 21, 2008 10:01 AM
To: [redacted]
Cc: [redacted]
Subject: RE: Final Draft [redacted] (S)

(U)

~~SECRET~~
RECORD [redacted]

(S) [redacted]

~~SECRET~~

(S) [redacted]

thanks,

[redacted]

From: [redacted]
Sent: Thursday, November 20, 2008 7:56 PM
To: [redacted]
Cc: [redacted]
(U) **Subject:** RE: Final Draft - [redacted] ~~(S)~~

~~SECRET~~
RECORD [redacted]

Having read the submission, I have a couple of questions and await OTD's technical review:

(S) [redacted] b1 b3 b6 b7C b7E

Otherwise great Thanks.

[redacted]
Assistant General Counsel
[redacted]
Office of General Counsel FBI
[redacted]

From: [redacted]
Sent: Thursday, November 20, 2008 6:28 PM
To: [redacted]
Cc: [redacted]
(U) **Subject:** Final Draft - [redacted] ~~(S)~~

~~SECRET~~
RECORD [redacted]

Attached is the final draft of the [redacted] It incorporates the edits that [redacted] sent to [redacted] yesterday (11/19/08) ~~SECRET~~m.

~~SECRET~~

(S)

Please review the entire draft carefully to make sure we correctly incorporated your comments and let us know if you have any questions or comments. Our current plan is to file the attached version with the [redacted] tomorrow (Friday) as an unsigned "read copy" (i.e., proposed final submission).

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Thanks,

[redacted]

~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20331120~~
~~SECRET~~

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~~DECLASSIFY ON: 20331120~~
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~~DERIVED FROM: Multiple Sources~~
~~DECLASSIFY ON: 20331120~~
~~SECRET~~

~~SECRET~~

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DATE 11-16-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Monday, November 03, 2008 3:03 PM
To: FBI_ALL CDCs
Cc: [redacted]

Subject: OGC Guidance Concerning Requests for Historical Cellular Telephone Location Information, GPS Triangulation and WITT

UNCLASSIFIED
NON-RECORD

This e-mail is being sent to all CDCs and ADCs,

A recent decision in the District Court for W.D. Pa. regarding the legal authority required to obtain historical cellular telephone location information has received widespread press coverage. Several CDC's have contacted us with questions. Because of the possibility that magistrate judges in your divisions may rely on this opinion, OGC provides the following guidance.

[redacted]

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DOJ's Final emorandum of Law

Magistrate's decision (WDPA).p...

[redacted]

CELLSITE-17892

WITT Gear
Please note that OGC continues to recommend that agents obtain

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If you have any questions regarding the above, please let me know. AGC STLU, and AGC ILU, are also available to address any questions you may have.

Section Chief
Science and Technology Law Office
Office of the General Counsel

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DATE 11-16-2012 BY 65179/dmh/stp/aa

[redacted]

From: [redacted]
Sent: Tuesday, October 28, 2008 10:53 AM
To: [redacted]
Cc:
Subject: FW: DRAFT: OGC Guidance Concerning Requests for Historical Cellular Telephone Location Information

UNCLASSIFIED
NON-RECORD

[redacted]

To follow up on your email from yesterday, I have attached a draft email re: historical cellular telephone location information and WITT. I prepared the email for [redacted] to send to all CDCs and ADCs. As far as I know, it has not gone out yet and please do not share it with anyone until after [redacted] sends it out. It will also ultimately be uploaded to the STLU website.

[redacted]

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Let me know if you have additional questions.

[redacted]

****

This e-mail is being sent to all CDCs and ADCs.

A recent decision from a District Court in the W.D. Pa. has received widespread press coverage. In the expectation that magistrate judges in your divisions may rely on this opinion, OGC provides the following guidance.

[redacted]

[redacted]

DOJ's Final
emorandum of Law

Magistrate's
decision (WDPA).p...

[redacted]

WITT Gear

Please note that OGC continues to recommend that agents obtain [redacted]

[redacted]

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Please let me know if you have any questions.

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-16-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Thursday, October 16, 2008 8:21 AM
To: [redacted]
Subject: RE: Witt [redacted]

UNCLASSIFIED
NON-RECORD

I am no expert on the WITT policy, yet I understood that only [redacted]

[redacted]

From: [redacted]
Sent: Wednesday, October 15, 2008 3:19 PM
To: [redacted]
Subject: RE: Witt [redacted]

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UNCLASSIFIED
NON-RECORD

[redacted]

No, this does not reconcile with the research I have done [redacted]

[redacted]

[redacted] will be in tomorrow and she may have more information on the issue.

[redacted]

From:
Sent: Wednesday, October 15, 2008 2:37 PM
To:
Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

Does this reconcile with what you have researched/worked on?

From:
Sent: Wednesday, October 15, 2008 1:31 PM
To:
Subject: FW: Witt

UNCLASSIFIED
NON-RECORD

This information, below, is a significant change if it is correct as this ruling dictates that

Could you check on this or point me in the right direction and I will check for us??

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Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation

From:
Sent: Wednesday, October 15, 2008 9:13 AM
To:
Cc:
Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

I work with I just wanted to let you know that the US attorneys office is stating that

Thanks

CELLSITE-17898

[redacted]

SA [redacted]

[redacted]

From: [redacted]
Sent: Tuesday, October 14, 2008 2:09 PM
To: [redacted]
Subject: FW: Witt

UNCLASSIFIED
NON-RECORD

From: [redacted]
Sent: Tuesday, September 30, 2008 1:49 PM
To: [redacted]
Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

Thanks. Looking forward to seeing you presentation. October is filling up but November is open for me.

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
[redacted]

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From: [redacted]
Sent: Tuesday, September 30, 2008 1:17 PM
To: [redacted]
Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

Actually we finalized them last week and burnt a new CD, but in light of the new decision out of PA, we have modified the presentation once again. We are teaching a class tonight and I will get with my partner and get you are newest version. Also, I did speak with our local Magistrate Judge regarding training in October. She recommended that we set the date(s) and they will try and get everyone there. So look at your calendar and come up with some dates that work for you in Oct/Nov.

From: [redacted]
Sent: Tuesday, September 30, 2008 9:25 AM
To: [redacted]

CELLSITE-17899

Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

[redacted]

Did you ever finish this project? I would really like to see your slides.

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
[redacted]

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From: [redacted]
Sent: Thursday, August 21, 2008 3:13 PM
To: [redacted]
Subject: Witt

UNCLASSIFIED
NON-RECORD

[redacted] just wanted to send you a quick email ref our conversation last night. I will send you via bumail a copy of our WITT presentation. I will try to include the teaching points that we use when talking about the slides (some of the slides are self explanatory, but others need explanation). As soon as we fiqure out how to marry those two up, I will send it out. I am looking into conducting training for the US Dist Ct and the US Attys office sometime in October. I will let you know if we get some possible dates. I would like to have you or someone from OCG give a short presentation regarding legal issues involving [redacted]

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[redacted]

From: [redacted]
Sent: Wednesday, October 15, 2008 3:22 PM
To: [redacted]
Subject: RE: Witt[redacted]

UNCLASSIFIED
NON-RECORD

Thanks. That's what I thought. Might be a miscommunication. Let's see what [redacted] says tomorrow and then we can figure out who/how to communicate this with the field and USAO.

From: [redacted]
Sent: Wednesday, October 15, 2008 3:19 PM
To: [redacted]
Subject: RE: Witt[redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

No, this does not reconcile with the research I have done on [redacted]

[redacted] b3 b5 b6 b7C b7E

[redacted] will be in tomorrow and she may have more information on the issue.

[redacted]

From: [redacted]
Sent: Wednesday, October 15, 2008 2:37 PM
To: [redacted]
Subject: RE: Witt[redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

Does this reconcile with what you have researched/worked on?

[redacted]

From: [redacted]
Sent: Wednesday, October 15, 2008 1:31 PM
To: [redacted]
Subject: FW: Witt [redacted]

UNCLASSIFIED
NON-RECORD

This information, below, is a significant change if it is correct as this ruling dictates that [redacted]

Could you check on this or point me in the right direction and I will check for us??

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
[redacted]

From: [redacted]
Sent: Wednesday, October 15, 2008 9:13 AM
To: [redacted]
Cc:
Subject: RE: Witt

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UNCLASSIFIED
NON-RECORD

[redacted]

I work with [redacted] I just wanted to let you know that the US attorneys office is stating that [redacted]

Thanks

[redacted]

SA [redacted]
[redacted]

From: [redacted]
Sent: Tuesday, October 14, 2008 2:09 PM
To: [redacted]

Subject: FW: Witt

UNCLASSIFIED
NON-RECORD

From: [redacted]
Sent: Tuesday, September 30, 2008 1:49 PM
To: [redacted]
Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

Thanks. Looking forward to seeing you presentation. October is filling up but November is open for me.

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
[redacted]

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From: [redacted]
Sent: Tuesday, September 30, 2008 1:17 PM
To: [redacted]
Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

Actually we finalized them last week and burnt a new CD, but in light of the new decision out of PA, we have modified the presentation once again. We are teaching a class tonight and I will get with my partner and get you are newest version. Also, I did speak with our local Magistrate Judge regarding training in October. She recommended that we set the date(s) and they will try and get everyone there. So look at your calendar and come up with some dates that work for you in Oct/Nov.

From: [redacted]
Sent: Tuesday, September 30, 2008 9:25 AM
To: [redacted]
Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

[redacted]

Did you ever finish this project? I would really like to see your slides.

[redacted]
Assistant General Counsel
Science and Technology Law Unit

CELLSITE-17904

Office of the General Counsel
Federal Bureau of Investigation

[redacted]

From: [redacted]
Sent: Thursday, August 21, 2008 3:13 PM
To: [redacted]
Subject: Witt

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NON-RECORD

[redacted] just wanted to send you a quick email ref our conversation last night. I will send you via bumail a copy of our WITT presentation. I will try to include the teaching points that we use when talking about the slides (some of the slides are self explanatory, but others need explanation). As soon as we figure out how to marry those two up, I will send it out. I am looking into conducting training for the US Dist Ct and the US Attys office sometime in October. I will let you know if we get some possible dates. I would like to have you or someone from OCG give a short presentation regarding legal issues involving [redacted]

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From:
Sent: Wednesday, October 15, 2008 3:19 PM
To:
Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

No, this does not reconcile with the research I have done on

will be in tomorrow and she may have more information on the issue.

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From:
Sent: Wednesday, October 15, 2008 2:37 PM
To:
Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

Does this reconcile with what you have researched/worked on?

From:
Sent: Wednesday, October 15, 2008 1:31 PM
To:
Subject: FW: Witt

UNCLASSIFIED
NON-RECORD

This information, below, is a significant change if it is correct as this ruling dictates that [redacted]

[redacted]

Could you check on this or point me in the right direction and I will check for us??

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
[redacted]

From: [redacted]
Sent: Wednesday, October 15, 2008 9:13 AM
To: [redacted]
Cc:
Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

[redacted]

I work with [redacted] I just wanted to let you know that the US attorneys office is stating that [redacted]

[redacted]

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b7E

Thanks

[redacted]

SA [redacted]
[redacted]

From: [redacted]
Sent: Tuesday, October 14, 2008 2:09 PM
To: [redacted]
Subject: FW: Witt

UNCLASSIFIED
NON-RECORD

From: [redacted]
Sent: Tuesday, September 30, 2008 1:49 PM
To: [redacted]
Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

Thanks. Looking forward to seeing you presentation. October is filling up but November is open for me.

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
[redacted]

From: [redacted]
Sent: Tuesday, September 30, 2008 1:17 PM
To: [redacted]
Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

Actually we finalized them last week and burnt a new CD, but in light of the new decision out of PA, we have modified the presentation once again. We are teaching a class tonight and I will get with my partner and get you are newest version. Also, I did speak with our local Magistrate Judge regarding training in October. She recommended that we set the date(s) and they will try and get everyone there. So look at your calendar and come up with some dates that work for you in Oct/Nov.

From: [redacted]
Sent: Tuesday, September 30, 2008 9:25 AM
To: [redacted]
Subject: RE: Witt

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b7C
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UNCLASSIFIED
NON-RECORD

[redacted]

Did you ever finish this project? I would really like to see your slides.

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
[redacted]

From: [redacted]
Sent: Thursday, August 21, 2008 3:13 PM
To: [redacted]
Subject: Witt

CELLSITE-17908

UNCLASSIFIED
NON-RECORD

[redacted] just wanted to send you a quick email ref our conversation last night. I will send you via bumail a copy of our WITT presentation. I will try to include the teaching points that we use when talking about the slides (some of the slides are self explanatory, but others need explanation). As soon as we fiqure out how to marry those two up, I will send it out. I am looking into conducting training for the US Dist Ct and the US Attys office sometime in October. I will let you know if we get some possible dates. I would like to have you or someone from OCG give a short presentation regarding legal issues involving [redacted]

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-16-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Wednesday, October 15, 2008 2:54 PM
To: [redacted]
Cc:
Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

[redacted]

Thanks for taking the time to look into this. I re-read the e-mail from our US Attorney and just so I am not putting words in her mouth she stated [redacted]

[redacted]

Just wanted to pass this along as a trend that at least our US Attorneys office seems to be heading toward.

Thanks again

[redacted]

SA [redacted]

[redacted]

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From: [redacted]
Sent: Wednesday, October 15, 2008 1:27 PM
To: [redacted]
Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

[redacted]

I will have to send this up to OGC for additional information. I haven't heard this from any other source. Thanks.

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation

[redacted]

CELLSITE-17910

From:
Sent: Wednesday, October 15, 2008 9:13 AM
To:
Cc:
Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

I work with I just wanted to let you know that the US attorneys office is stating that

Thanks

SA

From:
Sent: Tuesday, October 14, 2008 2:09 PM
To:
Subject: FW: Witt

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UNCLASSIFIED
NON-RECORD

From:
Sent: Tuesday, September 30, 2008 1:49 PM
To:
Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

Thanks. Looking forward to seeing you presentation. October is filling up but November is open for me.

Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation

From: [redacted]
Sent: Tuesday, September 30, 2008 1:17 PM
To: [redacted]
Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

Actually we finalized them last week and burnt a new CD, but in light of the new decision out of PA, we have modified the presentation once again. We are teaching a class tonight and I will get with my partner and get you are newest version. Also, I did speak with our local Magistrate Judge regarding training in October. She recommended that we set the date(s) and they will try and get everyone there. So look at your calendar and come up with some dates that work for you in Oct/Nov.

From: [redacted]
Sent: Tuesday, September 30, 2008 9:25 AM
To: [redacted]
Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

[redacted]

Did you ever finish this project? I would really like to see your slides.

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
[redacted]

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From: [redacted]
Sent: Thursday, August 21, 2008 3:13 PM
To: [redacted]
Subject: Witt

UNCLASSIFIED
NON-RECORD

[redacted] just wanted to send you a quick email ref our conversation last night. I will send you via bumail a copy of our WITT presentation. I will try to include the teaching points that we use when talking about the slides (some of the slides are self explanatory, but others need explanation). As soon as we figure out how to marry those two up, I will send it out. I am looking into conducting training for the US Dist Ct and the US Attys office sometime in October. I will let you know if we get some possible dates. I would like to have you or someone from OCG give a short presentation regarding legal issues involving [redacted]

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CELLSITE-17912

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UNCLASSIFIED

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DATE 11-16-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Wednesday, October 15, 2008 2:37 PM
To: [redacted]
Subject: RE: Witt[redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

Does this reconcile with what you have researched/worked on?

[redacted]

From: [redacted]
Sent: Wednesday, October 15, 2008 1:31 PM
To: [redacted]
Subject: FW: Witt[redacted]

UNCLASSIFIED
NON-RECORD

This information, below, is a significant change if it is correct as this ruling dictates that [redacted]

[redacted]

Could you check on this or point me in the right direction and I will check for us??

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
[redacted]

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From: [redacted]
Sent: Wednesday, October 15, 2008 9:13 AM
To: [redacted]
Cc:
Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

[redacted]

I work with [redacted] I just wanted to let you know that the US attorneys office is stating that [redacted]

[redacted]

[redacted]

Thanks

[redacted]

SA [redacted]

[redacted]

From: [redacted]
Sent: Tuesday, October 14, 2008 2:09 PM
To: [redacted]
Subject: FW: Witt

UNCLASSIFIED
NON-RECORD

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From: [redacted]
Sent: Tuesday, September 30, 2008 1:49 PM
To: [redacted]
Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

Thanks. Looking forward to seeing you presentation. October is filling up but November is open for me.

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
[redacted]

From: [redacted]
Sent: Tuesday, September 30, 2008 1:17 PM
To: [redacted]
Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

Actually we finalized them last week and burnt a new CD, but in light of the new decision out of PA, we have modified the presentation once again. We are teaching a class tonight and I will get with my partner and get you are newest version. Also, I did speak with our local Magistrate Judge regarding training in October. She recommended that we set the date(s) and they will try and get everyone there. So look at your calendar and come up with some dates that work for you in Oct/Nov.

From: [redacted]
Sent: Tuesday, September 30, 2008 9:25 AM
To: [redacted]
Subject: RE: Witt

UNCLASSIFIED
NON-RECORD

[redacted]

Did you ever finish this project? I would really like to see your slides.

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
[redacted]

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From: [redacted]
Sent: Thursday, August 21, 2008 3:13 PM
To: [redacted]
Subject: Witt

UNCLASSIFIED
NON-RECORD

[redacted] just wanted to send you a quick email ref our conversation last night. I will send you via bumail a copy of our WITT presentation. I will try to include the teaching points that we use when talking about the slides (some of the slides are self explanatory, but others need explanation). As soon as we fiqure out how to marry those two up, I will send it out. I am looking into conducting training for the US Dist Ct and the US Attys office sometime in October. I will let you know if we get some possible dates. I would like to have you or someone from OCG give a short presentation regarding legal issues involving [redacted]

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CELLSITE-17916

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DATE 11-16-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Tuesday, September 30, 2008 9:38 AM
To: [redacted]
Subject: Access to WITT [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
[redacted]

From: [redacted]
Sent: Thursday, September 04, 2008 11:41 AM
To: [redacted]
Subject: [redacted]

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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Done. Take a look and let me know..

SSA [redacted]
Unit Chief
[redacted]

From: [redacted]
Sent: Thursday, September 04, 2008 11:24 AM
To: [redacted]
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Definitely as I've lost access to [redacted] and never had access to [redacted]

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
[redacted]

[redacted]

From: [redacted]
Sent: Thursday, September 04, 2008 11:18 AM
To: [redacted]
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

I have a bunch of stuff. Would it help if I gave you access to the WITT LEGAL folder I have??

SSA [redacted]
Unit Chief
[redacted]

From: [redacted]
Sent: Thursday, September 04, 2008 11:16 AM
To: [redacted]
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Thanks [redacted] Very helpful.

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
[redacted]

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From: [redacted]
Sent: Thursday, September 04, 2008 10:07 AM
To: [redacted]
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Does this help

SSA [redacted]
Unit Chief
[redacted]

From:
Sent: Friday, October 05, 2007 11:08 AM
To:
Cc:
Subject:

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

I have argued to

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to better address this

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

[redacted]
Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135
[redacted]

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From: [redacted]
Sent: Friday, October 05, 2007 10:20 AM
To:
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

Is anybody working on language to incorporate the [redacted] b3 b5 b6 b7C b7E

[redacted]

Thank you for any assistance you can provide me would be gladly appreciated.

I've asked [redacted] *to look into this matter too.*

P.S. [redacted] *it was nice speaking to you. I was at ERF the week of 9/10-13/07, but* [redacted] *told me you were away.*

[redacted]

CELLSITE-17921

[redacted]

-----Original Message-----
From: [redacted]
Sent: Wednesday, October 03, 2007 6:32 AM
To: [redacted]
Cc:
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

Thanks for the information regarding [redacted]

Please review and let me know if there are any issues that I can address before it goes to [redacted] Thank you for your assistance.

SA [redacted]

[redacted]

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-----Original Message-----
From: [redacted]
Sent: Tuesday, October 02, 2007 10:48 AM
To: [redacted]
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

http:/[redacted]/docs/Legal/[redacted]legal march2007.ppt

[redacted]

Hope all is well. Please click on the link and go to Slide #31 of this Science and Technology Law Unit PowerPoint.
It should have the language you need.

Regards,

[redacted]

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CELLSITE-17922

SENSITIVE BUT UNCLASSIFIED

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SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

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SENSITIVE BUT UNCLASSIFIED

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[redacted]

From: [redacted]
Sent: Friday, September 12, 2008 4:09 PM
To: [redacted]
Subject: FW: Judge limits searches using cellphone data

UNCLASSIFIED
NON-RECORD

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From: [redacted]
Sent: Friday, September 12, 2008 3:54 PM
To: [redacted]
Cc: FBI_ALL CDCs
Subject: Judge limits searches using cellphone data

UNCLASSIFIED
NON-RECORD

Attached is the original court ruling from Feb 19, 2008. Wednesday's court ruling, which upheld the ruling in February, was only 3 pages.

original_cell_site_ruling.pdf

ABC News

Cops Need Warrant for Cellphone Location Data, Judge Rules

Ruling Deals Blow to Investigators

By RYAN SINGEL
Sept. 12, 2008—

The government cannot force your cellphone provider to turn over stored records about your location without proving to a judge there is probable cause you have violated the law, a federal district court ruled Wednesday.

The ruling from Judge Terrence McVerry of the Western Pennsylvania U.S. District Court deals a blow to investigators who have been getting cellphone location data on in the past simply by proving to a judge that the information would be relevant to an investigation. That's the same standard used to force a telephone company to reveal the name and address of a subscriber.

McVerry upheld a February decision written by five magistrate judges, who found that the government's request for historic cellphone location data for a person required a stricter standard. Little is known about how often investigators ask for such data, since the hearings are one-sided and the decisions are almost never published so as not to tip off the targets.

However, the ruling does not hold force across the country, and as the government's objection to the ruling noted, other judges have disagreed with the logic of protecting this data as if it were very sensitive. The orginal decision(.pdf) found that "location information so broadly sought is extraordinarily personal and potentially sensitive; and that the ex parte nature of the proceedings, the comparatively low cost to the Government of the information requested, and the undetectable nature of a [cellular service provider]'s electronic transfer of such information, render these requests particularly vulnerable to abuse."

The government appealed, arguing the records only reveal a phone's location when it is actually used and that there's no constitutional right to have these stored records protected.

"Wireless carriers regularly generate and retain the records at issue, and because these records provide only a very general indication of a user's whereabouts at certain time in the past, the requested cell-site records do not implicate a Fourth Amendment privacy interest," the government wrote (.pdf).

But the friend-of-the-court brief (.pdf) from the Electronic Frontier Foundation and the Center for Democracy and Technology and others disagree -- arguing that law enforcement wants the data to pinpoint where a person was or is and that the data will only get more precise in the future.

"Law enforcement uses the fact that the suspect's phone contacted the cell tower nearest his home to infer he is home, nearest the narcotic's kingpin's house to infer that they are together, nearest the drop off point to argue that he was present when the contraband was delivered," the groups wrote. "One can also imagine that the government can ask for all the numbers that made calls through the tower nearest a political rally to infer that those callers attended the rally."

The distinction matters since generally speaking police officers don't need a warrant to plant a tracking device on a car, unless that vehicle goes onto private property. Tracking someone onto private property requires a warrant.
As for what the police need to prove to a judge in order to turn your cellphone into a tracking device -- that's a question that federal judges remain split on, despite the Justice Department's own recommendation that investigators get warrants based on probable cause.
Copyright © 2008 ABC News Internet Ventures

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[redacted]

From: [redacted]
Sent: Thursday, September 04, 2008 11:41 AM
To: [redacted]
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Done. Take a look and let me know..

SSA [redacted]
Unit Chief
[redacted]

From: [redacted]
Sent: Thursday, September 04, 2008 11:24 AM
To: [redacted]
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Definitely as I've lost access to [redacted] and never had access to [redacted]

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[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
[redacted]

From: [redacted]
Sent: Thursday, September 04, 2008 11:18 AM
To: [redacted]
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

I have a bunch of stuff. Would it help if I gave you access to the WITT LEGAL folder I have??

SSA [redacted]
Unit Chief
[redacted]

CELLSITE-17926

From:
Sent: Thursday, September 04, 2008 11:16 AM
To:
Subject:

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Thanks Very helpful.

Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation

From:
Sent: Thursday, September 04, 2008 10:07 AM
To:
Subject:

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Does this help

SSA
Unit Chief

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From:
Sent: Friday, October 05, 2007 11:08 AM
To:
Cc:
Subject:

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

I have argued to that the current

CELLSITE-17927

[redacted]

[redacted] to better address this [redacted]

[redacted]

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PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

[redacted]
Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135
[redacted]

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From: [redacted]
Sent: Friday, October 05, 2007 10:20 AM
To: [redacted]
Subject: [redacted]

CELLSITE-17928

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

Is anybody working on language to incorporate the [redacted]

[redacted]

Thank you for any assistance you can provide me would be gladly appreciated.

I've asked [redacted] *to look into this matter too.*

P.S. [redacted] *it was nice speaking to you. I was at ERF the week of 9/10-13/07, but* [redacted] *told me you were away.*

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[redacted]

-----Original Message-----
From: [redacted]
Sent: Wednesday, October 03, 2007 6:32 AM
To:
Cc:
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

CELLSITE-17929

Thanks for the information regarding [redacted]

Please review and let me know if there are any issues that I can address before it goes to [redacted] Thank you for your assistance.

SA [redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, October 02, 2007 10:48 AM
To: [redacted]
Subject: [redacted]

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NON-RECORD

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http:/[redacted]/docs/Legal/[redacted]legal march2007.ppt

[redacted]

Hope all is well. Please click on the link and go to Slide #31 of this Science and Technology Law Unit PowerPoint.
It should have the language you need.

Regards,

[redacted]

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[redacted]

From: [redacted]
Sent: Thursday, September 04, 2008 10:07 AM
To: [redacted]
Subject:

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Does this help

SSA [redacted]
Unit Chief
[redacted]

From: [redacted]
Sent: Friday, October 05, 2007 11:08 AM
To: [redacted]
Cc:
Subject:

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

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[redacted]

I have argued to [redacted] that the current [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted] to better address this [redacted]

[redacted]

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[redacted]
Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135
[redacted]

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SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From: [redacted]
Sent: Friday, October 05, 2007 10:20 AM
To: [redacted]
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

Is anybody working on language to incorporate the [redacted]

[redacted]

[redacted]

CELLSITE-17933

Thank you for any assistance you can provide me would be gladly appreciated.

I've asked [redacted] *to look into this matter too.*

P.S. [redacted] *it was nice speaking to you. I was at ERF the week of 9/10-13/07, but* [redacted] *told me you were away.*

[redacted]

-----Original Message-----
From: [redacted]
Sent: Wednesday, October 03, 2007 6:32 AM
To: [redacted]
Cc:
Subject: [redacted]

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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

Thanks for the information regarding [redacted]

Please review and let me know if there are any issues that I can address before it goes to [redacted] Thank you for your assistance.

SA [redacted]

[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, October 02, 2007 10:48 AM
To:
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

http:/[redacted]/docs/Legal/[redacted]legal march2007.ppt

[redacted]

Hope all is well. Please click on the link and go to Slide #31 of this Science and Technology Law Unit PowerPoint.
It should have the language you need.

Regards,

[redacted]

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CELLSITE-17935

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[redacted]

From: [redacted]
Sent: Friday, April 04, 2008 3:11 PM
To: [redacted]
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

Before I address the question from the e-mail I have a couple of comments on the EC. First, I'm not sure it is a good idea to put all of the discussion on [redacted]

[redacted]

Now to the e-mail. I haven't seen anything addressing this particular issue. Here is how I would analyze it. [redacted] b3 b5 b6 b7C b7E

[redacted]

[redacted]
Assistant General Counsel
Science and Technology Law Unit

[redacted]

From: [redacted]
Sent: Thursday, April 03, 2008 5:29 PM
To: [redacted]
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Any thoughts on the second question asked in this email?

From:
Sent: Wednesday, April 02, 2008 11:48 AM
To:
Subject:

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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Attached is a draft monthly training EC to advise personnel on the law surrounding the use of technology. Could you or one of your unit members review it to make sure I'm not saying anything incorrect.

<< File: Mar08.wpd >>

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CELLSITE-17937

ALL INFORMATION CONTAINED
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DATE 11-19-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Thursday, April 03, 2008 5:29 PM
To: [redacted]
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Any thoughts on the second question asked in this email?

From: [redacted]
Sent: Wednesday, April 02, 2008 11:48 AM
To: [redacted]
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

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[redacted]

Attached is a draft monthly training EC to advise [redacted] personnel on the law surrounding the use of [redacted] technology. Could you or one of your unit members review it to make sure I'm not saying anything incorrect.

[redacted]

Mar08.wpd

[redacted]

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SENSITIVE BUT UNCLASSIFIED

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DATE 11-19-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Wednesday, October 24, 2007 10:13 AM
To: [redacted]
Subject:

UNCLASSIFIED
NON-RECORD

[redacted]
Acting Unit Chief
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, October 23, 2007 4:39 PM
To: [redacted]
Cc:
Subject: RE:

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UNCLASSIFIED
NON-RECORD

[redacted]

Sorry for the delay in responding, I was unexpectedly out of the office for a couple of weeks for family reasons.

As noted in the attached emails [redacted]

[redacted] may be able to provide any update on this issue.

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OIC APPROVAL

[redacted]
Office of Integrity and Compliance
JEH 7646
[redacted]

-----Original Message-----
From:
Sent: Tuesday, October 16, 2007 4:54 PM
To:
Subject:

UNCLASSIFIED
NON-RECORD

Sorry to keep bothering you. The guys at referred me to you.

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DATE 11-20-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Friday, August 24, 2007 3:20 PM
To: [redacted]
Cc:
Subject: RE: [redacted] Legal Guidance
Importance: High

UNCLASSIFIED
NON-RECORD

Thanks, [redacted] those are all good (hopefully useful) links.

[redacted] I hope your meeting went well, sorry for the delay in getting back to you. As to your questions:

[redacted]

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http:/[redacted]legal.cfm

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Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From:
Sent: Thursday, August 23, 2007 10:31 AM
To:
Cc:
Subject: RE: Legal Guidance

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According to

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Assistant General Counsel, OGC STLU -

-----Original Message-----
From:
Sent: Thursday, August 23, 2007 9:06 AM
To:
Cc:
Subject: RE: Legal Guidance

CELLSITE-17942

UNCLASSIFIED
NON-RECORD

Sorry, not me.

[redacted]
Assistant General Counsel
Science and Technology Law Unit
[redacted]

-----Original Message-----
From: [redacted]
Sent: Wednesday, August 22, 2007 7:07 PM
To: [redacted]
Cc: [redacted]
Subject: FW [redacted] Legal Guidance
Importance: High

UNCLASSIFIED
NON-RECORD

Do any of you have any thoughts on the below or prior experience with these issues, in [redacted] absence?

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
[redacted]

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PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

-----Original Message-----
From: [redacted]
Sent: Wednesday, August 22, 2007 5:25 PM
To: [redacted]
Subject: RE: [redacted] Legal Guidance

UNCLASSIFIED
NON-RECORD

Thank you!

-----Original Message-----
From: [redacted]
Sent: Wednesday, August 22, 2007 1:54 PM
To: [redacted]
Subject: RE [redacted] Legal Guidance

UNCLASSIFIED
NON-RECORD

Running into more meetings....will take a look later this afternoon and hope to get back to you soon, hopefully by tomorrow morning.

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
[redacted]

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

-----Original Message-----
From: [redacted]
Sent: Wednesday, August 22, 2007 1:55 PM
To: [redacted]
Subject: FW: [redacted] Legal Guidance

UNCLASSIFIED
NON-RECORD

[redacted]

I sent the below message to [redacted] for some legal assistance, but got her "out of office" reply. Would you have time to address these questions?

Thanks,

[redacted]

-----Original Message-----
From: [redacted]
Sent: Wednesday, August 22, 2007 12:53 PM
To: [redacted]
Cc: [redacted]
Subject: [redacted] Legal Guidance

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NON-RECORD

[redacted]

I am working with our USA office here in the [redacted] to formulate court order language the Magistrates can live with when we intend [redacted] We have a meeting tomorrow morning to further discuss some of the hurdles, and the AUSA with whom I am working has asked me to solicit your input on these questions:

[redacted]

CELLSITE-17944

Your input is appreciated.

[redacted]

SA [redacted]

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From:
Sent: Wednesday, January 11, 2006 1:02 PM
To:
Subject:

UNCLASSIFIED
NON-RECORD

Sorry ----Too many .
-----Original Message-----
From:
Sent: Wednesday, January 11, 2006 12:59 PM
To:
Cc:
Subject:

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Once again the

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Assistant General Counsel
Science & Technology Law Unit

CELLSITE-17948

Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135

[redacted]

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DATE 11-20-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Thursday, January 05, 2006 10:30 AM
To: FBI_ALL_CDCs; FBI_ALL_FO [redacted]
Cc: [redacted]

Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Attached is a revised sample [redacted]
(attached below) [redacted]

[redacted]

Recall that that [redacted]

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[redacted]

[redacted]

[redacted]

[redacted]

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[redacted]

Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-20-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Friday, December 23, 2005 12:21 PM
To: [redacted] FBI_ALL_CDCs
Cc: [redacted]

Subject: [redacted]
Attachments:

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

In brief, [redacted]

[redacted]

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-----Original Message-----
From: [redacted]

Sent: Thursday, December 22, 2005 11:14 AM
To: [redacted] FBI_ALL CDCs
Cc: [redacted]

[redacted]

Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

The latest decision on compelling disclosure [redacted]

-----Original Message-----
From: [redacted]
Sent: Thursday, September 01, 2005 9:36 AM
To: FBI_ALL CDCs
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

There is a rapidly growing trend among magistrate judges throughout the nation [redacted]

[redacted]

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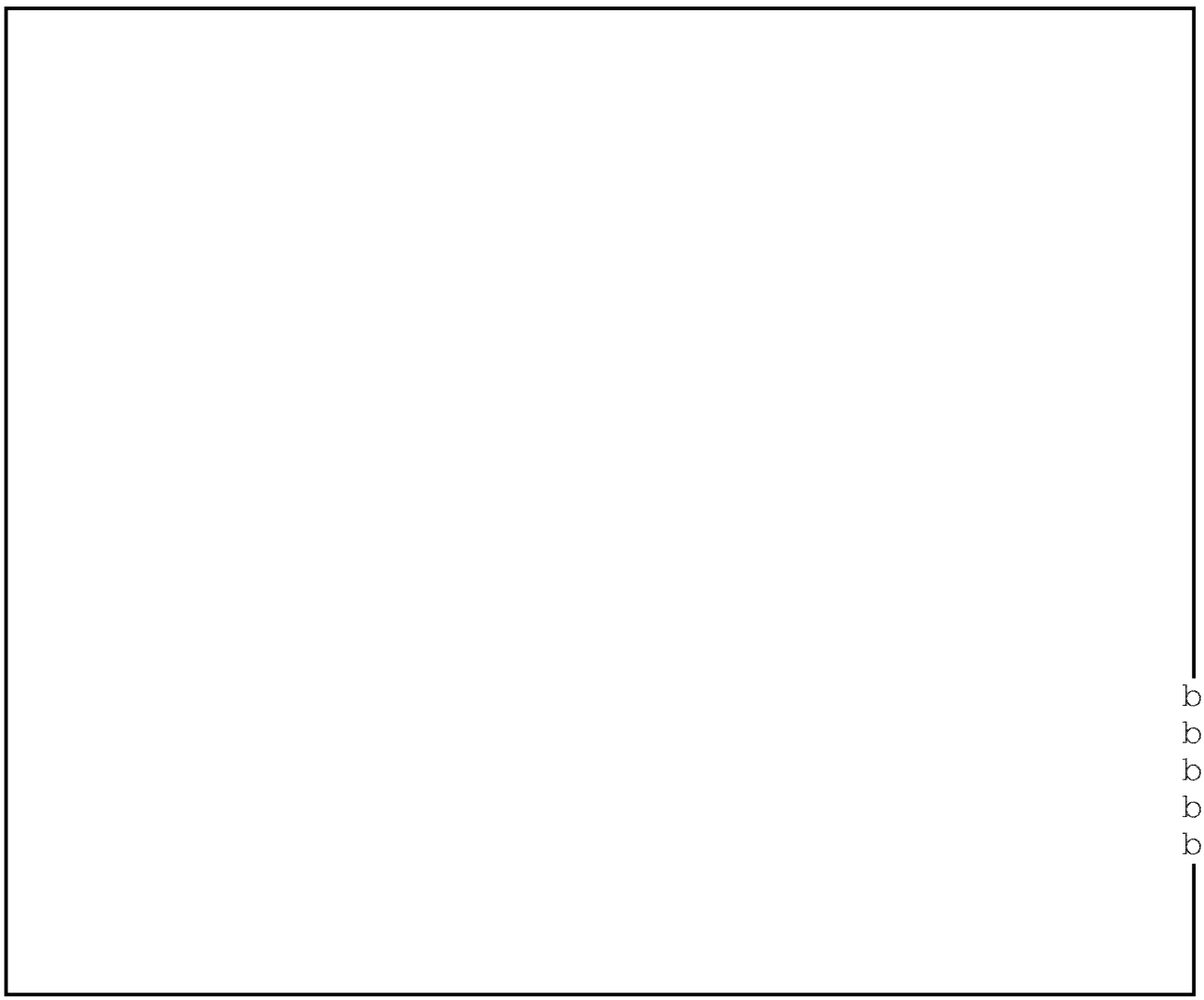

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PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

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SENSITIVE BUT UNCLASSIFIED

CELLSITE-17955

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-20-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Thursday, December 22, 2005 11:14 AM
To: [redacted] FBI_ALL CDCs
Cc: [redacted]

Subject: [redacted]
Attachments:

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

The latest decision on compelling disclosure [redacted]

-----Original Message-----
From: [redacted]
Sent: Thursday, September 01, 2005 9:36 AM
To: FBI_ALL CDCs
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

There is a rapidly growing trend among magistrate judges throughout the nation [redacted]

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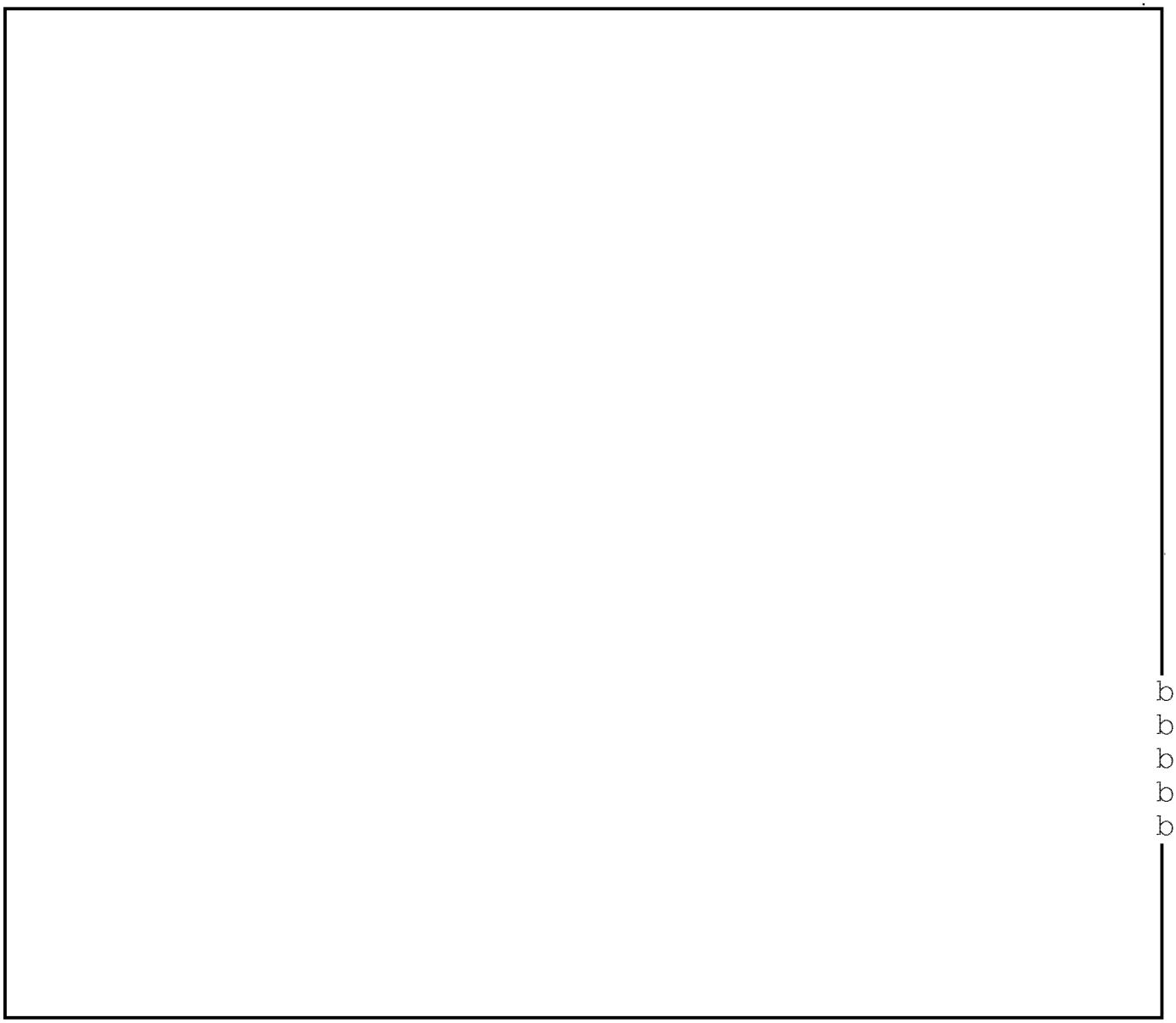
[redacted]

CELLSITE-17957



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Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

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CELLSITE-17958

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-20-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Wednesday, October 26, 2005 2:46 PM
To: FBI_ALL CDCs
Cc: HQ_DIV09_STLU
Subject: [redacted]
Attachments:

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Here's the [redacted] opinion

-----Original Message-----
From: [redacted]
Sent: Wednesday, October 26, 2005 1:30 PM
To: FBI_ALL CDCs
Cc: HQ_DIV09_STLU
Subject: RE [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

To Update you on the status of current litigation on the authority to [redacted]

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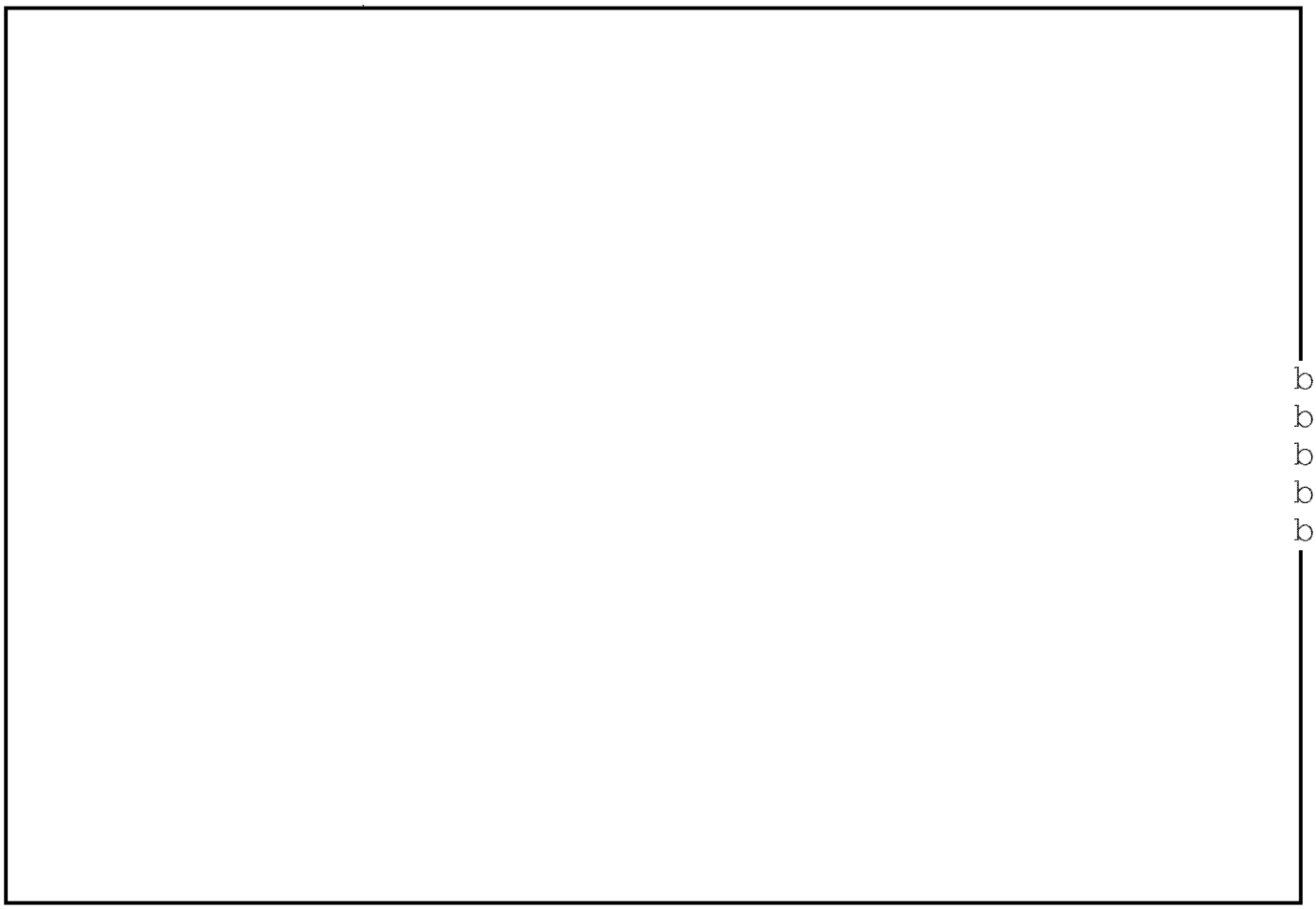
[redacted]



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Please keep us apprised of developments in your district.

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From:
Sent: Thursday, September 01, 2005 9:36 AM
To: FBI_ALL CDCs
Subject:

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

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PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

[redacted]
Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135
[redacted]

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

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SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-20-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Wednesday, October 26, 2005 1:30 PM
To: FBI_ALL CDCs
Cc: HQ_DIV09_STLU
Subject: [redacted]
Attachments: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

To Update you on the status of current litigation on the authority to [redacted]

[redacted]

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[redacted]

Please keep us apprised of developments in your district.

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

[redacted]

Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135

[redacted]

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SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From: [redacted]
Sent: Thursday, September 01, 2005 9:36 AM
To: FBI_ALL CDCs
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

There is a rapidly growing trend among magistrate judges throughout the nation [redacted]

[redacted]

CELLSITE-17965

Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135

[redacted]

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SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

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SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

CELLSITE-17967

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-20-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Tuesday, September 20, 2005 10:12 AM
To: [redacted]
Subject: Case of Interest - [redacted]
Attachments: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
[redacted]

-----Original Message-----
From: [redacted]
Sent: Monday, September 19, 2005 10:57 AM
To: [redacted] HQ_DIV09_STLU
Subject: RE: Recent Case of Interest

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UNCLASSIFIED
NON-RECORD

FYI--Attached is the [redacted] discussed below.

-----Original Message-----
From: [redacted]
Sent: Friday, September 16, 2005 1:57 PM
To: HQ_DIV09_STLU
Subject: Recent Case of Interest

UNCLASSIFIED
NON-RECORD

Attached for those who haven't already seen it is what is being described as a "first of its kind" decision recently issued by [redacted]

[redacted]

CELLSITE-17968

[redacted]

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[redacted]

Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation

[redacted]

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

CELLSITE-17969

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-20-2012 BY 65179/dmh/stp/as

[redacted]

From: [redacted]
Sent: Tuesday, August 16, 2005 4:24 PM
To: [redacted]
Subject:
Attachments:

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

-----Original Message-----
From: [redacted]
Sent: Thursday, August 11, 2005 11:43 AM
To: [redacted]
Cc: [redacted]
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

As you will see from the attached memo, the issue is under debate--there is no precedent holding. [redacted]

[redacted]

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[redacted]

-----Original Message-----
From: [redacted]
Sent: Thursday, August 11, 2005 9:32 AM
To: [redacted]
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

-----Original Message-----
From: [redacted]
Sent: Thursday, August 11, 2005 10:22 AM
To: [redacted]
Subject: RE:

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Because the law is unclear, current policy is conservative and requires [redacted]

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-----Original Message-----
From: [redacted]
Sent: Wednesday, August 10, 2005 12:52 PM
To: [redacted]
Subject:

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

In your discussion of whether you can [redacted]

-----Original Message-----
From: [redacted]
Sent: Wednesday, August 03, 2005 6:28 AM
To: [redacted]
Cc: [redacted]
Subject: FW: Slightly revised [redacted] EC

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted]

I meant to include you on this discussion thread. I'm Acting UC while [redacted] is on AL, and I have sign-off authority for this EC. I hope to get this out of STLU today.

[redacted]

-----Original Message-----
From: [redacted]
Sent: Tuesday, August 02, 2005 6:14 PM
To: [redacted]
Subject: RE: Slightly revised [redacted] EC

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

just two comments:

[redacted]

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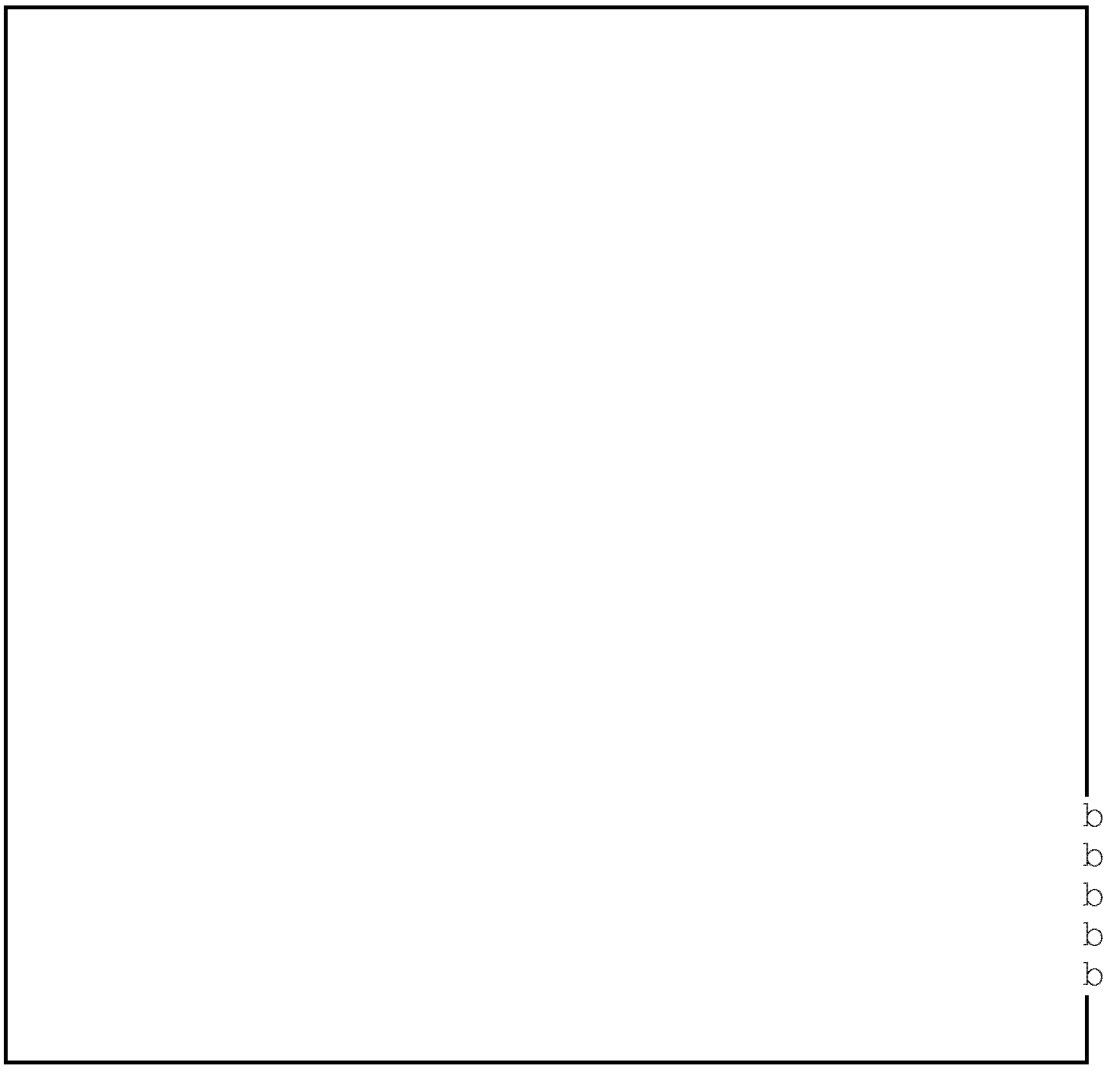
-----Original Message-----
From: [redacted]
Sent: Tuesday, August 02, 2005 4:36 PM
To: [redacted]
Cc: [redacted]
Subject: RE: Slightly revised [redacted] EC

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted] What a thorough EC and well drafted legal analysis. [redacted]

[redacted]

CELLSITE-17972



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I hope these comments are helpful. Thanks for the advance copy and opportunity to comment. Let me know what you think. --

-----Original Message-----
From:
Sent: Tuesday, August 02, 2005 1:59 PM
To:
Cc:
Subject: Slightly revised EC

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

As I discussed in my last email, here is the same EC revised slightly at the front end and the back end.

Thanks,

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

CELLSITE-17973

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

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SENSITIVE BUT UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

Total Deleted Page(s) = 59
Page 29 ~ Duplicate;
Page 107 ~ b5;
Page 108 ~ b5;
Page 109 ~ b3; b6; b7C; b7E;
Page 110 ~ b3; b6; b7C; b7E;
Page 111 ~ b1; b3; b5;
Page 113 ~ b1; b3; b5;
Page 114 ~ b1; b3; b5;
Page 115 ~ b1; b3; b5;
Page 116 ~ b1; b3; b5;
Page 117 ~ b1; b3; b5;
Page 118 ~ b1; b3; b5;
Page 119 ~ b1; b3; b5;
Page 120 ~ b1; b3; b5; b7E;
Page 121 ~ b1; b3; b5; b7E;
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Page 125 ~ b1; b3; b5; b7E;
Page 126 ~ b1; b3; b5; b7E;
Page 127 ~ b1; b3; b5; b7E;
Page 128 ~ b1; b3; b5; b7E;
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Page 131 ~ b1; b3; b5; b7E;
Page 132 ~ b1; b3; b5; b7E;
Page 133 ~ b1; b3; b5; b7E;
Page 134 ~ b1; b3; b5; b7E;
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Page 137 ~ b1; b3; b5; b7E;
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Page 144 ~ b1; b3; b5; b7E;
Page 145 ~ b1; b3; b5; b7E;
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Page 150 ~ b1; b3; b5; b7E;
Page 151 ~ b1; b3; b5; b7E;
Page 152 ~ b1; b3; b5; b7E;
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Page 154 ~ b1; b3; b5; b7E;

Page 155 ~ b1; b3; b5; b7E;
Page 156 ~ b1; b3; b5; b7E;
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Page 160 ~ b1; b3; b5; b7E;
Page 161 ~ b1; b3; b5; b7E;
Page 162 ~ b1; b3; b5; b7E;
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Page 164 ~ b1; b3; b5;
Page 165 ~ b1; b3; b5;

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UNCLASSIFIED
NON-RECORD

Equipment support: They need to have some

Operational support: They will need some support in the and ensuring the equipment is running properly, in each location.

P.S. If we support this, we'll need to use

From:
Sent: Monday, November 29, 2010 3:18 PM
To:
Subject: FW: Equipment for

b6
b7C

UNCLASSIFIED
NON-RECORD

What does he need??

SSA
Unit Chief
Tracking Technology Unit
Operational Technology Division

From:
Sent: Monday, November 29, 2010 3:13 PM
To:
Subject: Equipment for

b6
b7C
b7E

UC

This is SSA from the unit. Recently I visited down in your unit and we discussed various technologies that were of use to the field. I followed up with an EC that I believe you guys have seen. Im just wondering what steps I need to take now in order to get the equipment out the field etc. I spoke with earlier today and he said to contact you. Whatever you guys need from me please just let me know and ill get on it. I know the field is really looking forward to getting/using the equipment! Thanks a lot

SSA

CELL/OTD 009574 CELLSITE-19624

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UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 009575

CELLSITE-19625

~~SECRET~~

DATE: 11-06-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 11-06-2037

[redacted]

From: [redacted] b6 b7C
Sent: Tuesday, April 21, 2009 11:44 AM
To: [redacted]
Cc:
Subject: RE: [redacted]

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

SECRET//NOFORN
RECORD 268-HQ-1068430

b1 b3 b5 b7E

[redacted]

(S) [redacted]

[redacted] b6 b7C

-----Original Message-----
From: [redacted]
Sent: Tuesday, April 21, 2009 10:54 AM
To: [redacted]

~~SECRET~~

CELLSITE-19626

CELL/OTD 008487

~~SECRET~~

Cc:
Subject: RE:

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

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I will have my Engineer answer..

Can you provide answers..

SSA
Unit Chief
Tracking Technology Unit
Operational Technology Division

-----Original Message-----
From:
Sent: Tuesday, April 21, 2009 10:40 AM
To:
Subject: RE:

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

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(S)

Office
Cell:
BB:

-----Original Message-----
From:
Sent: Tuesday, April 21, 2009 6:21 AM
To:

Cc: DICLEMENTE, ANTHONY P. (OTD) (FBI);
Subject: RE

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b6
b7C

I will forward to SC Diclementi for info..

I will stand down on requesting support on a 60 day TDY assignment..

P.S. I received the two cellular phones yesterday

~~SECRET~~

CELL/OTD 008488

CELLSITE-19627

~~SECRET~~

[redacted] FYI. Thought the [redacted] support was of interest!!!

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted]

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b7C

-----Original Message-----
From: [redacted]
Sent: Monday, April 20, 2009 6:52 PM
To: [redacted]
Cc: [redacted]
Subject: [redacted]

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UNCLASSIFIED
NON-RECORD

[redacted]

[redacted]

UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20340421
SECRET//NOFORN

~~SECRET~~

CELL/OTD 008489

CELLSITE-19628

DATE: 11-07-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 11-07-2037

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

From: b3
Sent: Monday, July 13, 2009 4:27 PM b6
To: b7C
Subject: b7E

~~SECRET//~~NOFORN
RECORD 268-HQ-1068430

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(S)

(U) (S/NF) To implement this capability b3
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b7E

(S)

(U) (S/NF) On another note:

(U) (S/NF) To further support this event, I would like to request that we receive a capability also developed by which once we do all the work required mentioned above. The I think you'll get some kickback on with them although I would like to really give it a try.

cell:

DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20340713
~~SECRET//NOFORN~~

CELL/OTD 008490

CELL/OTD 19620

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-08-2012 BY 65179 DMH/rs

From:
Sent: Thursday, October 12, 2006 1:57 PM
To:
Cc:

Subject: RE: Trip Report to

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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

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CELLSITE 31
CELL/OTD

[redacted]

Thanks,

[redacted]

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-----Original Message-----
From: [redacted]
Sent: Tuesday, October 10, 2006 3:45 PM
To: [redacted]
Cc:
Subject: [redacted] Trip Report [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

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The intent of this email is to provide a brief sypnosis of the events found, verified, and validated and to solicit feedb if the reported items are incomplete or inaccurate. A comprehensive white paper shall be produced, made available on the WITT website, and be announced to all of the [redacted] An EC shall also be forthcoming.

[redacted]

CELL/OTD 008563

CELLSITE-19632

[redacted]

A [redacted] shall be presented in the white paper.

[redacted]

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SENSITIVE BUT UNCLASSIFIED

CELL/OTD 008564

CELLSITE-19633

DATE: 11-08-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c, g)
DECLASSIFY ON: 11-08-2037

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

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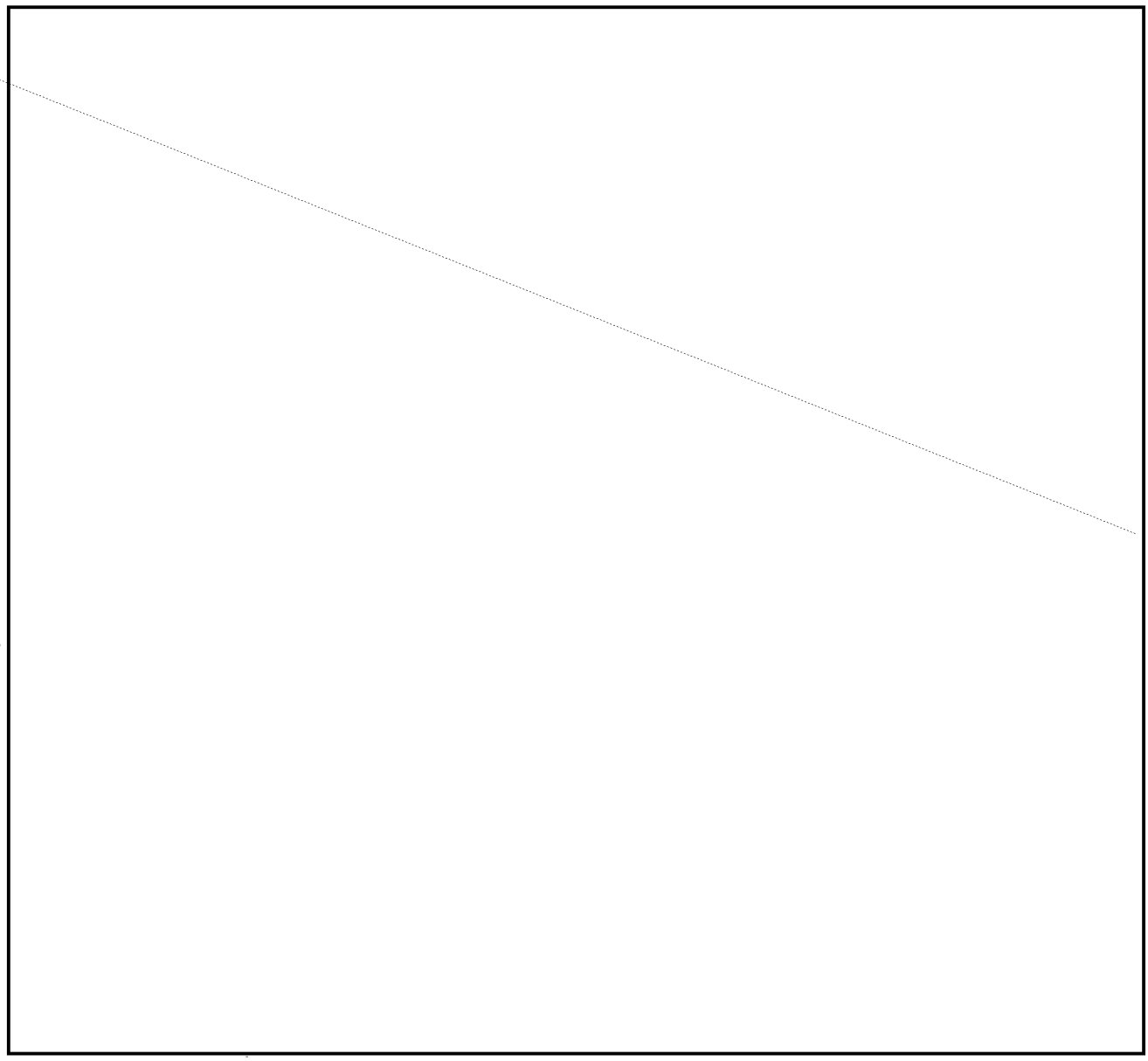

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-08-2012 BY 65179 DMH/rs

[redacted]

From: [redacted]
Sent: Tuesday, November 04, 2008 6:27 PM
To: [redacted]
Subject: FW: OGC Guidance Concerning Requests for [redacted] WITT

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UNCLASSIFIED
NON-RECORD

[redacted]

Here is an OGC position on [redacted]

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
(Office) [redacted]
(Cell) [redacted]
(Secure) [redacted]
(Fax) [redacted]

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From: [redacted]
Sent: Monday, November 03, 2008 3:03 PM
To: FBI_ALL_CDCs
Cc: [redacted]
Subject: OGC Guidance Concerning Requests for [redacted] WITT

UNCLASSIFIED
NON-RECORD

This e-mail is being sent to all CDCs and ADCs,

A recent decision in the District Court for W.D. Pa. regarding the legal authority required to obtain historical cellular telephone location information has received widespread press coverage. Several CDC's have contacted us with questions. Because of the possibility that magistrate judges in your divisions may rely on this opinion, OGC provides the following guidance. b5

[redacted]

CELL/OTD 008359 CELLSITE-19635

b5

[redacted]

I have attached copies of the Magistrate's decision as well as DOJ's final Memorandum of Law in support of the appeal.

DOJ's Final emorandum of Law

Magistrate's decision (WDPA).p...

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[redacted]

[redacted] Case table.doc

[redacted]

CELL/OTD 008360

CELLSITE-19636

If you have any questions regarding the above, please let me know. AGC [redacted] STLU, and AGC [redacted] ILU, are also available to address any questions you may have. b6 b7C

[redacted]
Section Chief
Science and Technology Law Office
Office of the General Counsel
HQ: [redacted]
Chantilly: [redacted]
bb: [redacted]
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN THE MATTER OF THE APPLICATION OF THE UNITED STATES OF AMERICA FOR AN ORDER DIRECTING A PROVIDER OF ELECTRONIC COMMUNICATION SERVICE TO DISCLOSE RECORDS TO THE GOVERNMENT	)	Magistrate's No.: 07-524

GOVERNMENT'S MEMORANDUM OF LAW
IN SUPPORT OF REQUEST FOR REVIEW

AND NOW comes the United States of America by its attorneys, Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania, and Soo C. Song, Assistant United States Attorney for said district, and hereby seeks review of the Opinion and Memorandum Order entered on February 19, 2008, by United States Magistrate Judge Lisa Pupo Lenihan at Magistrate's No. 07-524M, denying an application by the United States seeking disclosure of historical cell-site information pursuant to Sections 2703(c) & (d) of the Stored Communications Act ("SCA"), 18 U.S.C. § 2703(c) & (d) (the "Opinion and Order").[1] Copies of the Application and the Opinion and Order are attached as Exhibits A (filed separately under seal) and B, respectively. For the reasons set forth below, the government respectfully submits that this Court should reverse the Magistrate Judge's order and grant the Application in the instant case.

I. FACTUAL AND PROCEDURAL HISTORY

A. Historical Cell-Site Information

Cellular telephone companies keep, in the regular course of their business, records of certain

[1] The Opinion and Order has since been published as *In re Application of the United States*, 534 F. Supp. 2d 585 (W.D. Pa. 2008). Although authored by Magistrate Judge Lenihan, the Opinion and Order was signed by all but one of the Magistrate Judges in this district.

information associated with their customers' calls. Exhibit C contains an exemplar of these records from a major carrier, Sprint-Nextel, the same carrier whose records are at issue in the present case.[2] As reflected in Exhibit C, the records include for each call a customer made or received: (1) the date and time of the call; (2) the telephone numbers involved; (3) the cell tower to which the customer connected at the beginning of the call; (4) the cell tower to which the customer was connected at the end of the call; and (5) the duration of the call. The records may also, but do not always, specify a particular sector of a cell tower used to transmit a call.[3] No such record is created when the phone is not in use.

Cell tower information is useful to law enforcement because of the limited information it provides about the location of a cell phone when a call is made. As one court has explained:

> The information does not provide a "virtual map" of the user's location. The information does not pinpoint a user's location within a building. Instead, it only identifies a nearby cell tower and, for some carriers, a 120-degree face of that tower. These towers can be up to 10 or more miles apart in rural areas and may be up to a half-mile or more apart even in urban areas.

In re Application of United States for an Order for Disclosure of Telecommunications Records, 405 F. Supp. 2d 435, 449 (S.D.N.Y. 2005) (citation omitted). No Global Positioning System ("GPS"), that is, satellite-derived data, or other precision location information is contained in the historical records provided pursuant to the requested orders. Indeed, cell-site records do not even indicate a phone's distance from the serving tower, let alone its specific location.

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[2] Because these records contain sensitive information pertaining to a recent investigation, certain identifying information – the telephone numbers involved – has been redacted.

[3] Cell towers are often divided into three 120° sectors, with separate antennas for each of the three sectors. To the extent this information does exist in a particular instance, it does not provide precise information regarding the location of the cell phone at the time of the call, but instead shows only in which of the three 120°, pie-slice sectors the phone was probably located.

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B. The United States' Application Pursuant to 18 U.S.C. § 2703(d) in this Investigation

Pursuant to 18 U.S.C. § 2703(c)(1), the United States may require a provider of electronic communication service to disclose "a record or other information pertaining to a subscriber to or customer of such service (not including the contents of communications)" when it obtains a court order for such disclosure pursuant to 18 U.S.C. § 2703(d) (hereinafter, a "2703(d) order"). A 2703(d) order is issued by a court when the government provides "specific and articulable facts showing that there are reasonable grounds to believe that the contents of a wire or electronic communication, or the records or other information sought, are relevant and material to an ongoing criminal investigation." 18 U.S.C. § 2703(d).

On February 22, 2008, the United States filed an application with Magistrate Judge Lenihan seeking a 2703(d) order directing Sprint Spectrum to disclose certain historical connection and cell-site information associated with a specified cell phone. *See* Exhibit A. The cell phone records are relevant and material to an ongoing investigation into large-scale narcotics trafficking and various related violent crimes.

In June 2007, the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") learned from a confidential source that a particular subject and his associates use their wireless telephones to arrange meetings and transactions in furtherance of their drug trafficking activities. Additional investigation, along with information from the source, indicates that the subject's narcotics supplier lives in another state. Because the subject and his confederates use a variety of vehicles and properties to conduct their illegal activities, physical surveillance has proven difficult. In order to develop better information on the location and identity of the drug supplier, the instant Application seeks historical cell-site records concerning a phone known to be used by the subject. Section

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2703(d) orders are broadly used and widely accepted for these types of purposes in federal criminal investigations across the country.

On February 19, the Magistrate Judge denied the Application, ruling in a written opinion that the United States is barred as a matter of law from obtaining historical cell-site information pursuant to a 2703(d) order.

II. ISSUE PRESENTED

The issue before the Court is purely a question of law, namely whether the government may obtain historical cell-site usage records pursuant to an order under 18 U.S.C. § 2703(d).

III. SUMMARY OF ARGUMENT

Section 2703(d) permits the government to obtain a court order compelling historical cell-site usage information from a wireless carrier. The plain language of the statute unambiguously states that the government may require "a provider of electronic communication service" to disclose "a record or other information pertaining to a subscriber" pursuant to a 2703(d) order. As explained below, historical cell-site information satisfies each element of the statute, a position endorsed in recent months by several other courts.

In reaching the opposite conclusion, the Opinion and Order contains numerous errors, both as to the facts of the underlying technology and as to the interpretation of applicable law. Indeed, as discussed below, we believe the Opinion and Order materially relies on at least one statute (and several cases) wholly inapplicable to the government's request for stored records of past customer activity. In addition, because wireless carriers regularly generate and retain the records at issue, and because these records provide only a very general indication of a user's whereabouts at certain times

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in the past, the requested cell-site records do not implicate a Fourth Amendment privacy interest. Because the Opinion and Order misstates both the relevant facts and the applicable law, we respectfully urge the Court to reverse.

IV. ARGUMENT

A. Historical Cell-Site Information Falls Within the Scope of Sections 2703(c) and (d)

As the Third Circuit has often reiterated, "'[t]he plain language of the statute is the starting place in our inquiry.'" *United States v. Introcaso*, 506 F.3d 260, 264 (3d Cir. 2007) (*quoting Staples v. United States*, 511 U.S. 600, 605 (1994)). "'If the language of a statute is clear[,] the text of the statute is the end of the matter.'" *Id.* (*quoting United States v. Jones*, 471 F.3d 478, 480 (3d Cir. 2006)).

The Stored Communications Act (SCA), 18 U.S.C. §§ 2701 *et seq.*, establishes a comprehensive framework regulating government access to customer records in the possession of communication service providers. The statute's structure reflects a carefully crafted series of Congressional judgments; it distinguishes not only between communications contents (§ 2703(a), (b)) and non-content records (§ 2703(c)), but also between different classes of non-content records.

18 U.S.C. § 2703 unambiguously states that the government may require "a provider of electronic communication service" to disclose "a record or other information pertaining to a subscriber to or customer of such service (not including the contents of communications)" pursuant to a 2703(d) order.[4] *See* 18 U.S.C. § 2703(c)(1). As explained below, cell-site information quite

[4] As noted above, a 2703(d) order is issued by a court when the government provides "specific and articulable facts showing that there are reasonable grounds to believe that the contents of a wire or electronic communication, or the records or other information sought, are

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clearly satisfies each of the three elements necessary to fall within the scope of this provision.

First, a cell phone company is a provider of electronic communication service. "Electronic communication service" is defined to mean "any service which provides to users thereof the ability to send or receive wire or electronic communications." 18 U.S.C. §§ 2510(15) & 2711(1). Cell phone service providers provide their customers with the ability to send wire communications, and thus they are providers of electronic communication service. *See* 18 U.S.C. § 2510(1) (defining wire communications).

Second, cell-site information constitutes "a record or other information pertaining to a subscriber to or customer of such service (not including the contents of communications)." Historical cell-site information is a record stored by the provider concerning the particular cell tower used by a subscriber to make a particular cell phone call, and it is therefore "a record or other information pertaining to a subscriber or customer." *See In re Application of United States for an Order for Disclosure of Telecommunications Records*, 405 F. Supp.2d 435, 444 (S.D.N.Y. 2005) (noting that cell-site data is "information" and "'pertain[s]' to a subscriber...or customer of cellular telephone service").

Third, cell-site information is non-content information, as it does not provide the content of any phone conversation the user has over the cell phone. *See* 18 U.S.C. § 2510(8) (defining the "contents" of a communication to include information concerning its "substance, purport, or meaning"). Thus, because historical cell-site information satisfies each of the three elements of § 2703(c)(1), its disclosure may be compelled pursuant to 2703(d) order.

While the statute is unambiguous and thus resort to the legislative history is unnecessary, the

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relevant and material to an ongoing criminal investigation." 18 U.S.C. § 2703(d).

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legislative history of § 2703(c)(1) nevertheless confirms that it encompasses cell-site information. When the SCA was first enacted as part of the Electronic Communications Privacy Act ("ECPA") in 1986, it permitted disclosure pursuant to a 2703(d) order (or subpoena) of the same catch-all category of "record[s] or other information pertaining to a subscriber or customer of such service (not including the contents of communications)" now codified at 18 U.S.C. § 2703(c)(1). *See* ECPA § 201, P.L. 99-508, 100 Stat. 1848, 1862 (1986). The accompanying 1986 Senate report emphasized the breadth of the "record or other information" category of information: "the information involved is information about the customer's use of the service[,] not the content of the customer's communications." S. Rep. No. 541, 99th Cong., 2d Sess. 38 (1986), *reprinted in* 1986 U.S. Code Cong. & Admin. News 3555, 3592 (1986). Moreover, cellular telephones were one of the new technologies of particular importance to Congress when it enacted ECPA, so there is no basis to exclude cellular telephone usage records from the scope of § 2703. *See* H.R. Rep. No. 647, 99th Cong., 2d Sess. 20-21 (1986).

Numerous recent decisions confirm the government's view that 2703(d) orders may be used to obtain historical cell-site records. For instance, in September 2007, United States District Court Judge Stearns in Boston reversed a magistrate judge's denial of a 2703(d) application for such records. *See In re Applications*, 509 F. Supp. 2d 76 (D. Mass. 2007) ("*Stearns D. Mass. Opinion*"). After conducting a careful analysis of the SCA's text, Judge Stearns held that "historical cell site information clearly satisfies" the statute's definitional requirements, rejecting the magistrate's analysis and granting the application. *Id.* at 80.

The following month, Judge Rosenthal in Houston confronted a similar situation: a magistrate judge had denied the government's application for, *inter alia*, historical cell-site data

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under the authority of § 2703(d). *See In re Application*, 2007 WL 3036849 (S.D. Tex. Oct. 17, 2007). Here, too, the district court found the magistrate's objections on this question wholly without merit, reversing and holding that "the Government's request for historical cell-site information is within the statutory authorization." *Id.* at *5.

And most recently, on March 26, 2008, a federal magistrate judge in Atlanta issued an opinion rejecting a defendant's motion to suppress historical cell-site records acquired by means of a 2703(d) order. *See United States v. Suarez-Blanca*, No. 1:07-CR-0023-MHS/AJB (N.D. Ga. Mar. 26, 2008) (copy attached as Exhibit D). In his opinion endorsing the government's approach, the magistrate noted – and disagreed with – the Magistrate Judge's Opinion and Order in the present case. *Id.* at 32-33.

B. No Other Authority Limits the Compelled Disclosure of Historical Cell-Site Information Pursuant to a 2703(d) Order

The Opinion and Order errs at the outset by proposing to answer a legal question that is simply not relevant to this case. Instead of addressing the question at hand – whether the government may obtain historical cell-site records via a 2703(d) order – the decision below places a great deal of emphasis on determining the proper authority for obtaining such information prospectively. Prospective cell-site information is not at issue in this case. The decision never fully recovers from this initial wrong turn, and as a result conflates the legal principles actually relevant to the government's Application.

In the course of the analysis, the Magistrate Judge cites several authorities as purported limits on the government's ability to compel disclosure of historical cell-site information pursuant to 2703(d) orders. In particular, the Opinion and Order concludes that 47 U.S.C. § 1002(a)(2); the

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mobile tracking device provision of 18 U.S.C. § 3117; the text of § 2703 itself; the Fourth Amendment; and the Wireless Communication and Public Safety Act of 1999 ("WCPSA") all bar the government from compelling disclosure of cell-site information via 2703(d) orders.

However, as explained below, the cited Title 47 provision applies only to prospective evidence-gathering, and not to the instant Application for an order compelling historical records. Section 3117 is likewise inapplicable because a user's own phone is not a "tracking device" within the narrow meaning of that statute. On the other hand, § 2703 not only applies, but on its face permits the government's current Application. Finally, the customer records at issue are not protected by the Fourth Amendment. As a result, none of these authorities prohibits or even limits compelled production of historical cell-site information pursuant to a 2703(d) order, and the Opinion and Order below should therefore be reversed.

1. 47 U.S.C. § 1002 Does Not Apply to Requests for Historical Records, and Therefore Does Not Prohibit Compelled Production of Historical Cell-Site Information Pursuant to a 2703(d) Order

The Opinion and Order below devotes enormous space to discussion of the 1994 Communications Assistance for Law Enforcement Act (CALEA). In particular, the decision below places great weight on the fact that CALEA, at 47 U.S.C. § 1002(a)(2), states that

> information acquired solely pursuant to the authority for pen registers and trap and trace devices (as defined in section 3127 of title 18, United States Code) ... shall not include any information that may disclose the physical location of the subscriber.

(Emphasis supplied.) However, the present Application neither invokes nor in any way relies on the pen register/trap and trace statute. On the contrary, the government's request – for historical, not future, cell-site records – relies on the entirely separate authority of 18 U.S.C. § 2703(d).

Because the CALEA provision quoted above mentions only the pen/trap statute, and not

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§ 2703(d), it would be wholly improper to read into it what Congress chose to omit. Under the longstanding canon of *expressio unius est exclusio alterius* ("the expression of one is the exclusion of the other"), a court should presume that if "Congress wanted to include such a requirement ... it knew exactly how to do so." *United States v. Thornton*, 306 F.3d 1355, 1359 (3d Cir. 2002). In the case of CALEA, this omission can hardly be called accidental. Congress was well aware of § 2703(d) in its deliberations over CALEA; in fact, a separate portion of the Act amended § 2703(d) to raise the showing required of the government. *See* Pub. L. 103-414, § 207(a) (1994).[5]

The decision below simply disregards the fact that 47 U.S.C. § 1002 imposes limits only on the pen/trap statute, and not on § 2703(d). Instead, it leans heavily in its analysis on numerous cases applying the CALEA restriction to government requests for prospective collection of future cell-site records.[6]

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[5] Nor does *expressio unius* produce an absurd result in this instance. A pen register order may issue where the government has made a mere certification of relevance. *See* 18 U.S.C. § 3123(a)(1). In contrast, § 2703(d) imposes the higher "specific and articulable facts" criterion. *See* H. Rep. No. 827, 103d Cong., 2d Sess. 31 (1994) (noting that change in required 2703(d) showing from relevance to specific and articulable facts "rais[es] the standard"), *reprinted in* 1994 U.S. Code Cong. & Admin. News 3489, 3511.

[6] Magistrates and district courts have disagreed over whether § 2703 and the pen register statute can be used together to compel disclosure of cell-site information prospectively, an issue not raised in this case. *Compare In re Application of United States for an Order for Prospective Cell Site Location Information*, 460 F. Supp. 2d 448 (S.D.N.Y. 2006) (upholding "hybrid" use of 2703(d) orders and pen/trap statute to compel prospective disclosure of cell-site information) *with In re Application of United States for an Order Authorizing Use of a Pen Register and Trap and Trace Device*, 396 F. Supp. 2d 294 (E.D.N.Y. 2005) (rejecting such hybrid orders).

However, as the Magistrate Judge's Opinion and Order concedes, *see* 534 F. Supp. 2d at 600, even judges who have rejected prospective hybrid orders for cell-site information have agreed that compelled disclosure of historical cell-site information pursuant to 2703(d) orders is proper. *See, e.g.*, 396 F. Supp. 2d at 327 ("The applicable statutes allow the government to obtain historical cell site information on the basis of a showing less exacting than probable cause, but do not allow it to obtain such information prospectively on a real-time basis.").

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The Magistrate's opinion acknowledges the prior decisions holding (or implying) that historical cell-site records may be obtained by way of § 2703(d). In the same breath, however, the decision below dismisses that same precedent with the surprising claim that the legal distinction between prospective and historical cell-site records is "largely-unexplained." 534 F. Supp. 2d at 603. In fact, the government submits that the distinction is indeed clear, depending as it does on the explicit wording and structure of the pertinent statutes.

In crafting the federal statutes regulating governmental access to telecommunications records, Congress has unambiguously distinguished between historical (stored) and future records. Most prominently, Chapter 121 of Title 18 (the Stored Communications Act, §§ 2701 *et seq.*) stands in contrast to the Wiretap Act (Chapter 119) and the pen register statute (Chapter 206), both of which exclusively regulate prospective, ongoing surveillance (of content and non-content, respectively). Thus, the mechanism for obtaining historical telephone calling records – a subpoena, as provided for at § 2703(c)(2)(C) – differs from the authority under the pen/trap statute for monitoring the telephone numbers of future calls to or from a target telephone.

The decision below improperly disregards this key aspect of the statutes. Because it wrongly relies on the CALEA limitation (and cases applying it) to conclude that the statutes "do not distinguish between historic[al] and prospective [cell-site records]," 534 F. Supp. 2d at 586 n.4, its analysis should be rejected.

2. The Statutory Provisions Concerning "Tracking Devices" Do Not Limit Compelled Disclosure of Historical Cell-Site Information

The Opinion and Order also asserts that the United States may not use a 2703(d) order here because historical cell-site information is a communication from a "tracking device" as defined in

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18 U.S.C. § 3117. *See* 534 F. Supp. 2d at 601-07. The analysis, however, is simply not supportable. As explained below, "tracking device" communications are excluded only from the definition of "electronic communication"; cellular telephone calls are instead "wire communications," a defined term with no comparable exclusion. Second, a user's own wireless phone is not a "tracking device" within the narrow meaning of the statute.

The decision below relies heavily on 18 U.S.C. § 2510(12)(C), which excludes "any communication from a tracking device" from the definition of "electronic communication." Under the reasoning of the Opinion and Order, this provision excludes cell-site records from the reach of ECPA. In reaching this conclusion, however, the opinion overlooks one crucial, plainly expressed statutory distinction: cellular telephone calls are not "electronic communications" under any circumstances. On the contrary, conventional cellular calls are instead "wire communications" as defined at section 2510(1).[7] Of equal importance, the "wire" and "electronic" categories are mutually exclusive: a "wire communication" cannot, under the express terms of the statute, also be an "electronic communication." *See* § 2510(12)(A) ("'electronic communication' ... does not include–(A) any wire or oral communication"). Thus, properly analyzed under the statute, historical cell-site information concerning a wireless telephone call is plainly "a record or other information pertaining to a subscriber" using a service provider's network to send and receive "wire communications." *See Stearns D. Mass. Opinion*, 509 F. Supp. 2d at 80 (reversing magistrate

[7] The essential distinction is that a "wire communication" necessarily involves the human voice. *See* § 2510(1) (defining "wire communication") and § 2510 (defining "aural transfer"); S. Rep. No. 541, 99th Cong., 2d Sess. 11 (1986), *reprinted in* 1986 U.S. Code Cong. & Admin. News 3555, 3565 ("cellular communications – whether they are between two cellular telephones or between a cellular telephone and a 'land line' telephone – are included in the definition of 'wire communications' and are covered by the statute").

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judge's contrary conclusion).

The decision below overlooks these clearly articulated distinctions. Instead, the opinion dwells at length on the definition of an inapposite term ("electronic communication"). Having done so, the Opinion and Order further distorts the statute by construing the clear phrase "record or other information pertaining to a subscriber" to exclude

> information that is regarding or derived under a service (*e.g.*, a tracking capability/function) that may be used to facilitate the provision of an electronic communication service (*e.g.*, the transmission of voice/text material), but that is not *itself* an electronic communication service (as, *e.g.*, by definition).

534 F. Supp. at 604 (footnote omitted). Because this unduly complicated interpretation – unsupported by even a single citation to the legislative history of the statute – does violence to the plain meaning of "pertaining to," this Court must reject it. *See Malloy v. Eichler*, 860 F.2d 1179, 1183 (3d Cir. 1988) ("Where the language of the statute is clear, only 'the most extraordinary showing of contrary intentions' justify altering the plain meaning of a statute.") (*quoting Garcia v. United States*, 469 U.S. 70, 75 (1984)).

In addition, the decision below errs in finding that the target cell phone was a "tracking device" within the meaning of 18 U.S.C. § 3117. This overly expansive reading runs contrary to the language, structure, and legislative history of ECPA, and it would significantly undermine privacy protections for users of communication networks.

The structure of 18 U.S.C. § 3117 makes clear that a "tracking device" is a homing device installed by the government. Specifically, 18 U.S.C. § 3117(a) applies only when a court is authorized to issue an order "for the installation of a mobile tracking device." It then provides that "such order may authorize the use of that device within the jurisdiction of the court, and outside that

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jurisdiction if the device is installed in that jurisdiction." *Id.* Thus, the purpose of the tracking device statute is to provide a court with extra-territorial jurisdiction over use of tracking devices installed within its jurisdiction. Given the limited purpose of the tracking device statute, there is no basis for interpreting "tracking device" broadly to encompass devices which the government would never have any reason to apply to a court to install or use. *See Stearns D. Mass. Opinion*, 509 F. Supp. 2d at 81 n.11 (§ 3117 "governs the 'installation' of tracking devices. The 'tracking' of a cell phone does not require the installation of any sort of device."); *In re Application*, 405 F. Supp. 2d 435, 449 n.8 (S.D.N.Y. 2005) (same).

The legislative history of § 3117 is equally clear that "tracking devices" are homing devices, not cell phones or other communications technologies. Most obviously, the 1986 House Report on ECPA cites the two landmark Supreme Court decisions concerning "beeper" homing devices, *United States v. Knotts*, 460 U.S. 276 (1983) (beeper installed in can of chloroform and used to track movements of car) and *United States v. Karo*, 468 U.S. 705 (1984) (beeper installed in can of ether expected to be used in production of cocaine). No mention is made of cellular telephones.

Likewise, the Senate Report on ECPA includes a glossary of technological terms. The glossary, which defines electronic tracking devices separately from cell phones and pagers, defines "electronic tracking devices" as follows:

> These are one-way radio communication devices that emit a signal on a specific radio frequency. This signal can be received by special tracking equipment, and allows the user to trace the geographical location of the transponder. Such "homing" devices are used by law enforcement personnel to keep track of the physical whereabouts of the sending unit, which might be placed in an automobile, on a person, or in some other item.

S. Rep. No. 541, 99th Cong., 2d Sess. 10 (1986), *reprinted in* 1986 U.S. Code Cong. & Admin.

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News 3555, 3564 (1986).

Even more revealing is the fact that the very same 1986 legislation[8] addresses cellular telephone technology extensively in numerous other provisions unrelated to "tracking devices." Congress enacted ECPA because the Wiretap Act "had not kept pace with the development of communications and computer technology." S. Rep. No. 541, 99th Cong., 2d Sess. 2 (1986), *reprinted in* 1986 U.S. Code Cong. & Admin. News 3555, 3556 (1986). Cellular phones were one of the new technologies of particular importance to Congress, *see id.* at 2 & 9, and cellular technology is central to much of ECPA's legislative history. *See id.* at 2, 4, 6-9, 11-12, 21, & 29-30.

Congress made clear that cellular communications were to be protected as wire communications by the Wiretap Act and the SCA. In particular, Congress amended the definition of "wire communication" to ensure that it encompassed cellular communications by inserting the phrase "including the use of such connection in a switching station" into 18 U.S.C. § 2510(1). *See* ECPA § 101, Pub. L. No. 99-508, 100 Stat. 1848 (1986). As noted by the Senate Report on ECPA, "[t]his subparagraph makes clear that cellular communications--whether they are between two cellular telephones or between a cellular telephone and a 'land line' telephone--are included in the definition of 'wire communications' and are covered by the statute." S. Rep. No. 541, 99th Cong., 2d Sess. 11 (1986), *reprinted in* 1986 U.S. Code Cong. & Admin. News 3555, 3565 (1986).

Despite this extensive discussion of cell phones throughout ECPA's legislative history, there is not a scintilla of evidence in the legislative history that Congress intended cell phones to be classified as tracking devices. Instead, all discussion of tracking devices suggests that Congress

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[8] The tracking device statute was enacted as part of ECPA. *See* Pub. L. No. 99-508, 100 Stat. 1848, § 108 (1986).

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understood tracking devices to be homing devices installed by the government.

There is no reason to supply "tracking device" with a meaning much broader than that intended by Congress, especially because doing so would deny many communications the privacy protection Congress intended them to have. If cell phones were classified as "tracking devices," text messages or e-mail transmitted from them would not be "electronic communications" under 18 U.S.C. § 2510(12)(C). As a result, such communications would fall outside the scope of the Wiretap Act, and it would no longer be a federal crime for an eavesdropper to intercept them. *See* 18 U.S.C. § 2511(1)(a) (criminalizing interception of wire, oral, and electronic communications). This result is plainly contrary to Congress's purposes in passing ECPA, and the Opinion and Order's expansive interpretation of "tracking device" should therefore be rejected.

Moreover, if "tracking device" were given the broad interpretation adopted below, nearly all communications devices would be tracking devices. Certainly any device relying on the cellular communication system (including many pagers, text messaging devices such as Blackberries, and cellular Internet systems) would be a "tracking device." The same is also true of banking ATMs, retail credit-card terminals, or even landline telephones (since it is possible to determine information about a person's location from his use of each). But the Magistrate Judge's reasoning extends much further. It is generally possible to determine the physical location of a user connected to the Internet, and the whereabouts of fugitives and other suspects are frequently discovered based on their use of Internet-connected computers. Treating all such devices as "tracking devices" grossly distorts § 3117's scope and purpose, and this Court should reject the Magistrate Judge's overly broad reading of the statute. *See United States v. Schneider*, 14 F.3d 876, 880 (3d Cir. 1994) (a court has an obligation to construe statutes to avoid absurd results).

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A recent opinion from the Eastern District of California underscores all of these points:

> No use of cell phones and cell towers for tracking was expressly contemplated, and perhaps was not even possible in 1986. Certainly the legislative history gives no such indication.
>
> In addition, it would prove far too much to find that Congress contemplated legislating about cell phones as tracking devices. For example, if an agent presently used a cell phone to communicate the whereabouts of a suspect by using the phone's video feature while he was surveilling the suspect, one could fit this situation into the words of the statute-one was using an electronic device which "permitted" the tracking of the suspect. Or, take the example of the ubiquitous monitoring cameras, such as the "red light," parking lot or freeway cameras. These cameras track the location of many persons, albeit in a confined location, and could also fit in with the words of the statute. It is best to take the cue from Congress in this respect of electronic tracking devices, and confine § 3117(b) to the transponder type devices placed upon the object or person to be tracked.

In re Application for an Order Authorizing the Extension and Use of a Pen Register Device, 2007 WL 397129 (E.D. Cal. Feb. 1, 2007).

Thus, even if it were the case that cellular telephone calls were "electronic communications" – as set forth above, they unquestionably are not – the "tracking device" exclusion from the definition of that term is irrelevant because a user's own phone falls outside the narrow scope of that defined term.[9] For this reason as well, the decision below should be reversed.

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[9] The Opinion and Order asserts that the use of tracking devices pursuant to 18 U.S.C. § 3117 requires probable cause. 534 F. Supp. 2d at 595. Even if a subscriber's own cell phone were a "tracking device," it would not follow that a Rule 41 warrant founded on a showing of probable cause would be required to obtain historical cell-site records. First, as the Advisory Committee Notes to the 2006 amendments to Rule 41 explain, if "officers intend to install and use the [tracking] device without implicating any Fourth Amendment rights, there is no need to obtain the warrant." Fed. R. Crim. P. 41, Advisory Comm. Notes to 2006 Amendments, Subdivision (b). The Committee Notes further explain that "[t]he tracking device statute, 18 U.S.C. § 3117, does not specify the standard an applicant must meet to install a tracking device." *Id.* at subdivision (d).

Indeed, the statute does not even prohibit the use of a tracking device in the absence of conformity with § 3117. *See United States v. Gbemisola*, 225 F.3d 753, 758 (D.C. Cir. 2000) ("But by contrast to statutes governing other kinds of electronic surveillance devices, section 3117 does not prohibit the use of a tracking device in the absence of conformity with the

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3. Section 2703(d) Does Not Permit a Court to Demand a Showing of Probable Cause

The Opinion and Order also asserts that § 2703 permits a court to demand a showing of probable cause as a precondition to issuance of a 2703(d) order. This conclusion allegedly flows from the express language and structure of § 2703. Instead, the text of the statute points to the opposite reading.

As before, "every exercise of statutory interpretation begins with an examination of the plain language of the statute." *Rosenberg v. XM Ventures*, 274 F.3d 137, 141 (3d Cir. 2001). Where statutory language is "plain and unambiguous," no further inquiry is necessary. *Id.* On its face, § 2703(d) demands a showing of "specific and articulable facts." Nowhere does that subsection state, or even imply, that probable cause is or may be demanded.

Section 2703(c) permits the government to use any of various methods to obtain stored, non-content customer records. As the House Judiciary Committee noted in its report accompanying ECPA in 1986,

> the government must use one of three sets of authorized procedures. The government can rely on administrative subpoenas or grand jury subpoenas to the extent that such processes are legally authorized. Alternatively, the government can use a search warrant. Finally, the government can seek a court order directing the disclosure of such records. If a court order is sought then the government must meet the procedural requirements of subsection (d).

H. Rep. No. 647, 99th Cong, 2d Sess. 69 (1986) (emphasis added). Current § 2703(c)(1) preserves this structure, explicitly making 2703(d) orders a means of compelling records separate from and alternative to a warrant based on probable cause. *Compare* § 2703(c)(1)(A) (authorizing use of search warrant under Rule 41) *with* § 2703(c)(1)(B) (authorizing use of 2703(d) court order).

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section.") (emphasis in original); *In re Application*, 405 F. Supp. 2d at 449 n.8 (same).

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To do as the Magistrate Judge did below, and insist that a § 2703(d) application set forth probable cause, is in effect to demand a warrant, and thus to render part of the statute superfluous. This contravenes the longstanding canon that a court should, whenever possible, give effect to every provision of a statute. *See, e.g., Tavarez v. Klingensmith*, 372 F.3d 188, 190 (3d Cir. 2004).

Even if the text of the statute were not clear on its face, an examination of the legislative history confirms Congress's intent that a 2703(d) court order be granted on less than probable cause. As originally enacted in 1986, § 2703(d) required only a showing that "there is reason to believe ... the records or other information sought, are relevant to a legitimate law enforcement inquiry." Pub. L. 99-508, § 201 (1986). Eight years later, Congress affirmatively chose to raise the test to the current "specific and articulable facts" standard. *See* Pub. L. 103-414, § 207(a) (1994). As the accompanying House Judiciary Committee report makes clear, this is "an intermediate standard ... higher than a subpoena, but not a probable cause warrant." H. Rep. No. 827, 103d Cong., 2d Sess. 31 (1994) (emphasis added), *reprinted in* 1994 U.S. Code Cong. & Admin. News 3489, 3511.

4. The Fourth Amendment Does Not Bar Compelled Disclosure of Historical Cell-Site Information Pursuant to a 2703(d) Order

Finally, the Opinion and Order suggests that a user has a reasonable expectation of privacy in historical cell-site information. 534 F. Supp. 2d at 610-11. This conclusion is incorrect for two distinct reasons. First, under the established principles of *United States v. Miller*, 425 U.S. 435 (1976), and *Smith v. Maryland*, 442 U.S. 735 (1979), there is no reasonable expectation of privacy in such information, and, accordingly, no Fourth Amendment-protected privacy interest. Second, historical cell-site information is far too imprecise by any measure to intrude upon a reasonable expectation of privacy. Thus, the Fourth Amendment does not limit disclosure of historical cell-site

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information pursuant to 2703(d) orders.

The cell-site data that the government is seeking is not in the hands of the cell phone user at all, but rather is in the business records of a third party – the cell phone company. The Supreme Court has held that a customer has no privacy interest in business records of this kind. Addressing a Fourth Amendment challenge to a third party subpoena for bank records, the Court held in *United States v. Miller*, 425 U.S. 435 (1976), that the bank's records "are not respondent's 'private papers'" but are "the business records of the banks" in which a customer "can assert neither ownership nor possession." *Miller*, 425 U.S. at 440; *see also SEC v. Jerry T. O'Brien, Inc.*, 467 U.S. 735, 743 (1984) ("when a person communicates information to a third party ... he cannot object if the third party conveys that information or records thereof to law enforcement authorities"). Thus, an individual has no Fourth Amendment-protected privacy interest in business records such as cell-site connection information, to the extent the records are kept, maintained and used by a cell phone company in the normal course of business. If anything, the privacy interest in cell-site information is even less than the privacy interest in a dialed phone number or bank records. The location of the cell phone tower handling a customer's call is generated internally by the phone company and is not typically known by the customer. A customer's Fourth Amendment rights are not violated when the phone company reveals to the government its own records that were never in the possession of the customer.

The Court's reasoning in *Smith v. Maryland* leads to the same result. In *Smith*, the Court held both that telephone users had no subjective expectation of privacy in dialed telephone numbers and also that any such expectation is not one that society is prepared to recognize as reasonable. *See Smith*, 442 U.S. at 742-44. The Court's reasoning applies equally to cell-site information. First, the

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Court stated: "we doubt that people in general entertain any actual expectation of privacy in the numbers they dial. All telephone users realize that they must 'convey' phone numbers to the telephone company, since it is through telephone company switching equipment that their calls are completed." *Id.* at 742. Similarly, cell phone users understand that they must send a radio signal which is received by a cell phone company's antenna in order to route their call to its intended recipient. (Indeed, cell phone users are intimately familiar with the relationship between call quality and radio signal strength, as typically indicated by a series of bars on their phones' displays.)

Second, under the reasoning of *Smith*, any subjective expectation of privacy in cell-site information is unreasonable. In *Smith*, the Court explicitly held that "even if petitioner did harbor some subjective expectation that the phone numbers he dialed would remain private, this expectation is not one that society is prepared to recognize as reasonable." *Id.* at 743 (internal quotation omitted). It noted that "[t]his Court consistently has held that a person has no legitimate expectation of privacy in information he voluntarily turns over to third parties." *Id.* at 743-44. In *Smith*, the user "voluntarily conveyed numerical information to the telephone company" and thereby "assumed the risk that the company would reveal to the police the numbers he dialed." *Id.* at 744. Here, a cell phone user transmits a signal to a cell tower for his call to be connected and thereby assumes the risk that the cell phone provider will reveal the cell-site information to law enforcement. Thus, it makes no difference if some users have never thought about how their cell phones work; a cell phone user can have no expectation of privacy in cell-site information.

As a business record in the possession of a third party, cell-site information should not be judged under Fourth Amendment standards for transponders and similar tracking devices surreptitiously installed by the government. However, even measured against the constitutional

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standards articulated by the Supreme Court in this area, there is no reasonable expectation of privacy in cell-site information. The mere use of a tracking device, even when surreptitiously placed by the government, does not implicate Fourth Amendment privacy concerns. *See United States v. Knotts*, 460 U.S. 276, 282 (1983) (police monitoring of beeper signals along public roads did not invade any legitimate expectation of privacy). To be of constitutional concern, a surreptitiously installed tracking device must reveal facts about the interior of a constitutionally protected space. *See United States v. Karo*, 468 U.S. 705, 713 (1984) (distinguishing *Knotts* and holding that police monitoring of a beeper that disclosed information about the interior of a private residence, not open to visual surveillance, required a warrant).

The Opinion and Order's "Technological Development Overview" makes certain claims about wireless telephone location information: 1) that wireless phone companies "store cell tower registration histories" reflecting a phone's location at seven-second intervals; 2) that "the location of just the nearest tower itself can place the phone within approximately 200 feet"; and 3) that triangulation techniques or GPS capabilities make a user's location "precisely determinable" to within as little as 50 feet. 534 F. Supp. 2d at 589-90. The first two claims are demonstrably false, and the third claim (also incorrect) is irrelevant to the separate type of records sought in the instant Application.

On the first issue, the Opinion and Order is correct that a wireless phone, when first powered on, "registers" with a nearby tower, and that the phone thereafter periodically re-registers with the network over time. (Network awareness of a phone's approximate recent whereabouts makes delivery of incoming calls more efficient.) However, no "history" of these events is maintained: once a phone moves into the coverage area of a new tower and registers with it, the prior information

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is no longer useful, and the network management software simply deletes the prior registration data. Put differently, the only "registration" data in a carrier's possession at any given moment is the current information. No tower registration history is kept.

As Exhibit C makes clear, historical cell-site data retained by the carriers – that is, the category of information called for by the government's Application in this case – reflects only the identity of the serving tower (and sector, if applicable) when the phone is in active use. The carrier recorded and preserved the cell-site information only at the start and end of actual telephone calls occurring over a few days. Plainly, a typical record such as Exhibit C does not even reveal the location of a nearby cell tower – let alone the phone user's own location – at 7-second intervals.

In making the second claim, the Opinion and Order cites only to a single law student note, which says

> [a] very general sense of a phone's is [*sic*] can be gathered by tracking the location of the tower being used during a call. In urban areas, where there are many towers, this may give a picture location [*sic*] within a couple hundred feet. In rural areas, towers may be miles apart. A slightly more accurate location picture can be generated by tracking which 120 degree "face" of the tower is receiving a cell phone's signal.

Kevin McLaughlin, *The Fourth Amendment and Cell Phone Location Tracking: Where Are We?*, 29 Hastings Comm. & Ent. L.J. 421, 426-27 (Spring 2007). The author's sole source for these claims is a recent decision, *In re Application of United States for an Order for Disclosure of Telecommunications Records*, 405 F. Supp. 2d 435 (S.D.N.Y. 2005), which in fact contradicts the key assertion about precision in urban settings:

> In suburban or rural areas, towers can be many miles apart. The Court has examined a map of cellular towers of a provider in lower Manhattan, which is one of the areas more densely populated by towers. In this area, the towers may be anywhere from several hundred feet to as many as 2000 feet or more apart.
>
> [...]

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> The information does not pinpoint a user's location within a building. Instead, it only identifies a nearby cell tower and, for some carriers, a 120-degree face of that tower. These towers can be up to 10 or more miles apart in rural areas and may be up to a half-mile or more apart even in urban areas.

Id. at 437 & 449 (expressly rejecting claim that Fourth Amendment protects such general location information) (emphasis added).

The Opinion and Order's second claim also contradicts repeated findings of the Federal Communications Commission, which relies on the advice of skilled telecommunications engineers (both on FCC staff and those employed by carriers filing public comments). In one proceeding, for instance, the FCC found that a certain location-finding technique accurate to within 500-1000 meters (roughly 1640-3280 ft.) "would be significantly more precise" than "the location of the cell site or sector receiving the call." *In re Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, 15 FCC Rcd. 17442, 17462 (Sept. 8, 2000).[10] The Commission went on to note that simple cell-site information "can in some instances be misleading, as wireless calls are not always handled by the nearest cell." *Id.*

Given a stark choice between crediting a lone law student (in this case, one misstating the factual findings of a federal court) and the FCC, the government respectfully suggests to this Court that the FCC is more credible. For the same reasons, the Opinion and Order's claim that historical cell-site records "place the phone within approximately 200 feet" should also be rejected.

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[10] *See also In re Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, 16 FCC Rcd. 18305, 18311 n.49 (Oct. 12, 2001) (similar technique to locate phone within a 1000-meter radius held to be "a notable improvement in accuracy and reliability over ... the location of the cell site or sector receiving the call."); *In re Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, 14 FCC Rcd. 17388, 17414 (Oct. 6, 1999) (accuracy of 285 meters – 311 feet – "would be far more accurate than ... cell site location information.") (emphasis added).

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The Opinion and Order's third claim – that triangulation techniques or GPS capabilities currently make a user's location "precisely determinable" to within as little as 50 feet – is simply inapposite.[11] Those entirely distinct techniques relate to real-time (or prospective) location-finding capabilities, "Enhanced 9-1-1 Phase II" in FCC parlance. As noted explicitly in all of the FCC documents referenced above, these prospective location-finding capabilities have been imposed by the FCC for the very reason that cell-site data ("Phase I" information) is so imprecise.

Simply put, the government's present Application seeks only historical cell-site – that is, single-tower and sector – records. It does not seek GPS or "triangulation" information, which is in any event almost never available for past time periods.[12] Rather, the government has requested only the type of records shown in Exhibit C.

As an example, the first line of Exhibit C shows a May 1, 2007 call in the Boston area, Location Area Code 4361, from Cell ID 49874. A separate spreadsheet (supplied by the carrier) that contains only general information about tower attributes – that is, no information about specific customer activities or usage – reveals that Cell ID 49874 corresponds to face number 1 (of 3) on a

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[11] As an aside, the government notes that this is also an exaggeration. Current FCC regulations for emergency (911) calls require that, by September 11, 2012 – more than four years hence – carriers be able to deliver location data at a level of 100 meters for 67 percent of calls and 300 meters for 95 percent of calls (for so-called "network-based" solutions), and 50 meters for 67 percent of calls and 150 meters for 95 percent of calls (for handset-based solutions). *See* 47 C.F.R. § 20.18(h)(1)(i), (ii). These requirements apply only to customer-initiated calls to a "public safety answering point" (911 operators). Moreover, the deadline for regulatory compliance has been delayed repeatedly in recent years, in large part because of carrier opposition or non-compliance.

[12] Carriers do not typically generate and retain more precise location records in the normal course. The exceptions to this general rule are so-called "kiddie tracker" phones, where – for a separate fee – some carriers offer a service for parents to monitor the movement of a child's phone. *See, e.g.,* http://www.alltel.com/familyfinder . These services are not included in standard feature packages, and are often restricted to certain handsets. *See, e.g., id.*

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tower at a particular location north of Boston. Here, this means that the target phone was likely, but not necessarily, roughly northeast of the specified tower coordinates. It does not give the coordinates of the target phone itself, nor even an approximate indication of its distance from the tower; instead it only suggests an area tens of thousands (or more) square yards large in which the target phone was used. As noted above by the FCC, the fact that wireless calls are not always handled by the nearest cell further contributes to the generality and imprecision of this information.

Thus, cellular phone companies' historical records of cell-site usage are much too imprecise to tell whether calls have been made or received from a constitutionally protected space, let alone to reveal facts about the interiors of private homes or other protected spaces. *See* 405 F. Supp. 2d at 449 (cell-site information "does not provide a 'virtual map' of the user's location.... The information does not pinpoint a user's location within a building.").

As a final basis to support the notion that customers enjoy Fourth Amendment rights in the routine business records of their wireless providers, the Opinion and Order cites a range of statutes purportedly conferring constitutional rights. For instance, the decision below invokes the Wireless Communication and Public Safety Act of 1999 (WCPSA), 47 U.S.C. § 222(f), asserting that it "expressly recognizes the importance of an individual's expectation of privacy in her physical location." 534 F. Supp. 2d at 610.

In fact, however, the WCPSA offers no such recognition. Instead, the WCPSA simply states that "[e]xcept as required by law or with the approval of the customer, a telecommunications carrier that receives or obtains customer proprietary network information by virtue of its provision of a telecommunications service shall only use, disclose, or permit access to individually identifiable customer proprietary network information" in certain specified situations. 47 U.S.C. § 222(c)(1)

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(emphasis added). The phrase "except as required by law" encompasses appropriate criminal legal process. *See Parastino v. Conestoga Tel & Tel. Co.*, No. Civ. A 99-679, 1999 WL 636664, at *1-2 (E.D.Pa, Aug. 18, 1999) (holding that a valid subpoena falls within the "except as required by law" exception of § 222(c)(1)). Thus, the WCSPA does not create or reinforce any constitutional expectation of privacy, and therefore imposes no bar to the disclosure of cell-site information pursuant to 2703(d) orders.

More importantly, a federal statute cannot in any event establish a constitutional norm. As the Fifth Circuit has observed in analyzing the Right to Financial Privacy Act,

> [w]hile it is evident that Congress has expanded individuals' right to privacy in bank records of their accounts, appellees are mistaken in their contention that the expansion is of constitutional dimensions. The rights created by Congress are statutory, not constitutional.

United States v. Kington, 801 F.2d 733, 737 (5th Cir. 1986) (emphasis supplied).

Thus, because there is no reasonable expectation of privacy in historical cell-site records, the Fourth Amendment does not limit compelled disclosure of such records pursuant to a 2703(d) order.

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V. CONCLUSION

For these reasons, the government respectfully submits that this Court should reverse the Opinion and Order below and grant the Application in the instant case.

Respectfully submitted
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In the Matter of the Application of the UNITED STATES of America FOR AN ORDER DIRECTING A PROVIDER OF ELECTRONIC COMMUNICATION SERVICE TO DISCLOSE RECORDS TO THE GOVERNMENT.

Magistrate's No. 07-524M.

United States District Court,
W.D. Pennsylvania.

Feb. 19, 2008.

Background: United States applied for order directing provider of electronic communication services to disclose records to government.

Holding: The District Court, Lenihan, J., held that access to records could not be obtained on simple showing of articulable relevance to ongoing investigation rather than probable cause.

Application denied.

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Stored Communications Act, either alone or in tandem with Pen Registry Statute, does not authorize access to individual's cellular phone-derived location information, either past or prospective, on simple showing of articulable relevance to ongoing investigation rather than probable cause. U.S.C.A. Const.Amend. 4; 18 U.S.C.A. §§ 2703, 3117; Fed.Rules Cr. Proc.Rule 41, 18 U.S.C.A.

Soo C. Song, United States Attorney's Office, Pittsburgh, PA, for Plaintiff.

Before LISA PUPO LENIHAN, SUSAN PARADISE BAXTER, FRANCIS X. CAIAZZA, AMY REYNOLDS HAY and ROBERT C. MITCHELL, United States Magistrate Judges.

OPINION AND MEMORANDUM ORDER

LISA PUPO LENIHAN, United States Magistrate Judge.

I. SUMMATION OF OPINION

The Court writes to express its concerns regarding the Government's *ex parte* applications for cellular telephone ("cell phone") subscriber information from which it may identify an individual's past or present physical/geographic movements/locations not on a showing of probable cause to believe that the information will provide evidence in an investigation premised on a reasonable suspicion of criminal activity, as under the Fourth Amendment,[1] but rather on an articulable, reasonable belief that such information is "relevant to a ... criminal investigation" under the Stored Wire and Electronic Communications and Transactional Records Access statutes (the "Stored Communications Act" or "SCA") alone or in tandem with the Pen Registry Statute (the "PRS").[2] The Court also

1. As discussed *infra*, the Fourth Amendment protects us by providing that the "right of people to be secure in their persons, houses ... against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause." U.S. Const. Amend. IV. The test currently employed to determine whether a search is subject to these Constitutional constraints is taken from Justice Harlan's concurrence in *Katz v. United States*, 389 U.S. 347, 88 S.Ct. 507, 19 L.Ed.2d 576 (1967), and looks to whether the individual being searched harbors a reasonable expectation of privacy in the object of the search. Where there is a reasonable expectation of privacy, intrusion on that right by the Government for investigatory purposes requires that the Government obtain a warrant by demonstrating to the Court that it has probable cause, *i.e.*, that it make a showing of a fair probability of evidence of criminal activity.

2. The Government's application for cellular telephone information from which it can derive physical location information on the basis of the SCA and PRS read in tandem is re-

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writes to set forth its reasons for concluding that, while it recognizes the important and sometimes critical crime prevention and law enforcement value of tracking suspected criminals,[3] the Government's requests for Court Orders mandating a cell phone service provider's covert disclosure of individual subscribers' (and possibly others') physical location information must be accompanied by a showing of probable cause.[4]

The Court emphasizes that the issue is not *whether* the Government can obtain movement/location information, but *only the standard* it must meet to obtain a Court Order for such disclosure and the basis of authority. It emphasizes that the Fourth Amendment standard is not a difficult one, requiring only that the Government support its belief of criminal activity and the probable materiality of the information to be obtained.[5] The Court notes that it is entrusted with the protection of the individual civil liberties, including rights of privacy and rights of free association, so paramount to the maintenance of our democracy. The Court also observes that the location information so broadly sought is extraordinarily personal and potentially sensitive;[6] and that the *ex parte* nature of the proceedings, the comparatively low cost to the Government of the information requested, and the undetectable nature of a CSP's electronic transfer of such information, render these requests particularly vulnerable to abuse.[7] Finally, the Court concludes, from its exhaustive

ferred to as its "hybrid" or "dual authority" theory.

3. *See, e.g., Who Knows Where You've Been? Privacy Concerns Regarding the Use of Cellular Phones as Personal Locators,* 18 Harv. J. Law & Tech., 307, 310 (Fall, 2004) (hereafter *"Who Knows Where You've Been?"*) (discussing criminal cases in which law enforcement's access to cell phone location information may have been critical).

4. The Court recognizes and appreciates that the U.S. Attorney for this District has chosen not to pursue prospective cell tower information without a probable cause affidavit, and accordingly the current application requests only historic cell site location information ("CSLI"); however, the cases considering prospective applications are relevant to this discussion and must be addressed as well. In addition, because this Court concludes that the electronic communications statutes, correctly interpreted, do not distinguish between historic and prospective CSLI, its analysis applies equally to both.

5. The Supreme Court describes probable cause as a "practical, common-sense decision" turning on whether, under the "totality of the circumstances", there is a fair probability that evidence of a crime will be found. *See Illinois v. Gates,* 462 U.S. 213, 238, 103 S.Ct. 2317, 76 L.Ed.2d 527 (1983). *Cf. Karo,* 468 U.S. at 717, 104 S.Ct. 3296 (concluding that "Government's contention that warrantless [electronic monitoring] should be deemed reasonable [was] based upon its deprecation of the benefits and exaggeration of the difficulties associated with procurement of a warrant").

6. Location information may reveal, for example, an extra-marital liaison or other information regarding sexual orientation/activity; physical or mental health treatment/conditions (including, *e.g.,* drug or alcohol treatment and/or recovery programs/associations); political and religious affiliations; financial difficulties; domestic difficulties and other family matters (such as marital or family counseling, or the physical or mental health of one's children); and many other matters of a potentially sensitive and extremely personal nature. It is likely to reveal precisely the kind of information that an individual wants and reasonably expects to be private. *Cf. State v. Jackson,* 150 Wash.2d 251, 76 P.3d 217, 223–24 (2003) (noting that the "intrusion into private affairs" from a device producing a record of our travels is "quite extensive").

7. *Cf.* Susan Friwald, *First Principles of Communications Privacy,* 2007 Stan. Tech. L.Rev. 3, 11 (2007) (hereafter *"First Principles"*) (asserting that electronic communications surveillance implicates Fourth Amendment's core concerns because it is (a) hidden, thus requiring greater reliance on the Court's protection of the citizen's interests; (b) and (c)intrusive and continuous, thus requiring higher justification; and (d) indiscriminate, *i.e.,* often

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review of the statutes and cases as to both the rapidly-developing law of electronic communications and the Fourth Amendment, together with its extensive review of the legislative history and scholarly commentary, that Congress and the Supreme Court still concur in the principle underlying this Opinion: *i.e.*, that law enforcement's investigative intrusions on our private lives, in the interests of social order and safety, should not be unduly hindered, but must be balanced by appropriate degrees of accountability and judicial review.[8] For these reasons, and notwithstanding the legitimate and significant benefits in law enforcement's ability to obtain information efficiently and effectively, this Court best serves and preserves the fundamental principles underpinning our Constitutional democracy by (1) a careful and thorough parsing of the legislation and (2) a cautious and informed balancing of the competing interests.

Thus, absent express statutory authorization for *ex parte* access to personal movement/location information and/or a precedential/binding interpretative ruling, this Court cannot accede to the Government's request. To the contrary, it must adhere to the canons of statutory construction and read the provisions of the various statutes implicated in a manner that (1) applies the plain language of the legislation and gives effect to each and every provision, (2) is most warranted by the legislative history and other indicia of Congressional intent, and (3) avoids a Constitutional invalidation of portions of the legislation.[9]

Accordingly, this Court holds that the SCA, either alone or in tandem with the PRS pursuant to the CALEA,[10] does not authorize access to an individual's cell-phone-derived "location information", either past or prospective, on a simple showing of articulable relevance to an ongoing investigation (a "reasonable relevance" standard).

II. STATEMENT OF CASE AND STATUTORY PROVISION AT ISSUE

Currently pending is the application of an Assistant United States Attorney re-

obtaining more information than is justified, thus requiring judicial oversight regarding minimization).

8. *Cf. United States v. United States Dist. Ct.*, 407 U.S. 297, 317, 92 S.Ct. 2125, 32 L.Ed.2d 752 (1972) (Powell, J.) ("The Fourth Amendment does not contemplate the executive officers of Government as neutral and disinterested magistrates. Their duty and responsibility are to enforce the laws, to investigate, and to prosecute. But those charged with this investigatory and prosecutory duty should not be the sole judges of when to utilize constitutionally sensitive means in pursuing their tasks. The historical judgment, which the Fourth Amendment accepts, is that unreviewed executive discretion may yield too readily to pressures to obtain incriminating evidence and overlook potential invasions of privacy....").

9. *See, e.g., Edward J. DeBartolo Corp. v. Florida Gulf Coast Bldg. & Constr. Trades Council*, 485 U.S. 568, 575, 108 S.Ct. 1392, 99 L.Ed.2d 645 (1988) (holding that " 'every reasonable construction must be resorted to in order to save a statute from unconstitutionality' "). *Cf. Warshak v. United States*, 490 F.3d 455 (6th Cir.2007), *rehearing en banc granted and opinion vacated* (Oct. 9, 2007) (concluding that SCA did not comport with Fourth Amendment, and was constitutionally invalid, to the extent disputed portions allowed disclosure of e-mail content without a warrant and without prior notice); *In re Applications of the United States for Orders (1) Authorizing the Use of Pen Registers and Trap and Trace Devices and (2) Authorizing Release of Subscriber Information*, 2007 WL 2729668 (E.D.N.Y. Sept.18, 2007) (hereafter *"Azrack E.D.N.Y. 2007 Opinion"*) (concluding that Government's reading of the PRS violated Fourth Amendment).

10. The Communications Assistance for Law Enforcement Act of 1994, 47 U.S.C. §§ 1001 *et seq.*

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questing "that an Order be issued directing that (1) certain records of [a cell phone service provider] be disclosed to the Government, (2) this matter be sealed, and (3) [the cell phone service provider] and its agents be ordered not to disclose the existence of this application, order, and any disclosures pursuant thereto".

The Government has applied, under the Stored Communications Act (the "SCA"), 18 U.S.C. § 2703, for an Order requiring a cellular service provider to disclose the "transactional records"—including "historical cellular tower data", "cellular tower site information", and "sectors"—maintained with respect to a cellular telephone ("cell phone") number in the name of one individual (the "Subscriber") on the basis of its asserted relevance to an ongoing criminal investigation of another individual (the "Criminal Suspect").[11] The Government attests that the Criminal Suspect is a drug trafficker, that it is experiencing difficulty in visually surveilling that person, and that fuller knowledge of the Criminal Suspect's whereabouts is important to its counter-trafficking operations.[12] Owing to continuing technological advances, the information requested would enable the Government to identify where the Subscriber and any other individuals making use of the Subscriber's cell phone, including the Criminal Suspect, have been at any/many given times in the past and where they are likely to be now and/or in the future.

The SCA prohibits an electronic communications provider, including a cellular service provider (a "CSP"), from disclosing various stored, *i.e.* historic, subscriber telephone account information to the Government, *except on appropriate legal authority.*[13] The Government maintains that it may obtain historical cellular tower site location information (hereafter "CSLI")—and thus the location of the cell phone possessor(s)—under provisions of the SCA that authorize disclosure of "a record or other information pertaining to a subscriber to or customer of such service (not including the contents of communications)" under legal standards that include a Court Order issued upon "specific and articulable facts showing that there are reasonable grounds to believe that ... the records or other information sought, are relevant and

11. The Government asserts that the Subscriber's cell phone is "being used by" the Criminal Suspect. It provides no specific information connecting these two individuals, or connecting the Criminal Suspect to the cell phone. Because this Order more broadly denies the Government's request absent a showing of probable cause, it does not address the other infirmities that may arise when the Government seeks disclosure of a person's personal location information on a statement that her cell phone is being used by the target of an investigation.

12. The Government may reasonably expect that information as to the Criminal Suspect's historic whereabouts will provide valuable evidence of the locations of that person's sources of supply, "stash sites", and distribution networks. *See, e.g., In the Matter of the Application of the United States of America for an Order Authorizing the Release of Prospective Cell Site Information,* 407 F.Supp.2d 134, 135 (D.D.C.2006) (hereafter *"Facciola DDC 2006 Opinion"*) (noting Government agent's affidavit of same in requesting cellular location information). As citations to the formal captions of this genre of cases are cumbersome, we will (after the initial citation) refer to such cases by authoring Judge.

13. *See* 18 U.S.C. §§ 2702(a)(3), 2703; *see also In re the Application of the United States for an Order Authorizing the Installation and Use of a Pen Register Device, a Trap and Trace Device, and for Geographic Location Information,* 497 F.Supp.2d 301, 309 (D.P.R.2007) (hereafter *"McGiverin PR 2007 Opinion"*); Deirdre K. Mulligan, *Reasonable Expectations in Electronic Communications: A Critical Perspective on the ECPA,* 72 Geo. Wash. L.Rev. 1557, 1568 (Aug.2004) (noting that "[t]he SCA covers retrospective surveillance") (hereafter *"Reasonable Expectations"*).

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material to an ongoing criminal investigation." §§ 2703(c)(1)(B) and (d).

This Court finds that (1) the SCA expressly sets movement/location information outside its scope by defining "electronic communications" to exclude "any communication from a tracking device (as defined in § 3117)"; (2) the SCA does not establish an entitlement to information in abrogation of any other legal requirements that would otherwise apply due to the nature of that information; (3) the CALEA also expressly exempts information from a tracking device and, in legislating what information CSPs must compile/retain for disclosure to law enforcement on "Court Order or other lawful authorization", also retains the Fourth Amendment or other requirements implicated by the nature of the information sought; (4) the relevant legislative history further indicates that Congress did not intend its electronic communications legislation to be read to require disclosure of an individual's location information; to the contrary, in enacting the legislation it relied on express representations by law enforcement that it was not seeking to amend the background standards governing disclosure; [14] and (5) as reading the statutes as authorizing *ex parte* disclosure of movement/location information with no judicial review of the probable cause could violate citizens' reasonable expectations of privacy, such reading would be disfavored. This Court therefore concludes, as more fully set forth below, that it must deny the Government's requests for cellular-telephone-derived location information, historic or prospective, absent a showing of probable cause.

III. TECHNOLOGICAL DEVELOPMENT OVERVIEW

As of December, 2006, there were over 233 million cellular phone subscribers in the United States, almost ten times the number in 1994.[15] Our individual cell phones now come with us everywhere: not only on the streets, but in (a) business, financial, medical and other offices; (b) restaurants, theaters and other venues of leisure activity; (c) churches, synagogues and other places of religious affiliation; and (d) our homes and those of our family members, friends, and personal and professional associates. Indeed, many individuals no long subscribe to local wireline phones, but utilize their cell phone as their residential telephone.[16]

Cellular telephone networks divide geographic areas into many coverage areas containing towers through which the cell phones transmit and receive calls. Cell phones, whenever on, now automatically communicate with cell towers, constantly relaying their location information to the

14. *See, e.g., In re Application for Pen Register and Trap/Trace Device with Cell Site Location Authority,* 396 F.Supp.2d 747, 764 (S.D.Tex.2005)(hereafter *"Smith SD Tex.2005 Opinion"*) (contrasting express and extensive Congressional testimony of FBI Director Freeh, in advocating for its passage, that CALEA was "intended to preserve the status quo, that it was intended to provide law enforcement no more and no less access to information than it had in the past" and "did not relate to the SCA" with Government's subsequent assertion that it was intended to expand law enforcement's access to physical location information via the SCA).

15. *See* CTIA—The Wireless Association's Semi–Annual Wireless Industry Survey (2006), http://files.ctia.org. In 1985, when the CTIA survey was first taken, the number was 340,000. By 1994 the number of cell phone subscribers had increased to more than 24 million.

16. *See In the Matter of the CALEA,* 17 F.C.C.R. 6896, 6918 (April 11, 2002) (noting that in 1994, when the CALEA was enacted, "basic residential telephone service" was almost entirely wireline, but that households now substitute wireless telephone service).

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towers that serve their network and scanning for the one that provides the strongest signal/best reception. This process, called "registration", occurs approximately every seven seconds.[17]

As we change locations, our cell phones automatically switch cell towers. Cellular telephone companies "track the identity of the cell towers serving a phone".[18] When a call is received, a mobile telephone switching office ("MTSO") gets the call and locates the user based on the nearest tower; the call is then sent to the phone via that tower. This process works in reverse when the user places a call. *See id.* In urban areas, where towers have become increasingly concentrated, tracking the location of just the nearest tower itself can place the phone within approximately 200 feet. This location range can be narrowed by "tracking which 120 degree 'face' of the tower is receiving a cell phone's signal." *Id.* The individual's location is, however, most precisely determinable by triangulating the "TDOA" or "AOA" information of the three nearest cellular towers.[19] Alternatively, the phone can be tracked extremely accurately—within as little as 50 feet—via the built-in global positioning system ("GPS") capabilities of over 90% of cell phones currently in use. *Id. See also Who Knows Where You've Been?*, 18 Harv. J.L. & Tech. at 308 (noting that, as of 2004, synchronized signal triangulation produced a 3–D location accurate to 65 feet). CSPs store cell tower registration histories and other information.[20]

In sum, as a result of the proliferation of cellular tower sites, the uniform/routine inclusion of a GPS device in cell phones, and industry's implementation of additional technology required to meet Congressional mandates, including that more precise TDOA/AOA and other location information be available to emergency-assistance providers, CSPs now compile and retain extensive personal location

17. These location signals are generally set on one band (often referred to as a "control channel"); the other frequency bands that the phone uses are for sending and receiving voice and data. *See* Kevin McLaughlin, *The Fourth Amendment and Cell Phone Location Tracking: Where Are We?*, 29 Hastings Comm. & Ent. L.J. 421, 427 (Spring 2007) (hereafter *"Where Are We?"*); *See also Smith SD Tex. 2005 Opinion*, 396 F.Supp.2d at 750 (explaining that "control channels" are frequencies shared by the phone and base station to communicate information for setting up calls and channel changing, and that cell phone "registrations" occur "on a dedicated control channel that is clearly separate from that used for call content").

18. *In re Application of United States of American for an Order: (1) Authorizing Installation and Use of Pen Register and Trap and Trace Device; (2) Authorizing Release of Subscriber and Other Information, (3) Authorizing Disclosure of Location–Based Services*, 2006 WL 1876847, *1 n. 1 (N.D.Ind. July 5, 2006) (hereafter the *"Lee ND Ind.2006 Opinion"*).

19. The cell towers measure the strength of the phone's signals—and thus the phone's relative location—through a Time Difference of Arrival ("TDOA") or Angle of Arrival ("AOA") method. TDOA compares the amounts of travel time from phone to tower, while AOA measures the angles at which the phone's signals are received. The MTSO sends a signal to the cell phone's control channel when it is time to switch to the frequency of a nearer tower. *See id.*

20. Although historic call-specific registration information was at one time important for CSP billings, *e.g.*, roaming charges, with the advent of truly national networks and comprehensive cell phone "plans", it has become increasingly irrelevant to service fees, and its retention now appears related largely to cost-considerations (*i.e.*, inexpensive electronic storage of all data, without differentiation) and industry concerns that CSPs not risk under-compliance with complicated and sometimes ambiguous electronic communications regulations.

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information on their subscribers and the cell phones in use.

IV. RELEVANT CONSTITUTIONAL AMENDMENT, STATUTES AND LEGISLATIVE HISTORY

A. *Fourth Amendment, U.S. Const. Amend. IV*

The Fourth Amendment establishes a fundamental protection of our right to privacy.[21] By requiring that the Government's investigation of information in which we hold a reasonable expectation of privacy be conditioned on a showing of probable cause to a detached judicial official, our understanding and implementation of the Fourth Amendment seeks to balance degrees of intrusion on our civil liberties against degrees of promotion of legitimate governmental interests.

For the reasons discussed below, this Court believes that citizens continue to hold a reasonable expectation of privacy in the information the Government seeks regarding their physical movements/locations—even now that such information is routinely produced by their cell phones—and that, therefore, the Government's investigatory search of such information *continues* to be protected by the Fourth Amendment's warrant requirement; *i.e.*, the Government must meet a probable cause background standard.[22]

B. *Wiretap and Electronic Communications Interception and Interception of Oral Communications, 18 U.S.C. § 2510 et seq.*

Eighty (80) years ago, Justice Taft, writing for the majority over Justice Brandeis in dissent, concluded that a search or seizure of telephone conversations implicated no Fourth Amendment concerns because there could be no reasonable expectation of privacy in your voice projected over a wire outside of a building. *Olmstead v. United States,* 277 U.S. 438, 48 S.Ct. 564, 72 L.Ed. 944 (1928). Congress responded to this interpretation with passage of the Communications Act in 1934, 47 U.S.C. § 605, which made wiretapping illegal, and which the Supreme Court confirmed to preclude wiretapping by law enforcement in *Nardone v. United States,* 302 U.S. 379, 384, 58 S.Ct. 275, 82 L.Ed. 314 (1937).

In 1967 the Supreme Court delineated the procedural safeguards imposed by the Fourth Amendment on traditional wiretapping. *Expressly because of the particular dangers of abusing electronic surveillance,* the Court required that law enforcement agents had to surmount several requirements *beyond* those of the probable cause warrant needed to search a home. *See Katz v. United States,* 389 U.S. 347, 88 S.Ct. 507, 19 L.Ed.2d 576 (1967); *Berger v. New York,* 388 U.S. 41, 87 S.Ct. 1873, 18

21. The Fourth Amendment's protection of privacy rights also serves the important function of protecting associational rights recognized under the First Amendment. *See Katz v. United States,* 389 U.S. 347, 88 S.Ct. 507, 19 L.Ed.2d 576 (1967) (noting that Fourth Amendment concerns are heightened where associational interests are also at stake).

22. *See* discussion *infra* (noting that law enforcement agents have, until relatively recently, obtained Court authorization to obtain movement/location information by a showing of probable cause (or more), generally under Fed.R.Crim.P. 41 (for installation of a traditional tracking device) but sometimes under Title III (as part of a wiretapping application)). *See also Orenstein EDNY Oct. 2005 Opinion,* 396 F.Supp.2d at 322 ("I view the plain language of Rule 41 as providing a default mode of analysis that governs any matter in which the government seeks judicial authorization to engage in certain investigative activities. The Rule says as much." Concluding that "the statutes upon which the government relies to secure the requested relief do not suffice to negate the otherwise default requirement of probable cause imposed by Rule 41(d)(1)").

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L.Ed.2d 1040 (1967). Congress then incorporated those procedural hurdles into the Wiretap Act passed the following year. *See* Omnibus Crime Control and Safe Streets Act of 1968, Pub.L. No. 90–351, Title III (codified as amended at 18 U.S.C. §§ 2510–2522) (hereafter "Title III").

Currently, under 18 U.S.C. § 2518, the Government may obtain a wiretap, and listen in on calls to and from a target telephone, only by demonstrating to a District Judge that (a) there is probable cause for belief that an individual has committed/is committing/will commit a specified offense; (b) there is probable cause for belief that particular communications concerning the offense will be obtained; (c) normal investigative procedures have been tried and failed or are reasonably unlikely to succeed or be too dangerous; (d) there is probable cause for belief that the facilities from which, or place where, the communications to be intercepted are/will be used, in connection with commission of the offense, are leased/listed to/commonly used by such person.[23]

With this historical background in mind, other legislation implicated by the issue *sub judice* includes:

C. *Fed.R.Crim.P. 41—Warrant Issuing Upon Probable Cause*

Rule 41 of the Federal Rules of Criminal Procedure generally provides that the Government may secure a warrant upon a showing, consistent with the requirements of the Fourth Amendment, that there is probable cause. This is the standard which the Government has long been required to meet in order to obtain Court approval for the installation and use—by law enforcement agents—of a device enabling the Government to record, or "track", the movement of a person or thing.[24]

Rule 41, as amended by the Supreme Court in 2006, expressly provides Court authority to issue a warrant for the installation and use of a tracking device (as defined in 18 U.S.C. § 3117)[25] for a renewable period not to exceed 45 days. The Rule also contains express provisions requiring notice within ten (10) days from the end of the warrant period (although it may be delayed) and the suppression of information wrongfully obtained.

As reflected in the Judicial Conference Advisory Committee's Notes to the 2006 Amendments, those amendments were in-

23. Given the additional requirements beyond ordinary search warrants, this has been referred to as both a "Title III warrant" and/or a "super warrant". *See* Orin S. Kerr, *Internet Surveillance Law After the USA PATRIOT Act*, 97 NW. U.L.Rev. 607, 630 (Winter 2003).

The Courts appear to disagree as to whether the Government may request and receive CSLI when it meets the "probable cause plus" showing. *Compare, e.g., Adelman ED Wis.2006 Opinion*, 2006 WL 2871743, *4 *with Smith SD Tex.2005 Opinion*, 396 F.Supp.2d at 758.

24. *See, e.g., United States v. Karo*, 468 U.S. 705, 720, 104 S.Ct. 3296, 82 L.Ed.2d 530 (1984) (holding that use of a warrantless beeper to monitor location into private residence violates the Fourth Amendment). *Cf. also* Notes to the 1977 Amendments (noting that the trend of Supreme Court cases was to give greater priority to the use of warrants as the proper way of making a lawful search); *id.* (observing that "[i]t is a cardinal rule that ... law enforcement agents must secure and use a search warrant whenever practicable.... This rule rests upon the desirability of having magistrates rather than police officers determine when searches and seizures are permissible and what limits such be placed upon such activities.") (quoting *Trupiano v. United States*, 334 U.S. 699, 705, 68 S.Ct. 1229, 92 L.Ed. 1663 (1948), quoted with approval in *Chimel v. California*, 395 U.S. 752, 758, 89 S.Ct. 2034, 23 L.Ed.2d 685 (1969)).

25. The Committee was careful to note that it "did not intended by [the 2006] amendment to expand or contract the definition of what might constitute a tracking device." *See* Notes to the 2006 Amendment.

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tended to address the use of tracking devices, "which searches [had been] recognized by statute [*i.e.*, § 3117] and by case law [*i.e., United States v. Karo,* 468 U.S. 705, 104 S.Ct. 3296, 82 L.Ed.2d 530 (1984); *United States v. Knotts,* 460 U.S. 276, 103 S.Ct. 1081, 75 L.Ed.2d 55 (1983)]". The Committee further noted that the evidentiary standard applicable to the installation of a § 3117 tracking device was unspecified by "the tracking device statute" (*i.e.*, § 3117), and that the Supreme Court had "reserved ruling on the issue",[26] but that "[w]arrants may be required to monitor tracking devices when they are used to monitor persons or property in areas where there is a reasonable expectation of privacy." *See* discussion *infra* at Section V(C).

D. *Electronic Communications Privacy Act of 1986*

The ECPA, enacted in 1986, was a major overhaul of the Omnibus Crime Control and Safe Streets Act of 1968. Two of its subsections are relevant to consideration of the legal standard required for obtaining a Court Order for movement/location information:

1. *Pen Register Statute*

Historically, a "Pen Register" is a device which records or decodes electronic or other impulses which identify the *telephone numbers* dialed or otherwise transmitted on the telephone line to which such device is attached (*i.e.*, the numbers of *outgoing* calls). A trap and trace device captures the incoming electronic or other impulses which identify the originating number of an instrument or device from which a wire or electric communication was transmitted (*i.e.*, the numbers of *incoming* calls). These devices have been in long and frequent use and are collectively referred to as a "Pen Register" or "Trap and Trace".

Although they had been in use for some time, the standard applicable to the Government's installation of a Trap and Trace was not addressed until 1979, when the Supreme Court concluded that the Fourth Amendment's probable cause protections need not apply. *See Smith v. Maryland,* 442 U.S. 735, 99 S.Ct. 2577, 61 L.Ed.2d 220 (1979) (holding that telephone users have no reasonable expectation of privacy in the telephone numbers they dial to connect a phone call). Congress responded to *Smith* by including procedures and evidentiary standards governing the installation of a Trap and Trace in the provisions of the ECPA in 1986. *See* 18 U.S.C. § 3121 *et seq.*[27]

Although the statute requires that, absent emergency, the Government must obtain a Court Order prior to installing or using a Trap and Trace, it may do so merely upon certification "that the information likely to be obtained is relevant to an ongoing criminal investigation being conducted by that agency." 18 U.S.C. § 3122(b)(2).[28] Such Orders routinely au-

26. *Cf. In the Matter of the Application of the United States of America,* 441 F.Supp.2d 816, 836 n. 3 (S.D.Tex.2006) (hereafter *"Smith SD Tex.2006 Opinion"*) ("The court has not found any case holding that a standard lower than probable cause is acceptable.").

27. The statute as enacted defined a Trap and Trace as a device for capturing "electronic or other impulses which identify the numbers dialed or otherwise transmitted on the telephone line to which such device is attached." As amended by the USA PATRIOT Act of 2001, it now includes "a device or process which records or decodes dialing, routing, addressing, or signaling information." The Federal Communications Commission (the "FCC") has adopted the position, and the Court of Appeals has held, that the term "signaling information" encompasses CSLI. *See United States Telecom. Assoc. v. FCC,* 227 F.3d 450 (D.C.Cir.2000).

28. The Court's ministerial role does not include an independent review of whether the application meets the relevance standard;

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thorize real-time electronic monitoring of telephone call information for a limited duration, typically sixty (60) days. *Id.* at § 3123(c).

2. *Stored Wire and Electronic Communications and Transactional Records Access*

As noted above, the SCA, a 20–year–old criminal-code statute enacted as Title II of the ECPA, *prohibits* electronic communication service providers from disclosing electronically stored, *i.e.*, historic, information to the Government, except as otherwise authorized and with appropriate legal authority.[29] More particularly, under §§ 2703(a) and (b), the disclosure of "content" information expressly requires either a Rule 41 warrant (if it has been in electronic storage with the provider for 180 days or less) or notice to the subscriber/customer together with an administrative subpoena or Court Order (if the content has been in electronic storage with the provider for more than 180 days). In contrast, the disclosure of basic account information[30] requires nothing more than an administrative, grand jury or trial subpoena. § 2703(c)(2).

The statute also provides, in § 2703(c)(1), *Records Concerning Electronic Communication Service or Remote Computing Service,* that the Government may require the release of "records or other information pertaining to a subscriber to or customer of such service (not including the contents of communications)[31] only when the governmental entity":

> (A) obtains a warrant issued [under] the Federal Rules of Criminal Procedure,
>
> (B) obtains a court order [under § 2703(d)],
>
> (C) obtains subscriber/customer consent to disclosure,
>
> (D) submits a written request for name, address, and place of business, relevant to investigation of telemarketing fraud, or
>
> (E) seeks [basic account information] under § 2703(c)(2).

Section 2703(d), in turn, sets forth the "requirements for court order", specifying that an order for disclosure of (1) content records held by the communications provider for more than 180 days or held by a remote computing service, and to be released with notice to the subscriber/customer under subsection (b) *or* (2) "a record or other information pertaining to a subscriber to or customer of such service" under subsection (c), issue "only if the governmental entity offers specific and articulable facts showing that there are reasonable grounds to believe that the contents of a wire or electronic communication, or the records or other information sought, are relevant and material to an ongoing criminal investigation."

Finally, and significantly, the SCA defines "electronic communications" to expressly exclude "any communication from a tracking device (as defined in § 3117)", *i.e.*, "an electronic or mechanical device which permits the tracking of the move-

rather, it is only to review the completeness of the certification submitted. *See Lee ND Ind. 2006 Opinion,* 2006 WL 1876847 at *2.

29. *See* 18 U.S.C. § 2702(a)(3) (prohibiting, except as otherwise provided, a CSP from disclosing any "record or other information pertaining to a subscriber to or customer of such service ... to any governmental entity").

30. This information is specified to include subscriber name; address, telephone connection records/records of session times/durations; length and types of services; telephone or other subscriber number; and means/source of service payment.

31. The statute does not further define "records or other information".

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ment of a person or object". *Id.* at § 2711, *Definitions* (incorporating 18 U.S.C. § 2510(12)).

E. *Mobile Tracking Device Statute, 18 U.S.C. § 3117 (1986)*

This statute, also enacted in 1986, simply provides that a Court "empowered to issue a warrant or other order for the installation of a mobile tracking device" may issue an Order authorizing its use outside the Court's jurisdiction. It broadly defines a "tracking device" as "an electronic or mechanical device which permits the tracking of the movement of a person or object." § 3117(b). The relevant Senate Report notes that "[t]his [jurisdictional] clarification [did] not effect [*sic*] current legal standards for the issuance of such an order." S. Rep. 99–541 at 10 (1986), *reprinted in* 1986 U.S.C.C.A.N. at pp. 3555, 3588. As noted, *supra* at Section IV(C), the Government has historically been required to meet the probable cause standard for warrants set forth in Fed.R.Crim.P. 41 for Court authorization prior to installing and utilizing a tracking device.

F. *Communications Assistance for Law Enforcement Act of 1994*

(1) *Statutory Provisions*

The Communications Assistance for Law Enforcement Act of 1994 (the "CALEA"), 47 U.S.C. § 1001 *et seq.*, was intended to mandate communications carriers' acquisition and implementation of technology/equipment capable of providing law enforcement with the "wire and electronic communication" information to which it was entitled under the statutes relating to electronic communication technology. The Act required telecommunications carriers to ensure, within four (4) years from enactment (*i.e.*, by October 25,1998), that they had the ability to provide—subject to "court order or other lawful authorization"—law enforcement agencies with:

> access to call-identifying information that is reasonably available to the carrier—(A) before, during, or immediately after the transmission of a wire or electronic communication (or at such later time as may be acceptable to the government); and (B) in a manner that allows it to be associated with the communication to which it pertains, except that, with regard to information acquired solely pursuant to the authority for pen registers and trap and trace devices (as defined in [§ 3127]), such call-identifying information shall not include any information that may disclose the physical location of the subscriber (except to the extent that the location may be determined from the telephone number).

Id. at 1002(a)(2).

The statute defines "call-identifying information" to include "dialing or signaling information that identifies the origin, direction, destination, or termination of each communication generated or received by a subscriber by means of any equipment, facility, or service of a telecommunications carrier." § 1001(2).

The CALEA, as does the SCA, expressly defines out of the "electronic communications" covered by the Act, information from a "tracking device" under § 3117. *See* § 1001(1) (adopting definitions of 18 U.S.C. § 2510).

(2) *Legislative History and Implementation*

The express purpose of the CALEA was to require communications service providers to acquire/implement technology to isolate and provide—on appropriate lawful authority—intercepted "content and call-identifying information" to law enforcement. *See* H.R.Rep. 103–827(I), *reprinted in* 1994 U.S.C.C.A.N. at pp. 3489, 3489–

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90.[32] Passage and implementation of the CALEA entailed several years of extensive negotiations. The extent to which Government's investigatory access to movement/location information would be implicated/affected by a requirement that it be identified/retained/provided with appropriate authority was the subject of much testimony and debate. It was clear, however, that Congress was extremely concerned that the background requirements be preserved, and that its legislation not be later asserted to have affected the judicial review protections applicable to this constitutionally-sensitive information.

More particularly, the legislative history of the CALEA indicates that, during his lengthy and repeated testimony before the Senate and House, then-FBI-Director Louis Freeh addressed Congress' concern that with advances in cell phone technology, law enforcement could obtain—by CSLI—information of an individual's physical movement previously obtainable only through visual surveillance or the covert installation of a radio-wave transmitter. During the course of his testimony, Director Freeh reassured Congress that law enforcement was not attempting to obtain via the 1994 enactments, or to otherwise alter the standards applicable to, movement/location information. To the contrary, he asserted, the proposed legislation would "ensure[ ] the maintenance of the status quo", that it "[did] not enlarge or reduce the government's authority," and that it "*relate[d] solely to advanced technology, not legal authority or privacy*".[33]

Director Freeh's testimony included the following:

> The term "call setup information" is essentially the dialing information associated with any communication which identifies the origin and destination of a wire or electronic communication obtained through the use of a pen register or trap and trace device pursuant to court order. It does not include any information which might disclose the general location of a mobile facility or service, beyond that associated with the area code or exchange of the facility or service. There is no intent whatsoever, with reference to this term, to acquire anything that could properly be called 'tracking' information.

Id. at 23. Director Freeh also stated, in allaying Congressional concerns:

> Law enforcement's ... ability to acquire "call setup information" ... related to dialing type information—information generated by a caller which identifies the origin, duration, and destination of a

32. *See also McGiverin PR 2007 Opinion*, 497 F.Supp.2d 301 (explaining that CALEA was passed to "*preserve* the government's ability, pursuant to court order or other lawful authorization, to intercept communications [in the face of] advanced technologies such as digital or wireless transmission modes ... while protecting the privacy of communications and without impeding the introduction of new technologies, features, and services") (emphasis added); *United States Telecom Assoc. v. FCC*, 227 F.3d 450, 454 (D.C.Cir.2000) (citing FBI's 1994 Congressional testimony that it was "precluded ... from implementing authorized electronic surveillance" by "technological impediments" such as "the limited capacity of cellular systems to accommodate large numbers of simultaneous intercepts [and] growing use of custom calling features such as call forwarding, call waiting, and speed dialing").

33. Joint Hearing on Digital Telephony and Law Enforcement Access to Advanced Telecommunications Technologies and Services: Hearings Before the Subcomm. On Technology and Law of the Senate Judiciary Comm. And the Subcomm. On Civil and Constitutional Rights of the House Judiciary Comm., 103rd Cong., 2d Sess., at 2, 28 (Statement of Dir. Freeh) (hereafter "Digital Telephony Testimony") (emphasis added); *id.* at 22 (stating that the CALEA "provide[s] law enforcement no more and no less access to information than it had in the past").

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wire or electronic communication, the telephone number or similar communication address. Such information ... historically, has been acquired through use of pen register or trap and trace devices pursuant to court order.

Several privacy-based spokespersons have criticized the wording of the definition regarding this long-standing requirement, alleging that the government is seeking a new, pervasive, automated "tracking" capability. Such allegations are completely wrong.

Some cellular carriers do acquire information relating to the general location of a cellular telephone for call distribution analysis purposes. However, this information is not the specific type of information obtained from 'true' tracking devices, which can require a warrant or court order when used to track within a private location not open to public view. *See United States v. Karo*, 468 U.S. 705, 714, 104 S.Ct. 3296, 82 L.Ed.2d 530 (1984).[34] Even when such generalized location information, or any other type of 'transactional' information, is obtained from communications service providers, court orders or subpoenas are required and are obtained.

In order to make clear that the acquisition of such information is not being sought through the use of pen register or trap and trace devices, and is not included within the term 'call setup information', we are prepared to add a concluding phrase to this definition to explicitly clarify the point: *except that such information (call setup information) shall not include any information that may disclose the physical location of a mobile facility or service beyond that associated with the number's area code or exchange.*

Id. at 29 (emphasis added).[35]

Finally, Director Freeh represented, in response to a letter alleging that the Government was seeking to obtain surveillance of individuals through transactional data:

> This is a false issue for a number of reasons.
>
> First, as is clearly set forth in the 'purpose' section of the proposed legislation, the intent of the legislation is to maintain existing technical capabilities and to 'clarify and define' the responsibility of common carriers ... to provide the assistance required to ensure that government agencies can implement court orders and lawful authorizations to intercept the content of wire and electronic communications and acquire call setup information.... [It has] nothing to do with 'transactional information' under our federal electronic surveillance and privacy laws. All telecommunications 'transactional' information is already protected by federal law and is exclusively dealt with in [the SCA]. The proposed legislation does not relate to [the SCA].

Id. at 27 (quoted in *Smith SD Tex.2005 Opinion*, 396 F.Supp.2d at 763).

Following passage of the CALEA, and in accordance with Congressional direction, the Telecommunications Industry Association ("TIA") began the long process of the "development of the specific technological standards" by which industry could comply with its law-enforcement-assistance obligations. This entailed several years of negotiations and consultations amongst industry, law enforcement and consumer

34. *Cf. Facciola DDC 2006 Opinion*, 407 F.Supp.2d at 139 (explaining that a "true" tracking device was traditionally, and as in *Karo*, a radio-wave transmitter "affixed to a car that permitted its movements to be monitored").

35. *Cf. id.* at 137 (noting that "[t]he Director's offer and its acceptance by Congress led to the exception codified as 47 U.S.C. § 1002(a)(2)").

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representatives "under the auspices of" the FCC. *Smith SD Tex.2006 Opinion*, 441 F.Supp.2d at 820; *see also* 47 U.S.C. § 1006.

In 1999, the FCC issued a ruling on the TIA's proposed technical specifications and protocols (which were published as the Interim Standard/Trial Use Standard J–STD–025 or the "J–Standard").[36] Six aspects of the FCC ruling were challenged and consolidated for judicial review. *See United States Telecom Assoc. v. FCC*, 227 F.3d 450 (D.C.Cir.2000). The Court of Appeals held that the agency had "acted arbitrarily and capriciously" and/or "failed to engage in reasoned decisionmaking" as to five of its interpretations of the CALEA, but that it could require CSPs to have available CSLI as "call-identifying information" under the Act. *Id.*

G. *Enhanced 911 Rules*

As individuals' use of cellular (rather than land-line) telephones rapidly expanded during the 1990s, it presented increasing difficulties for emergency service providers who had previously determined a caller's location from the account address of her stationary telephone. Beginning in 1996, and continuing over several years, the FCC issued a series of "Enhanced 911 Emergency Call Systems" rules requiring CSPs to acquire the ability to identify more precisely the locations of cell phones making emergency calls.[37]

H. *Wireless Communication and Public Safety Act of 1999*

In this legislation, amending the Telecommunications Act and authorizing a nationwide "911" emergency service for cell phone users, Congress recognized the importance of an individual's expectation of privacy in her physical location. *See* PL 106–81, 113 Stat. 1288 (Oct. 26, 1999) (amending 47 U.S.C. §§ 222, 251). More particularly, in authorizing the specifically-limited disclosure of location information to ensure the provision of emergency services, the Act directs that a customer otherwise not be deemed to have approved use/disclosure of, or access to, her CSLI absent express prior authorization. *See* 47 U.S.C. § 222(f).[38]

36. *See In the Matter of the CALEA*, 1999 WL 674884, 14 F.C.C.R. 16794 (1999). Although it modified industry's proposed technical standards in many respects, the FCC rejected some of the assistance capabilities which law enforcement sought to require. For example, the FCC rejected the New York Police Department's proposal that would have "required [CSPs to compile] triangulating signals from multiple cell antenna towers to pinpoint a wireless phone's precise location throughout a call's duration." The FCC acknowledged that providing law enforcement with triangulation capabilities would "pose difficulties that could undermine individual privacy", and concluded that "a more generalized capability that will identify only the location of a cell site, and only at the beginning and termination of the call, will give [law enforcement authorities] adequate information." *See Who Knows Where You've Been?*, 18 Harv. J. Law & Tech. at 313 (quoting 227 F.3d 450, 464 (D.C.Cir.2000)).

37. *See* 47 C.F.R. § 20.18 (2004) (requiring that licensees "achieve 95 percent penetration of location-capable handsets" among subscribers by end 2005); Laurie Thomas Lee, *Can Police Track Your Wireless Calls? Call Location Information and Privacy Law*, 21 Cardozo Arts & Ent. L.J. 381, 384–386 & nn. 23–24 (2003) (discussing CSPs' implementation of "network overlay" technology to attain the required precision).

38. *See Smith SD Tex.2005 Opinion*, 396 F.Supp.2d 747 (concluding, in discussing this legislation, that "location information is a special class of customer information, which can only be used or disclosed in an emergency situation, absent express prior consent by the customer"); *Orenstein EDNY Oct. 2005 Opinion*, 396 F.Supp.2d at 323 (similarly noting Congress' recognition of the "special nature" of location information and concluding that "a cell phone user may very well have an objectively reasonable expectation of privacy in his call location information").

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V. ANALYSIS

Any contention that the Government might obtain cell tower site location information ("CSLI") solely under the auspices of the PRS appears to have been put to bed.[39] In a series of published Orders and Opinions over the past two years, a significant majority of Courts have also rejected the Government's contention that real-time, or prospective, movement/location information may be obtained under a hybrid theory which purports to combine the authorities of the PRS and the SCA by seizing upon the term "solely" in a provision of the CALEA.[40] In so holding, many of

39. *See* CALEA; *In re Application of the United States for an Order Authorizing Pen Register and Trap and Trace Device and Release of Subscriber Information and/or Cell Site Information,* 384 F.Supp.2d 562, 563 (E.D.N.Y. 2005) (hereafter "Orenstein EDNY Aug. 2005 Order") ("The government ... appears to want to put some daylight between a pen register and the instrumentality for seeking cell site location information—notwithstanding the fact that the law plainly authorizes a court to allow the installation of a pen register on the basis of a showing that is far less demanding than the probable cause standard. Its reticence in [seeking to obtain location information through use of a Pen/Trap device] ... is understandable ... [as] Congress appears to have prohibited it from doing so.").

40. *See generally Where Are We?,* 29 Hastings Comm. & Ent. L.J. at 422–24 (summarizing that 11 of the 15 decisions published on cell phone location tracking within prior two years concluded probable cause is required, while four authorized limited prospective information).

Among the decisions denying the Government's requests for CSLI under a hybrid theory are: *In re the Applications of the United States for Orders Authorizing the Disclosure of Cell Cite Information,* 2005 WL 3658531 (D.D.C. Oct.26, 2005) (hereafter *"Robinson Joint Magistrates' DDC 2005 Order"); Facciola DDC 2006 Opinion,* 407 F.Supp.2d 134; *Lee ND Ind.2006 Opinion,* 2006 WL 1876847 (affirming Magistrate Judge's denial of application); *Application of the United States for an Order Authorizing the Installation and Use of a Pen Register and a Caller Identification System on Telephone Numbers (Sealed) and Production of Real Time Cell Site Information,* 402 F.Supp.2d 597 (D.Md.2005); *In re Application of United States for Orders Authorizing Installation and Use of Pen Registers and Caller Identification Devices,* 416 F.Supp.2d 390 (D.Md.2006); *In re Application for an Order Authorizing the Installation and Use of a Pen Register and Directing the Disclosure of Telecomm. Records,* 439 F.Supp.2d 456 (D.Md. 2006); *Orenstein EDNY Aug. 2005 Order,* 384 F.Supp.2d 562, *on reconsideration, Orenstein EDNY Oct. 2005 Opinion,* 396 F.Supp.2d 294; *In re Application of the United States for an Order for Prospective Cell Site Location Information,* 2006 WL 468300 (S.D.N.Y. Feb.28, 2006); *In re United States Application for an Order Authorizing Installation and Use of a Pen Register,* 415 F.Supp.2d 211 (W.D.N.Y. 2006) (hereafter *"Feldman WDNY 2006 Opinion"*); *McGiverin PR 2007 Opinion,* 497 F.Supp.2d 301; *Smith SD Tex 2005 Opinion,* 396 F.Supp.2d 747; *Smith SD Tex.2006 Opinion,* 441 F.Supp.2d 816, 827–37; *Adelman ED Wis.2006 Opinion,* 2006 WL 2871743, *3–4 (affirming Magistrate Judge's denial of application); *In re Application of the United States for an Order Authorizing the Disclosure of Propsective Cell Site Information,* 412 F.Supp.2d 947, 950 (E.D.Wis.2006) (hereafter *"Callahan ED Wis.2006 Opinion"*).

But see In re Application for an Order Authorizing the Extension and Use of a Pen Register Device, 2007 WL 397129 (E.D.Cal. Feb.1, 2007) (granting request for limited prospective CSLI); *In re Application of United States for an Order,* 411 F.Supp.2d 678 (W.D.La. 2006); *In re Application of the United States of America for an Order for Disclosure of Telecommunications Records and Authorizing the Use of a Pen Register and Trap and Trace,* 405 F.Supp.2d 435 (S.D.N.Y.2005) (hereafter *"Gorenstein SDNY 2005 Opinion"*); *In re Application of United States for an Order for Prospective Cell Location Information,* 460 F.Supp.2d 448 (S.D.N.Y.2006); *In re Application of the United States,* 433 F.Supp.2d 804 (S.D.Tex.2006) (hereafter *"Rosenthal SD Tex. 2006 Opinion"*); *In re Application of the United States for an Order (1) Authorizing Installation of a Pen Register and Trap and Trace Device and (2) Authorizing Release of Subscriber and Other Information,* 2007 WL 3036849 (S.D.Tex. Oct.17, 2007) (hereafter *"Rosenthal SD Tex.2007 Opinion"*) (reversing Magistrate Judge Smith's denial of application for historic and prospective CSLI).

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these Courts have repeatedly opined that real-time cell-phone-derived movement/location information is "tracking" information within § 3117.[41] Few Courts have, however, addressed in published opinion whether the Government may nonetheless covertly obtain a cell phone subscriber's (or possessor's) past, or historic, movement/location information by the authority of the SCA. Some have suggested or credited (all but twice in *dicta*, and with little substantive discussion), that it may; a few have concluded or suggested that it may not.[42]

41. A District Court's published consideration of the appropriateness of *ex parte* Court Orders mandating a CSP's disclosure to the Government of an individual subscriber's location information on less than a showing of probable cause first appeared in a brief Order by Magistrate Judge Orenstein of the Eastern District of New York in late August, 2005. *See Orenstein EDNY Aug. 2005 Order,* 384 F.Supp.2d at 563 (rejecting out-of-hand the government's asserted reliance on provisions under § 2703(c) and concluding, as matter of apparent first impression, that under "only ... arguably" permissive subsection, § 2703(d), cell phone that produces CSLI revealing general geographic location is "tracking device" under § 3117 and therefore not "the *contents* of an electronic communication" obtainable under the ECPA without probable cause normally required for a warrant) (emphasis added).

Shortly thereafter, Magistrate Judge Smith of the Southern District of Texas issued a thorough Opinion providing an extensive review of the statutory history and concluding that prospective cell site data constitutes "tracking device information" under the ECPA requiring establishment of probable cause. *See Smith SD Tex.2005 Opinion,* 396 F.Supp.2d 747. At the same time, Judge Orenstein had been reviewing his earlier decision and issued a much fuller Opinion which corrected his preliminary misstep. *See Orenstein EDNY Oct. 2005 Opinion* (holding that request for prospective cell site information was effectively one for installation of tracking device, requiring at least probable cause).

Many other Courts adopted, and sometimes expanded upon, these analyses. *See, e.g., Lee ND Ind.2006 Opinion* at *4 (concluding, in affirming Magistrate Judge's denial of applications for historic and prospective CSLI, that "converging the [PRS] with the SCA in an attempt to circumvent the exception in the CALEA is contrary to Congress' intent to protect cell site location information from utilization as a tracking tool absent probable cause under the Fourth Amendment"); *Adelman ED Wis.2006 Opinion* at *5 (concluding that "[i]f the government is granted access to [CSLI], a customer's cell phone will most certainly permit tracking of his movements from place to place"); *McGiverin PR 2007 Opinion,* 497 F.Supp.2d at 310 (concluding that CSLI "does not pertain to an 'electronic communication service' within the ... SCA because it is information from a tracking device") (citing M. Wesley Clark, *Cell Phones as Tracking Devices,* 41 Val. U.L.Rev. 1413, 1473 (2007) ("It would appear clear that on [§ 3117]'s face, a cell phone easily fits within the term 'tracking device'....")). Indeed, Magistrate Judge Smith also expanded on his own analysis the following year in *Smith SD Tex.2006 Opinion,* 441 F.Supp.2d 816.

42. *See, e.g., Callahan ED Wis.2006 Opinion,* 412 F.Supp.2d at 949 (observing, in concluding that request for prospective CSI requires probable cause—in *dicta* and without analysis—that application was "problematic" because it requested prospective rather than "historical information"); *Smith SD Tex.2005 Opinion,* 396 F.Supp.2d at 759, n. 16 (opining in *dicta* that CSPs compilation of tracking communications would bring them "more comfortably" within the scope of the SCA); *Orenstein EDNY Oct. 2005 Opinion,* 396 F.Supp.2d at 303 n. 6 (opining, in *dicta* and without explanation, that § 2703(d) "plainly allows" the Government to seek historical CSLI); *id.* at 307, n. 10 (repeating that "the SCA authorizes a[CSP]'s disclosure to law enforcement of historical cell site information, to the extent it maintains such records", this time with express citation to Magistrate Judge Smith's footnote 16); *Feldman WDNY 2006 Opinion,* 415 F.Supp.2d at 214 (accepting, in *dicta,* Government's interpretation of "the SCA [as] authoriz[ing it] to obtain *historical* [CSLI]") (emphasis in original). *See also infra* (citing *Stearns Mass.2007 Opinion* and *Rosenthal SD Tex.2007 Opinion* as only ones to expressly address and grant pending request for covert disclosure of historic CSLI by authority of § 2703).

Compare Lee ND Ind.2006 Opinion, 2006 WL 1876847 (expressly concluding, in agree-

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This Court concurs with those majority opinions holding that real-time CSLI constitutes tracking information and further concludes, after extensive research and careful consideration, that a distinction between real-time ("prospective") and stored ("historic") cell-phone-derived movement/location information would be at odds with (a) the plain language and/or natural meaning of the language of § 3117 and § 2703, (b) the rule of statutory construction requiring that effect be given to each and every provision, and (c) unambiguous Congressional intent. It would also render the related provisions of the electronic communications legislation constitutionally suspect, at best. More particularly, this Court has reached the following understanding of the issues:

A. *The Government's Positions are Precluded by Textual Analysis*

1. *The Stored Wire and Electronic Communications and Transactional Records Access Statutes*

The SCA sets forth a prohibition against a CSP's release to the Government of "records or other information" pertaining to a communications service subscriber, except as otherwise authorized with, *e.g.*, warrant, consent, or court order. *See* 18 U.S.C. §§ 2702(a)(3), 2703(c), *Records Concerning Electronic Communication Service or Remote Computing Service.* In its application *sub judice,* the Government requests a § 2703(d) Order to obtain historic cellular tower site location information ("CSLI"). The Court sees two independently determinative flaws in the Government's election to predicate its request on the SCA, rather than on a probable cause warrant under Fed.R.Crim.P. 41:

(a) *An Electronic Device That Is Able and Used to Provide the Government With Movement/Location Information is a "Tracking Device", Communications From Which are (i) Expressly Excluded from the Definition of "Electronic Communications" Under the SCA and (ii) Not Pertaining to the Subscriber of an Electronic Communications Service Under the SCA*

The scope of the "Stored Wire and Electronic Communications and Transactional Records Access" Act, a subtitle of the "Electronic Communications Privacy Act", is limited to information pertaining to wire or "electronic communications", which are expressly defined to exclude communications from a device "which permits the tracking of the movement of a person or object". On its face, this definition appears to unambiguously place the information sought outside the SCA.[43]

ment with Magistrate Judge's Order, and on applications before it, that Government could acquire *neither* historic nor prospective CSLI by authority of § 2703 and absent probable cause showing under Rule 41); *Robinson Joint Magistrates' DDC 2005 Order,* 2005 WL 3658531 (directing without distinction that all applications for CSLI under either the SCA or the PRS, or both, be returned to the government). *Cf. McGiverin PR 2007 Opinion,* 497 F.Supp.2d at 303 (characterizing prospective nature of request for cell site information as "[i]mportant" without elucidation); *but see id.* at 310 ("The SCA's trail of definitions leads, inescapably in my judgment, to the conclusion that the discloseable information under the statute does not include location information."). *Cf. also In re Applications of the United. States for Orders Pursuant to § 2703(d) to Disclose Subscriber Information and Historic Cell Site Information,* 509 F.Supp.2d 64, 66 (D.Mass.2007) (Alexander, M.J.) (hereafter *"Alexander Mass.2007 Opinion"*) (holding that disclosure of historic CSLI is subject to probable cause standard of Rule 41), *rev'd,* 509 F.Supp.2d 76 (D.Mass. 2007) (hereafter *"Stearns Mass.2007 Opinion"*).

43. *Cf. Steve Jackson Games, Inc. v. United States Secret Service,* 36 F.3d 457, 461 (5th Cir.1994) ("Understanding the [ECPA] requires understanding and applying its many technical terms as defined by the Act, as well as engaging in painstaking, methodical analy-

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As technology now stands (and it will no doubt continue to rapidly evolve), triangulation of CSLI enables a covert observer to know our physical movements/locations within 50 feet; and our cell phones, whenever on, broadcast this information virtually continuously as we go about from place to place. Even without triangulation, our cell phones transmit—and our CSPs record—information of our movements to a few hundred feet. It is, therefore, extremely difficult to see how a cell phone is not now *precisely* an "electronic ... device which permits the tracking of the movement of a person or object." § 3117(b).[44]

By virtue of cell phone technology, law enforcement may now electronically monitor our movements with as much—indeed, ofttimes more—scope and precision as by its traditional methods of visual surveillance and/or installation of a "beeper". As other Courts have observed, tracking device and cell phone technologies have *converged.* That is, our cell phones—when utilized to record our physical movements—operate in the same manner and to the same purpose as earlier radio-wave beepers.[45] This Court concurs, therefore, with the several thorough and thoughtful opinions to have reviewed the statutory language and reached this same conclusion.

With those Courts that have opined (or assumed) that the Government may none-

sis.") (quoted with approval in *Smith SD Tex. 2005 Opinion,* 396 F.Supp.2d at 753 (concluding that "rigorous attention must be paid to statutory definitions")).

44. The Court notes, moreover, as others have pointedly and repeatedly observed, that the sweeping definition of § 3117 does not rely on a particular degree of precision. *See, e.g., Smith SD Tex.2005 Opinion,* 396 F.Supp.2d at 753 (rejecting as "unpersuasive" argument that CSLI is not "information from a tracking device" because it does not provide "detailed" location information); *Smith SD Tex. 2006 Opinion,* 441 F.Supp.2d at 836–37 (concluding that limitations placed on subsequent request for CSLI did not alter prior conclusions); *id.* at 828 n. 28 (collecting cases rejecting narrowed requests); *McGiverin PR 2007 Opinion,* 497 F.Supp.2d at 310 (noting courts' acknowledgment that § 3117 is "striking in its breadth"); *Feldman WDNY 2006 Opinion,* 415 F.Supp.2d at 219 ("There is nothing in the legislative history of the CALEA to suggest that the exception clause [for location information] was intended by Congress to create some sort of sliding scale ..., with the evidentiary standard for disclosure hinging on the type or duration of ... signaling information sought."); *Orenstein EDNY Oct. 2005 Opinion,* 396 F.Supp.2d at 310–11 (concluding that application for limited CSLI did not affect applicability of § 3117, which "does not distinguish between general vicinity tracking and detailed location tracking"); *Callahan ED Wis.2006 Opinion,* 412 F.Supp.2d at 957 ("[E]ven such less precise location information was included in the 'tracking information' about which Congress was concerned"); *Adelman ED Wis.2006 Opinion,* 2006 WL 2871743 at *3 n. 2 (affirming Magistrate Judge's denial despite limitation of CSLI sought to J–Standard information).

Cf. Smith SD Tex.2006, 441 F.Supp.2d at 828, n. 27 (noting that "[one law enforcement agent had] candidly conceded that [the] strategy [of requesting more limited CSLI] is guided not so much by legal principle as by a desire to placate recalcitrant magistrate judges") (citing *Feldman WDNY 2006 Opinion*).

45. *See, e.g., Smith SD Tex.2005 Opinion,* 396 F.Supp.2d at 751 (summarizing that "a cell phone is (among other things) a radio transmitter that automatically announces its presence ... via a radio signal over a control channel" and by which "law enforcement is able to track the movements of the target phone"); *id.* at 754 (recounting law enforcement's "pinging" (calling without allowing to ring) suspect's cell phone and using location information to re-establish visual surveillance); *id.* at 755 (noting as only difference that cell phone is on person instead of attached to vehicle); *id.* (observing that by adopting broad language "Congress may simply have been anticipating future advances in tracking technology [which have] indeed come to pass").

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theless acquire historic cell-phone-derived movement/location information by a § 2703(d) Order, we must, however, respectfully disagree. The Court finds two possible explanations for this largely-unexplained distinction between prospective and historic CSLI: (i) that stored CSLI is somehow no longer information from a tracking device excluded by § 3117 (or perhaps that, unlike real-time CSLI, it should not be regarded as such because its disclosure is somehow less intrusive or otherwise less entitled to protection); or (ii) that stored CSLI remains outside the Act's definition of an "electronic communication" but is nonetheless within the scope of § 2703(c) because it is information that pertains to a subscriber of an electronic communication (*i.e.*, cell phone) service.

(i) Historic CSLI Properly Remains Information from a Tracking Device, Excluded from the Definition of an "Electronic Communication"

The first explanation is tantamount to an assertion that the *mere storage* of what appears indisputably to be information from a tracking device when garnered, alters its character. No such archival alchemy is possible. The frequent and specific information of our physical movements now transmitted by our cell phones is, necessarily, *and remains,* information from a device that permits the tracking of movement. The source of information does not change when it is stored. Communication from a "tracking device", whether released to law enforcement instantaneously or with some interval of delay, is communication from a "tracking device".[46]

Not only would acceptance of a contention that stored, or past, movement/location information is no longer "communication from a tracking device" fail to correspond to normal usage,[47] it would render the SCA's express exclusion of such information superfluous. More particularly, the SCA's scope is expressly limited to "stored" communications, *i.e. only* past data,[48] and yet it also defines the stored electronic communications within its scope to exclude communications from a tracking device. An interpretation of "information from a tracking device" as *not* encompassing such information once stored would effectively *read out* this express limitation on what may constitute an "electronic communication" for purposes of the Act.[49]

46. Some of the language of Magistrate Judge Smith's 2005 decision suggests that he attached significance to the real-time nature of the CSLI being sought in that case. *See, e.g., Smith SD Tex.2005 Opinion,* 396 F.Supp.2d at 759. As discussed *infra,* this Court believes that this interpretation fails to give appropriate scope to the language of the statutory exception.

47. In the normal contemplation of the language, evidence of past movement is precisely "tracking" information. Location is static; movement is change in location. There is, thus, a temporal element inherent in the term "movement"; one can *only* "track" location over time. *See Smith SD Tex.2005 Opinion,* 396 F.Supp.2d at 756 (explaining that CSLI "allows continuous tracking of actual movement, *i.e.*, change of location over time"). There is no reason to believe that this does not include *past* time. To the contrary, one can *only* "track" movement (*i.e.*, changes in location) that has happened *in the past.* Indeed, the apparent origin of the term "track" derives from looking at the physical manifestations of the prior presence of the subject being tracked to reconstruct or trace a course of movement. Conceptually, then, tracking means looking at evidence of past presence, *i.e.*, it is necessarily backward-looking.

48. *See, e.g., McGiverin PR 2007 Opinion,* 497 F.Supp.2d at 309 (noting that SCA contemplates orders for stored information and therefore lacks provisions typical of prospective surveillance statutes, such as time limits, provisions for renewal, or automatic sealing of records).

49. *See Cooper Inds., Inc. v. Aviall Servs., Inc.,* 543 U.S. 157, 158, 125 S.Ct. 577, 160 L.Ed.2d 548 (2004) (repeating settled rule that Court

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(ii) Information Expressly Excluded from the ECPA (including the SCA) as Outside the Scope of the Term "Electronic Communication" Cannot Reasonably Be Re-Included as "Pertaining to" a Subscriber or Her Electronic Communication Service

CSLI, as communication from an electronic device that permits the tracking of an individual's movements/locations, is information of a nature expressly set aside by definition. To then say that stored information from a tracking device nonetheless comes directly back—as a record pertaining to an electronic communication service—[50] into the scope of the SCA, a statute that carefully exempts tracking-device communications from its definition of "electronic communication", would abrogate that express limitation. As the principal subject of this legislation was to describe the information encompassed and delineate certain procedures regarding its disclosure to law enforcement, there could be no possible purpose to the "tracking device" exclusion other than to limit the disclosure of stored information derived such devices.

This Court sees, therefore, no way to reconcile the express exclusion of tracking device information with the remainder of the statutory language but to read the provision of § 2703(c) to authorize disclosure of records and other information *directly* pertaining to a subscriber/customer of an electronic communication service. That is, information that is regarding or derived under a service (*e.g.*, a tracking capability/function) that may be used to facilitate the provision of an electronic communication service (*e.g.*, the transmission of voice/text material),[51] but that is not *itself* an electronic communication service (as, *e.g.*, by definition), does not "pertain" to the subscriber of an electronic communications service within the meaning of the statute.[52]

must, if possible, "construe statute to give every word operative effect").

Because the SCA carefully sets apart tracking device information from its legislation of stored information, it appears to acknowledge that the passage of time does not alter the constitutionally-sensitive character of such information. *Cf. Alexander Mass.2007 Opinion, rev'd Stearns Mass.2007 Opinion,* 509 F.Supp.2d at 74 ("[T]he same Fourth Amendment concerns that drive the necessity for a probable cause showing before authorization of a prospective tracking device apply equally to a 'historical' tracking device."); *id.* (observing that the "central inquiry" turns on the reasonable expectation of privacy under *Katz*).

50. The SCA's coverage of records or other information under § 2703(c)—if not otherwise excluded—turns on whether the information "pertains to" the subscriber of a covered communications service *in her capacity as such.* This interpretation is consistent with the heading of § 2703(c) and Magistrate Judge Smith's conclusion that, based upon the legislative history, "[t]he records to be disclosed must pertain to the subscriber's *use* of the provider's electronic communication service". *Smith SD Tex.2005 Opinion,* 396 F.Supp.2d at 758 (emphasis added) (quoting S.Rep. No. 99-541 at 38, 1986 U.S.C.C.A.N. at pp. 3555, 3592).

51. *See* 18 U.S.C. § 2510(15) (defining an electronic communications service as one that "provides to users thereof the ability to send or receive wire or electronic communications").

52. Magistrate Judge McGivèrin of the District Court for the District of Puerto Rico has recently taken a similar path to a similar conclusion, to wit: Because CSLI derived from the control channel transmissions of a cell phone permits determination of the phone's location over time (i.e., tracking of its movement), the acquisition/collection of such information uses the cell phone (or its control channel subsystem) as a tracking device. Thus these (separate/separable) control channel communications do not constitute "electronic communications", and the systems for transmitting and receiving them do not constitute electronic communications service. *See McGiverin PR 2007 Opinion,* 497 F.Supp.2d at 310-11 (agreeing with cited au-

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To put this another way: Although some Courts have opined or suggested (again, almost always in *dicta*) that the registration, or subsequent storage, of CSLI pertains to a subscriber's electronic communications service because it is used to facilitate the provision of that service, or because the CSPs compile it,[53] this

thorities that "when a cell phone is used to determine a person's location it falls within the meaning of a tracking device under the plain language of" § 3117, thus "cell site information cannot constitute an 'electronic communication' " and such information therefore "does not pertain to an 'electronic communication service' within the meaning of the SCA"); *id.* at 310 (concluding that "the SCA's trail of definitions leads, inescapably in my judgment, to the conclusion that the discloseable information under the statute does not include location information").

Also similarly, Magistrate Judge Smith has syllogized that

> a communication from a tracking device, such as [CSLI], is neither an electronic nor a wire communication under the ECPA, and so it does not fall within the range of covered services provided by an 'electronic service provider'. And since a subscriber does not use the phone to track his own movements in real time, prospective [CSLI] appears to be unrelated to any *customer* (as opposed to law enforcement) use of the provider's services. Thus, painstaking and methodical analysis of the SCA's technical terms offers no support for treating prospective [CSLI] as a transactional record under § 2703(c)(1).

Smith SD Tex.2005 Opinion, 396 F.Supp.2d at 759. Magistrate Judge Smith went on to opine in a footnote, rather surprisingly, that "[b]y contrast, historical [CSLI] more comfortably fits within the category of transactional records ... [because CSPs] might legitimately compile such data for customized marketing and billing purposes." *Id.* at n. 16. It is unclear to this Court how compilation for the provider's purposes would bring otherwise excluded tracking communications within the *customer's use* standard so carefully delineated in Magistrate Judge Smith's thoughtful opinion. The Court also notes that, more recently, Magistrate Judge Smith—in granting portions of the Government's applications for various electronic communications information under the PRS and SCA—denied requests for historic and prospective CSLI. *Cf. Rosenthal SD Tex 2007 Opinion*, 2007 WL 3036849, *1 (reversing as to both).

53. *See Smith SD Tex.2005 Opinion, supra* n. 54. *See also Stearns Mass 2007 Opinion*, 509 F.Supp.2d 76 (concluding that historical cell site information is a record or other information pertaining to a customer, as it contains data specific to the handling of a customer's call). This succinct Opinion is, to this Court's knowledge, one of only two published Opinions to hold, in deciding a presented question, that covert disclosure of historic CSLI *may* be made to the Government under § 2703 on a showing of less than probable cause. *Id.* at 79, n. 5 ("Although no published opinion has directly addressed the issue, a number of courts have assumed or implied in *dicta* that the disclosure of historical date is proper under the SCA's specific and articulable facts standard."). *But see Lee ND Ind.2006 Opinion*, 2006 WL 1876847 at *1 (expressly concluding, in affirming Magistrate Judge, that Government's separate applications for historic and prospective CSLI each requested information "unobtainable absent a warrant").

In reversing Magistrate Judge Alexander's denial of the Government's applications for the release of historic CSLI under the SCA, Judge Stearns did not analyze whether a cell phone constitutes a tracking device when used to transmit location information, or whether such information pertains to a service covered under the SCA. Instead, he apparently considered this statutory analysis to be a mere "analogy", with which he disagreed because:

(1) He concluded that excluding CSLI from the "records and other information" obtainable under 2703(d) would leave nothing subject to that subsection's intermediate standard, as all other non-content information might be obtained under the less stringent requirements for a subpoena under 2703(c)(2). *See* 509 F.Supp.2d at 80 n. 8. This disregards that call-identifying information—*i.e.*, the incoming and outgoing phone numbers traditionally obtained through a Trap and Trace—constitutes information pertaining to a cell phone subscriber that is *not* obtainable by subpoena under § 2703(c)(2); and

(2) He observed that "nothing in the 18 U.S.C. § 3117(b) definition of a mobile tracking device places a limitation on the 'records

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Court must strongly disagree. To the contrary, and even if a reading of § 2703(c) as re-including CSLI did not raise application-based concerns,[54] it is

or other information' obtainable pursuant to a section 2703(d) order." *Id.* This observation merely begs the question. If § 2703(c) limits disclosure to information pertaining to a service covered under the SCA (*e.g.*, electronic communication), and the Act's definitions place communications from a tracking device as defined in § 3117 outside the scope of "electronic communications", then the limitation against disclosure of tracking information follows (as set forth above) despite the absence of a reference to § 2703 in the text of § 3117. (Judge Stearns also noted that he was unpersuaded "of the relevance of" § 3117 to the issue, since that statute "governs the 'installation of tracking devices'." *Id.* at 81 n. 11. This overlooks the SCA's express definitional incorporation of § 3117.)

Finally, Judge Stearns held that disclosure of historic CSLI would implicate no Fourth Amendment concerns because:

(1) "historic information that ... reveal[s] where a subject of interest [was] in the past ... will not ... tell the government anything about the subject's [present or future locations]." *Id.* at 81. To the contrary, where we have been provides a *great deal of information* not only as to our previous movements/locations but as to our on-going activities and associations, *i.e.*, our current and prospective movements/locations. Indeed, the Government requests it for these reasons. Moreover, the privacy and associational interests implicated are the same. Some degree of delay in the secretive disclosure to law enforcement does not diminish—certainly not meaningfully—the degree of intrusion/infringement on our civil rights.

(2)"even if an order requiring the disclosure of prospective cell site information allowed the government to 'track' a suspect ... into a protected area like a home" no "reasonable Fourth Amendment expectation of privacy [would] be compromised" because "the most [it] might reveal is that [the possessor] might be found in the home" and "[t]here is nothing ... about that disclosure that is any more incriminating or revealing than what could be gleaned from activation of a pen register or from physical surveillance." *Compare* CALEA (expressly prohibiting disclosure of location information via Trap and Trace); *Karo*, 468 U.S. at 716, 104 S.Ct. 3296 (rejecting "Government's contention that it should be completely free from the constraints of the Fourth Amendment to determine by means of an electronic device, without a warrant and without probable cause or reasonable suspicion, whether ... a person ... is in an individual's home at a particular time"); *infra* at Section V(C) (addressing Fourth Amendment considerations). *Cf. Warshak, supra*, (noting that our privacy interests go beyond not wanting to be incriminated).

See also Rosenthal SD Tex.2007 Opinion, 2007 WL 3036849 (concluding, with citation to Judge Stearns, that the Government could require covert disclosure by the CSP of *both* historic and prospective CSLI by application under the SCA and under a hybrid theory, respectively). In this Opinion, the only other published Opinion to order disclosure of historic CSLI under the § 2703(d) standard, Judge Rosenthal recently reversed Magistrate Judge Smith's denial of applications for historic and prospective CSLI, holding that (i) both were "records" within § 2703(c)(1); and that (ii) essentially real-time information could be produced under the hybrid theory so long as it was communicated through the CSP and not directly to the Government. *Id.* at *4–6. This Opinion, which was contrary to the weight of authority in several respects, acknowledged, but did not analytically refute, other Court's "tracking device" concerns, except to suggest that its approval of applications for *limited* CSLI "minimiz[ed] the concern that a cell phone could be used as a kind of 'tracking device'." *Id.* at *3–5. *See also Rosenthal SD Tex.2007 Opinion* at *6 (noting, in closing, that any speculation about improper use would be premature). *Compare Where Are We?*, Hastings Comm. & Ent. L.J. at 433, n. 65 (noting that, "without judicial oversight, it becomes rather difficult to ascertain whether the reality of [electronic communications] surveillance suggests abuse").

54. If § 2703(c) were read to require, with appropriate legal authority, the disclosure of communication from a tracking device "pertaining" to a covered service, the inclusion of records of cell-phone-derived movement/location information would remain far from clear. The subscriber, for her part, is expending her monthly funds for the electronic communication of content (*e.g.*, voice or text), not to

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necessary—for reasons of statutory and Constitutional interpretation—to read § 2703(c)'s authorization for disclosure of records or information pertaining to a subscriber of an electronic communication service to exclude any movement/location information derived from her cell phone, even if incident thereto. If the excluded tracking information were brought back in, Congress' exclusion of tracking device communications from the definition of "electronic communication" would be a pointless gesture, with no actual effect. It is apparent to this Court that Congress intended by the exclusion of tracking devices in the statutory definition that the SCA not become a vehicle for diminishing the long-recognized protections against covert disclosure of movement/location information; and it behooves the Court to interpret the SCA in a manner that gives effect to that intent.

For these reasons, this Court concludes that CSLI is communication from an electronic device that permits the tracking of the movement of a person, is therefore expressly placed outside the scope of the electronic communications legislation of the SCA, and is not appropriately brought back into the scope of information which the Government may seek to obtain thereunder by any reasonable reading of § 2703(c).[55]

record her physical/geographic movements. The CSP, for its part, utilizes some portion of the automatically-registered CSLI to complete the subscriber's calls. Much of that seven-second information, however, becomes irrelevant; and the historic record showing her changes in location over time does *not* pertain, even indirectly, to her cell phone service. Questions might also remain regarding the extent to which even specific-call-facilitating CSLI is stored information pertaining to the subscriber's cell phone service when retention of that information is now principally—if not exclusively—to ensure the CSP's compliance with legislative mandates.

(b) ***Even if Cell–Phone–Derived Location Information Were Within Its Scope, The SCA Neither Establishes An Entitlement to Movement/Location Information Under a Reasonable Relevance Standard Nor Otherwise Abrogates Otherwise Applicable Standards***

Even if the movement/location information now derivable from our cell phones, *i.e.*, CSLI, were interpreted to be something other than information communicated from an electronic device "which permits the tracking of the movement of a person", and/or even if it were interpreted to be re-included in the scope of the SCA as information pertaining to a subscriber or her use of an electronic communication service, it *remains* information of a character which has traditionally required a showing of probable cause/warrant under Fed.R.Crim.P. 41. And *neither* of the provisions on which the Government has relied in asserting entitlement to such information under a "reasonable relevance" standard suggests any Congressional alteration of that background rule. More particularly:

(i) Section 2703(c) provides that the Government may require that the CSP disclose subscriber information (other than content) "only when", after which follows a line-item list of alternative standards un-

55. The Court emphasizes that the foregoing analysis rejects a distinction between historic and prospective CSLI for purposes of § 2703(c). This Court believes that its analysis is consistent with the fine statutory analyses of Magistrate Judge McGiverin, of Magistrate Judge Smith's pioneering and highly-influential opinion, and of Magistrate Judge Orenstein and others, whose holdings ultimately also did not depend on any such distinction. It observes that Judge Lee has reached the same express conclusion as to the requirement of a probable cause warrant for a CSP's disclosure to Government of historic or prospective CSLI.

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der which such subscriber information may be legally obtained, *i.e.:* by warrant; court order under § 2703(d); subscriber consent; or, for telemarketing fraud or basic account information, another; *de minimis,* standard. Although it specifically links these last two categories of information to compliance with a specific standard, as to the remaining category of unspecified "records and other information" it simply recites those standards potentially applicable to non-content information, including a warrant issued under the Federal Rules of Criminal Procedure. Congress' recitation of potentially-applicable standards, without more, cannot be read to replace the probable cause warrant requirement otherwise applicable to these tracking device communications with an entitlement to that same information under a reasonable relevance standard.

(ii) Similarly, nothing in the language of § 2703(d) indicates that information requested by the Government is obtainable as a matter of course upon a showing of reasonable relevance to a criminal investigation. To the contrary, § 2703(d) provides that an Order for disclosure shall issue "only if" the Government shows that the information sought is relevant. It does not provide that such an Order shall issue "if" or "whenever" such a showing is made. Thus, under the plain language of the SCA, a showing of reasonable relevance is a *necessary,* but not necessarily *sufficient,* condition for issuance of an Order. This statutory provision is linguistically and logically equivalent to a directive that an Order shall not issue if the Government does not make the required showing of relevance; the statute is simply silent on what other requirements might apply where the Government shows reasonable relevance.[56]

The Government has argued, and some Courts have uncritically assumed, that it is entitled to a § 2703(d) Order whenever it makes the required relevance showing (as if the SCA read "if" or "if and only if" rather than "only if"). In addition to being contrary to the plain meaning of the language used in the statute, the Government's interpretation would dramatically, and probably unconstitutionally, decrease the protections afforded not only to subscribers' location information, but also to the content of stored communications such as emails and voice mails. More particularly, if issuance of a § 2703(d) Order were mandatory whenever the government made the showing contemplated therein with respect to records or other information under § 2703(c), then the same statutory language would mandate issuance of an Order for disclosure of content (stored more than 180 days) under § 2703(b) upon the same minimal showing. Such a mandatory outcome would render the SCA's further requirement of prior notice (under § 2703(b)(1)(B)), in those instances in which the Government did not invoke the delay provisions of § 2705,[57] a

56. *See, e.g., Miller-El v. Cockrell,* 537 U.S. 322, 349, 123 S.Ct. 1029, 154 L.Ed.2d 931 (2003) (where statute provides for issuance of a certificate of appealability "only if" the applicant has made a substantial showing, such showing "*does not entitle* an applicant to a COA; it is a necessary and not a sufficient condition") (emphasis in original); *California v. Hodari D.,* 499 U.S. 621, 628, 111 S.Ct. 1547, 113 L.Ed.2d 690 (1991) (concluding, regarding *Menderhall* test, *i.e.,* that a person has been seized within the meaning of the Fourth Amendment "only if ... a reasonable person would have believed he was not free to leave": "It says that a person has been seized 'only if', not that he has been seized 'whenever'; it states a necessary, but not a sufficient, condition.").

57. The Government may request delayed notice on showing that prior notice would, *e.g.,* endanger life/physical safety, risk criminal flight, evidence destruction, or witness intimidation.

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hollow protection of the subscriber's privacy interest in the content of stored email and voice mail.[58] The Court concludes, therefore, that the issuance of an Order under § 2703(d) remains circumscribed by otherwise applicable legal requirements according to the nature of the records or information sought. In the case of movement/location information derived from an electronic device, the traditionally-applied legal standard has been a showing of probable cause; and nothing in the text, structure, purpose or legislative history of the SCA dictates a departure from that background standard as to either historic or prospective CSLI.[59]

2. *The Communications Assistance for Law Enforcement Act of 1994*

As noted above, a significant majority of Courts have rejected the Government's contention that real-time, or prospective, movement/location information may be obtained under a hybrid theory which purports to combine the authorities of the PRS and the SCA by seizing upon the term "solely" in a provision of the CALEA. This Court need not tarry on this widely—and rightly—refuted contention, particularly as the United States Attorney for this District is no longer pursuing this position. *See supra* n. 4.[60]

58. *Cf. Warshak v. United States*, 490 F.3d 455, 473 (6th Cir.2007), *vacated and rehearing en banc granted* (Oct. 9, 2007) (recognizing privacy interest in content of stored emails and calling related provisions of SCA into Constitutional question); *id.* at 469–76 (holding that where there is a reasonable expectation of privacy, probable cause standard controls, including particularity requirement).

59. *See Lee ND Ind.2006 Opinion*, 2006 WL 1876847 (affirming denial of Government's applications for historic and prospective CSLI); *id.* at *1 (concluding that *"[e]ither way* ... an order requiring cellular phone companies to identify the specific cell tower from which a call originates, is maintained, or received" is "unobtainable absent a warrant"). *Cf. Robinson DDC 2005 Order*, 2005 WL 3658531 (denying Government's applications for Orders authorizing the disclosure of cell site information by authority under either § 2703, §§ 3122 and 3123, or both); *id.* (noting that "neither [SCA nor PRS] expressly authorizes the disclosure of cell site information" and concluding, with no distinction as to historical or prospective CSLI, that "[a]bsent new authority which dictates a different exercise of discretion", Magistrates will not grant applications absent a showing of probable cause). *Cf. In re CALEA*, 227 F.3d 450 (D.C.Cir.2000) (noting that "all of CALEA's required capabilities are expressly premised on the condition that any information will be obtained 'pursuant to a court order or other lawful authorization' " and thus CALEA does not authorize modification of either "evidentiary standards or procedural safeguards").

60. *See Orenstein EDNY Aug. 2005 Order*, 384 F.Supp.2d at 565 ("[W]here a carrier's assistance to law enforcement is ordered on the basis of something less than probable cause, such assistance must not include disclosure of ... physical location"); *Feldman WDNY 2006 Opinion*, 415 F.Supp.2d at 219 (accepting government's testimony that CSLI providing more than *general* location information would be governed by a *probable cause* standard, Congress would have "recognized the same concern and intended that the [PRS] be paired with Rule 41"). *Cf. Alexander Mass. 2007 Opinion, rev'd, Stearns Mass.2007 Opinion*, 509 F.Supp.2d at 72 ("Through CALEA, Congress [intended] to close a loophole that would have allowed government agents" to obtain location information "without a showing of probable cause").

The Court also notes that the CALEA expressly exempts communications from a tracking device (defined in § 3117) from its definition of "electronic communications" and, in legislating what information CSPs must compile/retain for disclosure to law enforcement on "Court Order or other lawful authorization", also retains the Fourth Amendment or other requirements implicated by the nature of the information. *See* analysis of similar aspects of the SCA, *supra*.

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B. *The Government's Positions are Contrary to Legislative History*

The foregoing textual analysis is strongly bolstered by a clear and consistent thread in the legislative history of various electronic communications statutes reflecting Congress' continuing recognition of a privacy right in certain electronic communications information, including location information, and a corresponding intent to safeguard such information against disclosure under standards that would erode traditional Fourth Amendment protections.[61]

As discussed extensively above, the relevant legislative history indicates that Congress did not intend its electronic communications legislation to be read to require, on its authority, disclosure of an individual's location information; to the contrary in enacting the legislation it relied on express representations by law enforcement that it was not seeking to amend the background standards governing the disclosure of movement/location information.[62] The ECPA and the CALEA were careful to exempt communications from an electronic device capable of tracking our movements from their definitions of "electronic communications"; the history of the CALEA is replete with expressions of concern that it not be understood to alter the evidentiary standards (and testimony allaying those concerns); and the Wireless Communication and Public Safety Act expressly recognized the importance of an individual's expectation of privacy in her physical location. Accordingly, the legislative history has contributed to and reaffirmed this Court's understanding of the Congressional intent reflected in the statutory text.

C. *The Government's Positions Would Render the Statutory Schemes Constitutionally Suspect*

This Court concludes, as a matter of statutory interpretation, that nothing in the provisions of the electronic communications legislation authorizes it to order a CSP's covert disclosure of CSLI absent a showing of probable cause under Rule 41. And this interpretation is abundantly confirmed by consideration of the Constitutional principles at issue. For reading the statutes in the manner advocated by the Government would, as to at least a substantial portion of the information at issue, violate Americans' reasonable expectation of privacy in any cell-phone-derived information/records as to their physical move-

61. *Cf. Smith SD Tex.2006 Opinion,* 441 F.Supp.2d at 826 (summarizing legislative history "reflect[ing] persistent Congressional efforts to assure that communications content retain their protected legal status in the face of changing technology and law enforcement capabilities"); *Reasonable Expectations,* 72 Geo. Wash. L.Rev. at 1559 (providing extensive history to ECPA, enacted at time of "growing consensus [including] among members of Congress ... that advances in telecommunications, such as wireless telephones and e-mail, were outpacing existing privacy protections ...."); *id.* at 1563–1565 (discussing Electronic Surveillance and Civil Liberties Report, prepared by the Office of Technology Assessment at Congress' behest in 1985).

62. *See supra* at Section IV. *Cf. Smith SD Tex.2005 Opinion,* 396 F.Supp.2d at 751–52 ("The ECPA was not intended to affect the legal standards for the issuance of orders authorizing [tracking] devices.") (citing H.R. Rep. 99–647 at 60 (1986)); H.R. Rep. 103–827 at 17, *reprinted* at 1994 U.S.C.C.A.N. 3489, 3497 (Oct. 4, 1994) (noting that "as the potential intrusiveness of technology increases, it is necessary to ensure that government surveillance authority is clearly defined and appropriately limited" and that CALEA "add[ed] protections to the exercise of the government's current surveillance authority"); *Orenstein EDNY Oct. 2005 Opinion,* 396 F.Supp.2d at 306 (noting that "the House Judiciary Committee sought quite emphatically to quell concerns about how the proposed legislation might infringe Americans' privacy rights").

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ments/locations by authorizing *ex parte* disclosure of that information with no judicial review of the probable cause. It appears to this Court, from its review of current Fourth Amendment case law and Constitutional principles, that this information is entitled to the judicial-review protections afforded by a probable cause warrant and historically applied to movement/location information derived from a tracking device.[63] And its understanding informs the Court's interpretation of the statute, just as it believes Congressional understanding of the same principles motivated statutory limitations.

Even if the Government's proffered interpretation did not impermissibly strain both the statutory language and legislative history, the doctrine of Constitutional avoidance counsels the choice of a limiting interpretation that does not require the Courts repeatedly, on an *ex parte ad hoc* basis, to delineate the precise bounds of Fourth Amendment protection.[64]

As discussed earlier, the Fourth Amendment prohibits unreasonable searches and seizures and, accordingly, the Government must generally demonstrate probable cause and obtain a warrant prior thereto. To trigger the Fourth Amendment's protections, the individual must have a subjective expectation of privacy in the object of the Government's search, and it must be one which society accepts as objectively reasonable.[65]

The Court believes, based on common experience within the community:[66] First, that Americans do not generally know that a record of their whereabouts is being created whenever they travel about with their cell phones, or that such record is likely maintained by their cell phone providers and is potentially subject to review by interested Government officials.[67] And second, that most Americans would be appalled by the notion that the Government could obtain such a record without at least a neutral, judicial determination of probable cause.[68]

63. Indeed, some Courts have suggested that in light of the heightened vulnerability of electronic surveillance to abuse for reasons of, *e.g.*, cost and undetectability, together with the heightened concerns following from its breadth and potential over-inclusiveness, CSLI should be afforded additional judicial safeguards, such as those provided under 18 U.S.C. § 2158. *Cf. Orenstein EDNY Oct. 2005 Opinion,* 396 F.Supp.2d at 322 (noting that opinion did not "decide that a showing of probable cause necessarily suffices to permit the installation of ... a [Trap and Trace] and using it to acquire the [CSLI] transmitted over a control channel" and that it may be "that there is in fact a *more* exact showing that the government must make").

64. *See Ashwander v. Tennessee Valley Authority,* 297 U.S. 288, 348, 56 S.Ct. 466, 80 L.Ed. 688 (1936) (Brandeis, J., concurring) ("When the validity of an act of the Congress is drawn in question, and even if a serious doubt of Constitutionality is raised, it is a cardinal principle that this Court will first ascertain whether a construction of the statute is fairly possible by which the question may be avoided."). *Cf. Smith SD Tex.2006 Opinion,* 441 F.Supp.2d at 837 ("Given the presence of a competing interpretation which is not only plausible but more consistent with the statutory text and legislative history, [the] canon of [constitutional avoidance] weighs decisively against the Government's position.").

65. *See Katz,* 389 U.S. 347, 88 S.Ct. 507; *California v. Greenwood,* 486 U.S. 35, 39, 108 S.Ct. 1625, 100 L.Ed.2d 30 (1988).

66. The Magistrate's role as arbiter of reasonableness in a search warrant application inherently acknowledges, and is predicated upon, her representation of community sensibilities.

67. *See Who Knows Where You've Been,* 18 Harv. J. Law & Tech. at 313 (observing that "few customers are likely to appreciate the specificity of the location information available to service providers and the fact that companies can retain it indefinitely").

68. *See* Brief of the Federal Defenders of New York as *Amicus Curiae* in *Gorenstein SDNY*

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The Court further finds that the expectation of privacy in movement/location information suggested by these prevalent attitudes is objectively reasonable because historically such information was not observable when someone was within private property and because the newly-emergent technologies create a potential to monitor associational activities in a manner that could have a chilling effect.[69] Finally, the very fact that Congress has taken pains to protect electronically-derived location information from unwarranted disclosure serves independently to make subjectively-held expectations of privacy objectively reasonable.[70]

As discussed above, some Courts have indicated that historic CSLI is routinely obtainable by law enforcement without probable cause and thus have implicitly found no reasonable expectation of privacy therein. In this Court's view, however, the privacy and associational interests implicated are not meaningfully diminished by a delay in disclosure.[71]

The foregoing view of privacy expectations in the context of electronically-derived location information is in keeping with controlling precedent. More particularly, the Supreme Court has effectively recognized, in closely-analogous cases, an individual's reasonable expectation of privacy in information regarding her location when she is on private premises. *Compare United States v. Knotts*, 460 U.S. 276, 103 S.Ct. 1081, 75 L.Ed.2d 55 (1983) (concluding that warrantless installation of electronic tracking beeper/radio transmitter inside drum of chemicals sold to the defendant illegal drug manufacturers, and used to follow their movements on public highways, implicated no Fourth Amend-

2005 Opinion (indicating that "most cell users are quite surprised to learn that [CSPs] can create a virtual map" of movements and "are likely to reject the prospect of turning every cell phone into a tracking device"). *Cf. Companies Caught in the Middle*, 21 U.S.F.L.Rev. at 557 ("[W]ith respect to location information ..., many orders now require disclosure of the location of all of the associates who ... made calls to a target.").

69. *Cf. Karo*, 468 U.S. at 714, 104 S.Ct. 3296 ("At the risk of belaboring the obvious, private residences are places in which the individual normally expects privacy free of governmental intrusion not authorized by a warrant, and that expectation is plainly one that society is prepared to recognize as justifiable."); *State v. Campbell*, 306 Or. 157, 759 P.2d 1040 (1988) (observing, with regard to warrantless location information, that "freedom may be impaired as much, if not more so, by the treat of scrutiny as by the fact of scrutiny").

70. *Cf. United States v. White*, 401 U.S. 745, 786, 91 S.Ct. 1122, 28 L.Ed.2d 453 (Harlan, J., dissenting) ("Since it is the task of the law to form and project, as well as mirror and reflect, we should not, as judges, merely recite the expectations and risks without examining the desirability of saddling them upon society. The critical question, therefore, is whether under our system of government, as reflected in the Constitution, we should impose on our citizens, the risk of the electronic listener or observer without at least the protection of a warrant requirement.").

71. *Cf. State v. Jackson*, 150 Wash.2d 251, 76 P.3d 217, 223–24 (2003) (discussing civil liberties implicated by covert disclosure of "an enormous amount of personal information", and noting, in concluding that GPS device employed by law enforcement was a "particularly intrusive method of surveillance", that the device "provided [Government with] a record of every place the vehicle had been in the past", a feat that no visual surveillance could have accomplished); Matthew M. Werdegar, *Lost? The Government Knows Where You Are: Cellular Telephone Call Location Technology and the Expectation of Privacy*, 10 Stan. L. & Pol'y Rev. 103, 105–107 (Fall 1998); *Alexander Mass.2007 Opinion, rev'd, Stearns Mass.2007 Opinion*, 509 F.Supp.2d at 74–75 (dismissing as nonsensical any assertion that an individual's expectation of privacy in her presence at a location that she wished to keep secret is suddenly lost when the activity—or that particularly iteration of the activity—is over and she has left).

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ment concerns, as defendants had no reasonable expectation of privacy while they and their vehicle were in plain view on public highways) *with United States v. Karo*, 468 U.S. 705, 104 S.Ct. 3296, 82 L.Ed.2d 530 (1984) (concluded that where the tracking beeper placed inside chemical drum was then used to ascertain presence in residences, the search was unreasonable absent probable cause).[72]

Taken together, these cases establish that without a warrant based on probable cause the Government may use a tracking device to ascertain an individual's location on a public highway but not in a private home, *i.e.*, the public/private dichotomy is the principle harmonizing *Knotts* and *Karo*, so that a warrant is constitutionally required if and only if the location information extends onto private property.[73]

But even with this principle as a guide, the Court anticipates that routine allowance of location information up to the threshold of the private domain would necessitate increasingly-difficult line-drawing at the margins. Moreover, even if difficulties in Constitutional line-drawing were surmounted, practical limitations on the abilities of CSPs to filter their CSLI would almost certainly result in over-inclusive disclosures, and thus in transgressions of Constitutional boundaries.[74] Accordingly, these considerations counsel adopting a statutory interpretation which, by retaining the probable cause requirement for all CSLI, would avoid repeated Constitutional adjudication and trespass into protected areas.[75]

The Government has contended, and some Courts have opined, that there is no

72. *See also* 468 U.S. at 711, 104 S.Ct. 3296 (" 'All individuals have a legitimate expectation of privacy that objects coming into their rightful ownership do not ... give law enforcement agents the opportunity to monitor [their] location ... inside private residences and other areas where the right to be free from warrantless governmental intrusion is unquestioned.' ").

73. *Cf., e.g., McGiverin PR 2007 Opinion*, 497 F.Supp.2d at 311–12 ("[T]he warrantless monitoring of a tracking device does not offend the Fourth Amendment so long as the situs of the thing being tracked could be determined by visual observation from a public area and ... the surveillance tells authorities nothing about the suspect's location within an area ... where he/she enjoys a reasonable expectation of privacy.").

74. The Court does not believe that these difficulties can be met by reliance on investigative agencies' self-restraint. *See United States v. United States Dist. Ct.*, 407 U.S. 297, 317, 92 S.Ct. 2125, 32 L.Ed.2d 752 (1972) (Powell, J.) (concluding that the "Fourth Amendment contemplates a prior judicial judgment", and not the "risk that executive discretion may be reasonably exercised"). *Feldman WDNY 2006 Opinion*, 415 F.Supp.2d at 217–19 & n. 5 (discussing Government's "shifting" position on what standard applies to CSLI as paying "tribute ... to the slippery constitutional slope [its] position involves"), *id.* at 218 n. 5 (quoting law enforcement agent's testimony that the Government was "back[ing] off" and requesting *limited* CSLI in response to Magistrate Judges' privacy concerns and in interests of avoiding "a hell of a fight" on the "slippery ground" of the applicability "of a probable cause standard"). *See* 407 U.S. at 317, 92 S.Ct. 2125 (Magistrate Judges' role "accords with our basic constitutional doctrine that individual freedoms will be best preserved through a separation of powers and division of functions among the different branches and levels of government").

75. *See Karo*, 468 U.S. at 717, 104 S.Ct. 3296 (assessing Government's argument that, if warrants are required when a location-identifying device is not in public view, then "for all practical purposes [agents] will be forced to obtain warrants in every case in which they seek to use [a tracking device], because they have no way of knowing in advance whether [it] will be transmitting its signals from inside private premises"); *id.* (concluding that "[t]he argument that a warrant requirement would oblige the Government to obtain warrants in a large number of cases is hardly a compelling argument against the requirement").

Cf. Smith SD Tex 2005 Opinion, 396 F.Supp.2d at 757 (concluding, in discussion of Fourth Amendment implications: "For purposes of this decision it is unnecessary to draw the line between permissible and impermissible warrantless monitoring of [CSLI]. As

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reasonable expectation of privacy in CSLI because cell-phone-derived movement/location information is analogous to the dialed telephone numbers found unprotected by the Supreme Court in *Smith v. Maryland*.[76] As explained by Magistrate Judge Smith, the Sixth Circuit has expressly (and in this Court's view correctly) rejected this less apt analogy:

> The government contends that probable cause should never be required for cell phone tracking because there is no reasonable expectation of privacy in [CSLI], analogizing such information to the telephone numbers found unprotected in *Smith v. Maryland*, 442 U.S. 735, 99 S.Ct. 2577, 61 L.Ed.2d 220 (1979). The Sixth Circuit rejected that analogy in *United States v. Forest*, 355 F.3d 942, 951–52 (6th Cir.2004). Unlike dialed telephone numbers, [CSLI] is not 'voluntarily conveyed' by the user to the phone company.... [I]t is transmitted automatically during the registration process, entirely independent of the user's input, control, or knowledge. Sometimes, as in *Forest*, [CSLI] is triggered by law enforcement's dialing of the particular number. 355 F.3d at 951. For these reasons the Sixth Circuit was persuaded that *Smith* did not extend to [CSLI], but rejected the defendant's constitutional claim on the narrower ground that the surveillance took place on public highways, where there is no legitimate expectation of privacy. *Id.* at 951–52 (citing *United States v. Knotts*, 460 U.S. 276, 281, 103 S.Ct. 1081, 75 L.Ed.2d 55 (1983)).

Smith SD Tex.2005 Opinion, 396 F.Supp.2d at 756–573.

A panel of the Sixth Circuit more recently further elucidated the bounds of the waiver of expectation doctrine in *Warshak*, 490 F.3d 455,[77] in which it explained that if

in any tracking situation, it is impossible to know in advance whether the requested phone monitoring will invade the target's Fourth Amendment rights. The mere possibility of such an invasion is sufficient to require the prudent prosecutor to seek a Rule 41 search warrant. Because the government cannot demonstrate that cell site tracking could never under any circumstance implicate Fourth Amendment privacy rights, there is no reason to treat cell phone tracking differently from other forms of tracking ..., which routinely require probable cause.")

It also appears that Congress, in expressly excepting tracking device communications and location information from the various provisions of its electronic communications legislation, intended to provide an ample zone of protection for Fourth Amendment rights. *Cf. Clark v. Martinez*, 543 U.S. 371, 381, 125 S.Ct. 716, 160 L.Ed.2d 734 (2005) (canon of constitutional avoidance is grounded on presumption that Congress did not intentionally "raise[ ] serious constitutional doubts").

76. In concluding that there is no reasonable expectation of privacy in the dialed telephone phone numbers obtained through a Trap and Trace, the Court relied on *United States v. Miller*, 425 U.S. 435, 442, 96 S.Ct. 1619, 48 L.Ed.2d 71 (1976) (banking records obtained by subpoena not suppressed; no reasonable expectation of privacy because knowingly and voluntarily conveyed to bank employees for transactional use). *Cf.* Jack X. Dempsey, *Digital Search & Seizure: Updating Privacy Protections to Keep Pace with Technology*, PLI Order No. 11253, 420–21 (June–July 2007) (observing that the *Smith* Court "stressed the narrowness of its ruling" and that the assumption of the risk/business records doctrine "was developed when courts did not foresee" the revealing nature or quantity of information now stored by communications service providers).

77. This decision—affirming with "minor modification" the District Court's entry of a preliminary injunction on grounds of the facial constitutional flaws of a statutory interpretation authorizing seizure of personal e-mails from service provider based only on Government's *ex parte* representations of less than probable cause—was vacated and rehearing *en banc* on this novel question granted by the Sixth Circuit in October, 2007.

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an intermediary's mere ability to access information sought by the Government was enough to create an assumption of the risk bar to a reasonable expectation of privacy, vast stores of personal information would lose their Constitutional protections.[78] Because such consequences are clearly unacceptable under the Fourth Amendment, the Sixth Circuit concluded that the "critical question" is "whether a [customer] maintains a reasonable expectation of privacy in [the information sought] *vis-a-vis* the [third-party provider]". 490 F.3d at 469. The Court concluded, largely on its analysis of *Katz*, *Miller* and *Smith*, that a customer forfeits her reasonable expectation of privacy only as to a service provider's records of information voluntarily conveyed and reasonably expected to be accessed by the provider's employees in the ordinary course of its business (*i.e.*, for purposes of the provision of services). *See id.* at 469–76.

As discussed *supra*, CSLI is not "voluntarily and knowingly" conveyed by cell phone users (certainly *not* in the way of transactional bank records or dialed telephone numbers); rather, the information is automatically registered by the cell phone.[79] Nor are CSP employees routinely reviewing and/or utilizing CSLI in the ordinary course of the provision of telephone communications services; rather, the information is processed on separate control channels by electronic equipment.[80] Nor does a CPS's retention of CSLI generally serve any business purpose for the customer or for the provider in serving the customer; rather, such information is retained principally, if not exclusively, in response to Government directive.[81]

Finally, the movement/location information at issue here, unlike the records found unprotected in prior Supreme Court cases, is the subject of express Congressional protection. Indeed, Congress has reiterated throughout the legislative history of its electronic communications legislation, and reflected in the provisions of its enactments, its recognition of an individual expectation of privacy in "location information" and desire to protect this privacy

78. *See* 490 F.3d at 470 (concluding that, if privacy expectations were deemed waived as to information a third-party "has the ability to access", phone conversations, letters, and the contents of third-party storage containers would all be unprotected).

79. *See United States v. Forest*, 355 F.3d 942, 949 (6th Cir.2004) (finding that defendant "persuasively distinguishe[d]" CSLI, which was not "voluntarily convey[ed] ... to anyone", from dialed telephone numbers in *Smith v. Maryland*).

80. *Compare id.* at 949 (noting that CSLI is "simply data sent from a cellular phone tower to the cellular provider's computers") *with Miller*, 425 U.S. at 442, 96 S.Ct. 1619 (because bank customers knowingly permitted bank employees to view records of financial transactions, they had no "legitimate expectation of privacy"). *See Warshak*, 490 F.3d at 473–75 (contrasting "mere accessibility" with service that includes routine "inspection, auditing, or monitoring" and contrasting electronic processing/scanning of information with "manual human review").

81. *Azrack E.D.N.Y.2007 Opinion*, 2007 WL 2729668 at *11 (noting, in distinguish *Miller* and *Smith*, that the information at issue *sub judice* was neither kept in the ordinary course of business nor contained on the user's monthly bill).

The Government cannot, of course, remove an otherwise reasonable expectation of privacy by mandating that it have the ability to intrude. *Cf. Smith*, 442 U.S. at 739 n. 5, 99 S.Ct. 2577 (observing that Fourth Amendment protections cannot be erased by Government's disclosure of its access to particular information). *First Practices*, 2007 Stan. Tech. L.Rev. at 26 (noting in discussing *Katz*: "That law enforcement agents have the technical capability to access [electronic communication information], cannot mean that a user assumes the risk that agents will access whatever ... they choose, independent of any judicial oversight.").

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right from unwarranted or unreasonable encroachment.

In sum, this Court concurs with the assessment of Magistrate Judge Smith at the conclusion of his Opinion:

> Denial of the government's request ... in this instance should have no dire consequences for law enforcement [as t]his type of surveillance is unquestionably available upon a traditional probable cause showing under Rule 41. On the other hand, permitting surreptitious conversion of a cell phone into a tracking device without probable cause raises serious Fourth Amendment concerns, especially when the phone is monitored in the home or other places where privacy is reasonably expected.... Absent any sign that Congress has squarely addressed and resolved those concerns in favor of law enforcement, the more prudent course is to avoid an interpretation that risks a constitutional collision.

Smith SD Tex.2005 Opinion, 396 F.Supp.2d at 765 (citation omitted).[82]

VI. CONCLUSION

Because this Court concludes that the Government does not have a statutory entitlement to an electronic communication service provider's covert disclosure of cell-phone-derived movement/location information, the Government's application(s) for such information, absent a showing of probable cause under Fed.R.Civ.P. 41, must be denied. This Opinion is joined, in the interest of judicial efficiency, by Magistrate Judges Caiazza, Hay, Baxter and Mitchell.[83]

82. *See also Almeida–Sanchez v. United States*, 413 U.S. 266, 273, 93 S.Ct. 2535, 37 L.Ed.2d 596 (1973) ("The needs of law enforcement stand in constant tension with the Constitution's protections of the individual against certain exercises of official power. It is precisely the predictability of these pressures that counsels a resolute loyalty to constitutional safeguards.").

ACCORDINGLY, IT IS HEREBY ORDERED THAT

The application of the Assistant United States Attorney be denied, except that the underlying application be sealed as requested by the Government in order not to jeopardize an ongoing criminal investigation.

This Opinion shall not be sealed because it is a matter of first impression in this District and Circuit on issues concerning the statutory and Constitutional regulation of electronic surveillance which do not hinge on the particulars of the underlying investigation.

CONTECH STORMWATER SOLUTIONS, INC.

v.

BAYSAVER TECHNOLOGIES, INC., and Accubid Excavation, Inc.

Civil Action No. CCB–07–358.

United States District Court, D. Maryland.

Jan. 15, 2008.

Background: Patent owner brought action against competitors alleging infringement. Competitors counterclaimed asserting business tort theories and pat-

83. *See Robinson DDC 2005 Order, supra* n. 61 (denying, on behalf of Magistrate Judges Robinson, Kay and Facciola, Government's applications for Orders authorizing the disclosure of CSLI by authority under either § 2703, §§ 3122 and 3123, or both, absent a showing of probable cause).

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Classified by: [redacted] Assistant Attorney General, NSD, DOJ

Reason: 1.4(c)

Declassify on: 2 March 2036

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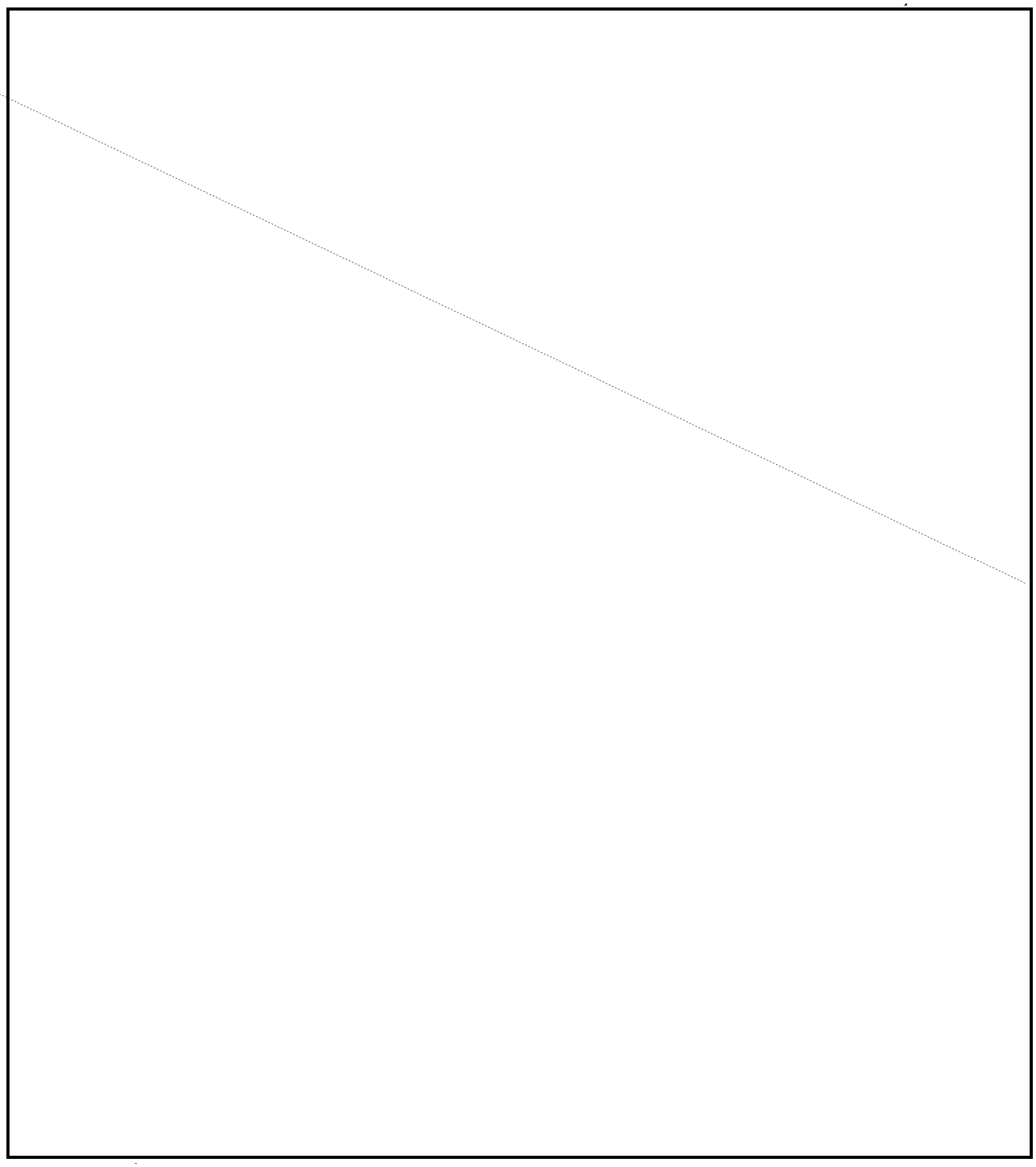
(S)



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DATE: 11-08-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c)
DECLASSIFY ON: 11-08-2037

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WHERE SHOWN OTHERWISE

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From:
Sent: Monday, August 30, 2010 2:44 PM
To:
Cc:
Subject: (U) FW: (S//NF) Matters: PAMS Reporting and Future Funding

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Project Leads,

(U) (S//NF) I've been meeting recently with TMSU and evaluating the effectiveness of our current Project Managements controls (e.g. PAMS) in meeting the expectations of the We observed that the level of reporting varied widely and determined that the level of detail for some projects was insufficient to assess the health or status of the particular project.

(U//FOUO) In response, we have prepared the following information to guide you in completing the PAMS reporting for your projects:

(U/FOUO) Reporting Activities in PAMS

b5

(U)

PAMS-Chart.doc

(Attachment: "Standards for Reporting of Activities in PAMS"- Filename: PAMS-Chart.doc)

(S)

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(U/FOUO) Future Funding Concerns

CELL/OTD 012463

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(S) [redacted] b1 b3 b5 b7E

(U) (S//NF) The collective impact will present many challenges as base funding is reduced and agencies compete for enhancement monies via alternative sources such as the [redacted] Meanwhile, the [redacted] effort could itself have rescissions to deal with. Anticipating an appropriate response to future funding shortfalls and planning accordingly will be the FBI's best strategy for ensuring that it derives the maximum benefit from financial resources sources that do remain available.

(U//FOUO) The FBI strategy is broken down into [redacted]

[redacted] b5

[redacted]

(S) [redacted] b1 b3 b5

[redacted]

[redacted] b5

(U) I ask all project leads to keep this strategy in mind as you move forward and begin preparing your project briefings for November. If you have any questions, please contact me at your convenience.

Sincerely,

[redacted] b6 b7C

FBI OTD

[redacted]

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DATE: 11-13-2012
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REASON: 1.4 (c, g)
DECLASSIFY ON: 11-13-2037

[redacted]

From: [redacted]
Sent: Thursday, August 12, 2010 1:15 PM
To: [redacted]
Subject: FW: [redacted] Field Demo Summary

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

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RECORD [redacted]

See below.

From: [redacted]
Sent: Friday, July 09, 2010 2:01 PM
To: [redacted]
Cc:
Subject: [redacted] Field Demo Summary

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RECORD [redacted]

[redacted]

[redacted] The attendees are as follows:

FBI

- [redacted]

[redacted]

- [redacted]

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This is a follow-up to the Bureau visit to [redacted] office last month in the preliminary evaluation of [redacted]

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[redacted]

(S)

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(S)

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From:
Sent: Thursday, July 13, 2006 11:18 AM
To:
Cc:

Subject: EC from VC-WITT

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~~SECRET~~//NOFORN
RECORD 66f-hq-1410124f

As we discussed last week, I emailed and asked for a copy of the EC that VC-WITT submitted to OTD for additional sent me the attached EC, which was uploaded on the system around the end of June.

OTD.Equipment.Request EC.wpd

of the Stingray

(S)

(S) FBI/OTD
Unclass email, jmurray@fbiacademy.edu
(S)
Non-Secure
Stu3
Cell
Pager

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CLASSIFIED BY: 74484,OTD/FO,OTD
REASON: 1.5[c]
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DATE 11-13-2012 BY 65179 DMH/rs

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: PRIORITY **Date:** 06/28/2006

To: [redacted] b6 b7C b7E

OTD **Attn:** AD Kerry E. Haynes,
UC [redacted]
SSA

[redacted] b6 b7C b7E

[redacted]

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From: Criminal Investigative
VCS/VCU, Room [redacted]
Contact: [redacted]

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 62F-HQ-C1522631 (Pending)
7C-HQ-C1510131

Title: CRIMINAL INVESTIGATIVE DIVISION (CID);
Violent Crime - Wireless Intercept and Tracking Teams (VC-WITT)

CHILD ABDUCTION RAPID DEPLOYMENT TEAMS;
VIOLENT CRIMES PROGRAM

Synopsis: Request necessary equipment to facilitate outfitting [redacted]

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Details: For information, the captioned initiative was approved by A/EAD [redacted], A/AD [redacted], and AD Kerry E. Haynes to assist violent crimes supervisors with [redacted] These facts, coupled with violent crimes investigations remaining a number eight priority in the FBI, place an extreme burden on violent crimes resources.

CID/VCU, working closely with OTD and CID/CACU, recently coordinated the purchase of [redacted] StingRay [redacted]

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CID's original [redacted] VC-WITT members have received extensive [redacted] To facilitate the fielding of

these [redacted] OTD coordinated the [redacted] StingRays, [redacted] b3 b7E

As of 06/16/2006, CID coordinated the training of [redacted] additional VC-WITT members from the following offices: [redacted]

[redacted] Accordingly, CID requests OTD to identify [redacted] all appropriate supporting equipment, [redacted] to support the newly trained [redacted] Should listed equipment not be available through OTD, CID requests OTD consider the loan of additional equipment until such time CID can fund the additional purchase of equipment.

VC-WITT trained agents are working [redacted] b7E

[redacted] VC-WITT trained agents will serve [redacted]

CELL/OTD 007908 CELLSITE-19767

LEAD(S):

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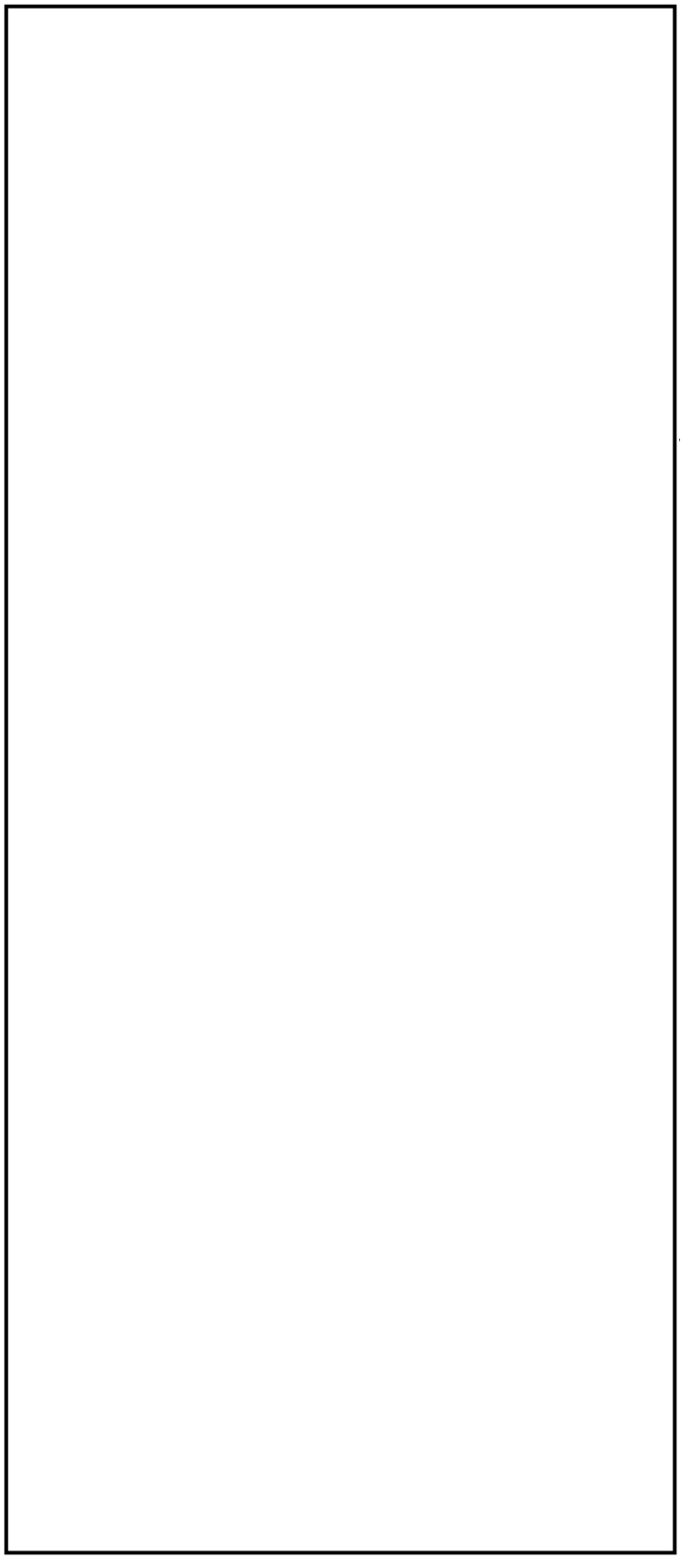

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[redacted] b7E

OPERATIONAL TECHNOLOGY DIVISION

AT QUANTICO, VA

CID requests OTD to identify [redacted] StingRays, all b3
appropriate supporting equipment, [redacted] b7E
[redacted] to support the newly trained VC-WITTs in [redacted] Should listed equipment not be available through OTD, CID requests OTD consider the loan of additional equipment until such time CID can fund the additional purchase of equipment.

[redacted] b7E

CELL/OTD 007910
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Read and clear.

CC: 1- Executive Staff for Strategic Planning and Coordination
1- Special Assistant to the AD

♦♦

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FEDERAL BUREAU OF INVESTIGATION
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DATE 11-13-2012 BY 65179 DMH/rs

[redacted]

From: [redacted]
Sent: Tuesday, February 24, 2009 6:50 PM
To: [redacted]

Subject: Need to Meet for 30 minutes to dice this cut of the [redacted] policy.

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FD-1028_Directive_V6_[redacted]_2-23-...

[redacted]

As soon as your schedule permits I would like to meet with above participants to cut / add / finalize. May have to pass it back to CID and or return to [redacted] for another 14 day comment period. I think we could make it the broader policy as well.

UNCLASSIFIED

CELL/OTD 014464 CELLSITE-4111

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[redacted]

From: [redacted] on behalf of [redacted]
Sent: Friday, November 21, 2008 3:50 PM
To: [redacted]
Cc:
Subject: [redacted] Draft

UNCLASSIFIED
NON-RECORD

On behalf of [redacted]

As you are aware, [redacted] and I have been working on a draft for the [redacted] We think we are well on the way to finalizing. We have concentrated on Sections 1 through 11 and hope to finish up the last part on Monday.

We would appreciate your review of the draft to-date, to include any specific text comments. We would like to have your feedback by Monday, December 1, 2008. We would also like to tentatively schedule a meeting the week of December 1st in order to address any issues or language problems.

Feel free to contact me or [redacted] with any questions.

[redacted]

[redacted]

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DATE 11-14-2012 BY 65179 DMH/rs

[redacted]

From: [redacted] on behalf of [redacted]
Sent: Wednesday, December 03, 2008 4:36 PM
To: [redacted]
Subject: Updated draft to be posted to [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

Attached, please find the final draft for [redacted] which will be posted for the 14-day review/comment period. The review period should provide us ample time for development of appropriate definitions of "authorized" and "certified" [redacted] Please feel free to forward appropriate language to me for incorporation into the draft.

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Regards,

[redacted]

[redacted]

[redacted]

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CELL/OTD 014483

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ALL INFORMATION CONTAINED
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DATE 11-14-2012 BY 65179 DMH/rs

[redacted]

From: [redacted]
Sent: Wednesday, December 10, 2008 9:23 AM
To: [redacted]
Subject: Policy draft [redacted]

UNCLASSIFIED
NON-RECORD

[redacted]

The attached is the most current version of the [redacted] draft in question. To my knowledge, it has not been uploaded into [redacted] or made official at this point.

Please let me know if you have any questions.

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Regards,

[redacted]

[redacted]

UNCLASSIFIED

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CELL/OTD 014499

DECLASSIFIED BY 65179 DMH/rs
ON 11-14-2012

[redacted]

From: [redacted]
Sent: Thursday, December 11, 2008 11:59 AM
To: [redacted]
Subject: Interagency Agreement E007532

~~SECRET~~
RECORD 268-HQ-1068430

[redacted]

I have attached some Determination and Findings (D&F) documents for your review. While your requisition states that there is not a previous contract number, we have issued several purchase orders for the same or similar services.

Please review the D&F's and let me know if, a) one of these speaks directly to your current requisition, and b) you approve the D&F as written, or whether or not changes are required. If changes are required, please write them in the appropriate section of the document using a different color font. Let me know if you have any questions.

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Thanks so much,

[redacted]

WITT2DF.DOC WITTDF.DOC [redacted]

[redacted]
Contracting Officer
Quantico Contracts Unit
Procurement Section
Finance Division

ERF-Room A-226
T: [redacted]
F: [redacted]

DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations
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DECLASSIFIED BY 65179 DMH/rs
ON 11-14-2012

[redacted]

From: [redacted]
Sent: Thursday, December 11, 2008 5:09 PM
To: [redacted]
Cc:
Subject: RE: Interagency Agreement E007532

~~SECRET~~
RECORD 268-HQ-1068430

[redacted] please forward to [redacted] as appropriate:

For requisition: E007532 [redacted] please use the following "edited" version.

WITT2DF_update.DOC

For requisition: E007575 please use as is the following, with updates to the amount: This one is a follow-on project...

WITT2DF.DOC

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[redacted]

From: [redacted]
Sent: Thursday, December 11, 2008 12:01 PM
To: [redacted]
Cc:
Subject: FW: Interagency Agreement E007532
Importance: High

~~SECRET~~
RECORD 268-HQ-1068430

[redacted] Please complete the review requested below and submit back to me no later than cob today..

[redacted] Call [redacted] and [redacted] and advise them of this action.

SSA [redacted]
Unit Chief

[redacted]

From: [redacted]
Sent: Thursday, December 11, 2008 11:59 AM
To: [redacted]
Subject: Interagency Agreement E007532

CELL/OTD 014512

CELLSITE-4144

~~SECRET~~
RECORD 268-HQ-1068430

[redacted]

I have attached some Determination and Findings (D&F) documents for your review. While your requisition states that there is not a previous contract number, we have issued several purchase orders for the same or similar services.

Please review the D&F's and let me know if, a) one of these speaks directly to your current requisition, and b) you approve the D&F as written, or whether or not changes are required. If changes are required, please write them in the appropriate section of the document using a different color font. Let me know if you have any questions.

Thanks so much,

[redacted]

<< File: WITT2DF.DOC >> << File: WITTDF.DOC >> << [redacted]

b6
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b7E

[redacted]
Contracting Officer
Quantico Contracts Unit
Procurement Section
Finance Division

ERF-Room A-226
T [redacted]
F [redacted]

DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations
DECLASSIFY ON: 20320101
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DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations
DECLASSIFY ON: 20320101
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DERIVED FROM: G-3 FBI Classification Guide G-3, dated 1/97, Foreign CounterIntelligence Investigations
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~~SECRET~~

CELL/OTD 014513

CELLSITE-4145

DATE: 11-14-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c)
DECLASSIFY ON: 11-14-2037

~~SECRET//20221029~~

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WHERE SHOWN OTHERWISE

DETERMINATIONS AND FINDINGS
UNDER THE ECONOMY ACT
AS REQUIRED BY FEDERAL ACQUISITION
REGULATION, SUBPART 17.5
(TITLE 31, U.S.C. 1535)

This document is classified ~~"Secret" in its entirety, unless otherwise noted.~~ (U)

FINDINGS

(S)

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Derived ~~From~~: G-3
Declassify ~~On~~: 10/29/2022

(S) [redacted]

(U) (S) It is in the best interest of the United States Government to promote and facilitate the creation, development and propagation of uniform, cost effective and scientifically sound policies, procedures, practices, protocols, guidelines and techniques relating to ELSUR development.

DETERMINATIONS

(S) [redacted]

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b3
b6
b7C

(U) Therefore, this procurement is in accordance with the Federal Acquisition Regulation, Subpart 7.3 – Contractor Versus Government Performance and Subpart 17.5- Interagency Acquisition Under the Economy Act. The legal authority for the acquisition is Title 31, U.S.C. 1535 and is authorized by the Federal Acquisition Regulation, Part 6.302-1.

[redacted] _____ Date _____

Contracting Officer
Federal Bureau of Investigation

[redacted] _____ Date _____

Head of Procurement Activity
Federal Bureau of Investigation

[redacted] _____ Date _____

Procurement Executive
Department of Justice

Derived From: G-3
Declassify On: 10/29/2022

DATE: 11-14-2012
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REASON: 1.4 (c)
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DETERMINATIONS AND FINDINGS
UNDER THE ECONOMY ACT
AS REQUIRED BY FEDERAL ACQUISITION
REGULATION, SUBPART 17.5
(TITLE 31, U.S.C. 1535)

This document is classified ~~"Secret" in its entirety~~, unless otherwise noted. (U)

FINDINGS

(U) ~~(S)~~ [redacted] Wireless Intercept and Tracking Team (WITT), [redacted] Federal Bureau of Investigation (FBI), has a requirement to procure engineering services to support the research and development of [redacted] electronic surveillance (ELSUR) techniques and equipment. [redacted]

(S) [redacted]

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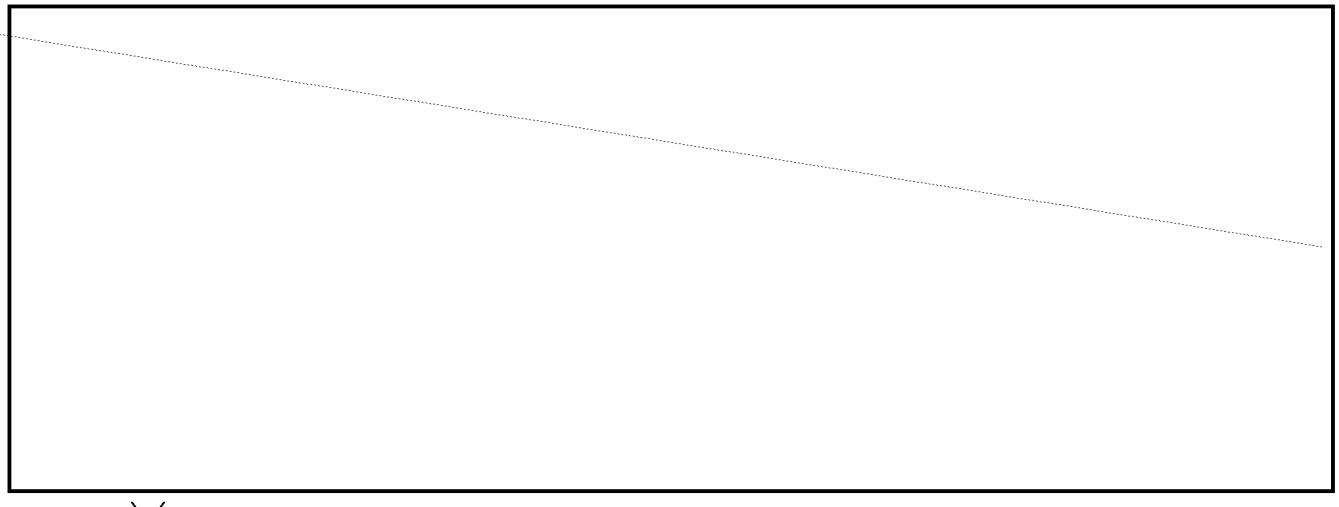
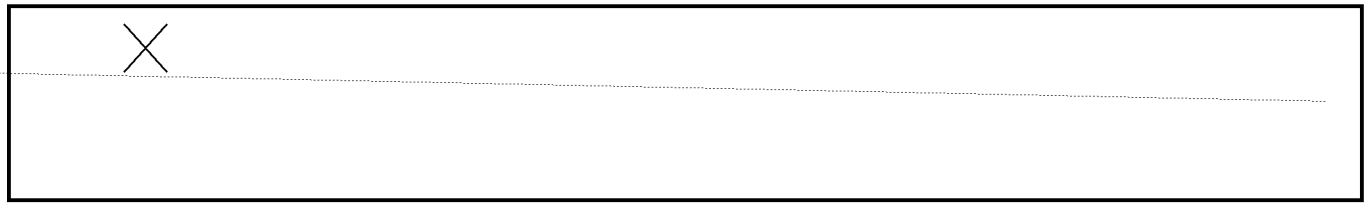
~~Derived From: G-3~~
~~Declassify On: 10/29/2022~~

(S) 

(U) (~~S~~) It is in the best interest of the United States Government to promote and facilitate the creation, development and propagation of uniform, cost effective and scientifically sound policies, procedures, practices, protocols, guidelines and techniques relating to ELSUR development.

DETERMINATIONS

(S) 

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(U) Therefore, this procurement is in accordance with the Federal Acquisition Regulation, Subpart 7.3 – Contractor Versus Government Performance and Subpart 17.5- Interagency Acquisition Under the Economy Act. The legal authority for the acquisition is Title 31, U.S.C. 1535 and is authorized by the Federal Acquisition Regulation, Part 6.302-1.

[redacted] _____ Date _____

Contracting Officer
Federal Bureau of Investigation

[redacted] _____ Date _____

Head of Procurement Activity
Federal Bureau of Investigation

[redacted] _____ Date _____

Procurement Executive
Department of Justice

Derived From: G-3
Declassify On: 10/29/2022

[redacted]

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DATE 11-15-2012 BY 65179 DMH/rs

From: [redacted]
Sent: Tuesday, July 31, 2007 10:10 AM
To: [redacted]

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UNCLASSIFIED
NON-RECORD

WITT POL2.wpd

UNCLASSIFIED

CELL/OTD 008298

CELLSITE-4168

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DATE 11-15-2012 BY 65179 DMH/rs

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: IMMEDIATE **Date:** 07/11/2007

To: All Field Offices **Attn:** All CDCs

Information Resources
CID

FBIHQ, Manuals Desk
UC
SSA

From: Operational Technology
QT-ERF
Contact: SSA

Approved By:

Drafted By:

Case ID #: 268-HQ-1068430 (Pending)
66F-HQ-C1384970

Title: WIRELESS INTERCEPT AND TRACKING TEAM (WITT) REVISED POLICY.

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Synopsis: The Operational Technology Division (OTD), Tracking Technology Unit (TTU) herein provides updated information and policy guidelines for the Wireless Intercept and Tracking Teams (WITT); appreciates the considerable effort and commitment of those participating in the and requests the continued cooperation of all SACs with the WITT approach to ensure readily-available, high-quality delivery of these sophisticated services throughout the FBI.

Reference: 268-HQ-1068430 Serial 342

Enclosure(s): A checklist detailing requirements that need to be completed prior to the deployment of equipment or personnel. A map identifying the . Example EC for requesting loan of technical equipment, example letter that should be submitted from the local Police Department to the FBI requesting a loan of equipment, and WITT For more

information regarding WITT legal polices please visit our web site

Details: WITT b3 b7E

WITT

The WITT has worked with

the WITT to initiate

To accomplish its mission, WITT has designated

assist the WITT by ensuring that

CELL/OTD 008300 CELLSITE-4170

[redacted] All WITT [redacted]

[redacted] WITT [redacted]

[redacted]

- [redacted] WITT initiatives will require prior approval from WITT [redacted]
- [redacted]
- [redacted]
- [redacted] WITT [redacted]
- Before the WITT [redacted] (WITT [redacted]
- [redacted] WITT [redacted]
- WITT [redacted]

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CELL/OTD 008302

CELLSITE-4172

- [redacted]
  WITT [redacted]
- [redacted] the WITT, [redacted]
- The WITT, [redacted] WITT [redacted]
  WITT employees are [redacted]
- WITT remains dedicated to providing [redacted] However, WITT's [redacted] manage WITT's work, [redacted]

b3
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- WITT's [redacted]

[redacted] will be procured by the WITT. The WITT plans to continue supporting WITT [redacted]

In the most recent OTD reorganization WITT has moved from [redacted]

CELL/OTD 008303

CELLSITE-4173

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-15-2012 BY 65179 DMH/rs

[redacted]

From: [redacted]
Sent: Thursday, August 06, 2009 5:09 PM
To: [redacted]
Cc:
Subject: WITT EC
Importance: High

UNCLASSIFIED
NON-RECORD

Hello all,

Attached is the EC for guidance on FBI [redacted] WITT.

I believe I've incorporated all the suggestions from the last meetings we've had - with [redacted] on July 21 and with [redacted] on Aug 3.

If you would, please review one last time before I send up for approval.

Thanks for all your help and advice on this.

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[redacted]

[redacted]
Unit Chief
[redacted]

UNCLASSIFIED

CELL/OTD 012629

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
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FOI/PA# 1212582-1

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DATE: 11-20-2012
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From:
Sent: Tuesday, June 12, 2007 9:41 PM
To:
Cc:
Subject: RE:

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SECRET
RECORD

Attached is my response to the It's the best I could do at such short notice, and I hope I answered the questions appropriatly. Perhaps can take a shot at it afterwards if this is not what they are looking for. Two of the questions I could not answer, and I marked them with an N/A.

-----Original Message-----
From:
Sent: Tuesday, June 12, 2007 4:34 PM
To:
Subject: FW
Importance: High

SECRET
RECORD

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SSA
Unit Chief
Operational Technology Division

-----Original Message-----
From:
Sent: Tuesday, June 12, 2007 4:29 PM
To:
Cc:
Subject:

SECRET
RECORD

~~SECRET~~

CELL/OTD 008027
CELLSITE-12624

[redacted]

Pls prepare your response using MS Word, Courier New 12 font. Deadline COB 6/13/2007.

[redacted]
Chief,
Operational Technology Division
[redacted]

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<< File: [redacted] pdf >>

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[redacted]

From: [redacted]
Sent: Thursday, February 25, 2010 12:06 PM
To: [redacted]
Subject: [redacted]

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[redacted]

Attached is the revised version of the presentation that makes the two changes we discussed.

Please let me know if there any other changes after it has been reviewed by upper management.

Thanks,

[redacted]

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[redacted]

[redacted]

Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
Direct Dial [redacted]
Fax:

This message may be protected by the deliberative process and/or attorney-client privileges. Please do not disseminate outside the FBI without the express permission of OGC and/or the sender.

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DATE 11-20-2012 BY 65179 DMH/rs

LEGAL AND REGULATORY OVERVIEW OF [redacted] ISSUES

b6
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b7E

March 2, 2010

Presented by

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation

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BACKGROUND ON

[redacted]

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605600 010/7133

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CELL/OTD 009333

Questions?

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[redacted]

From: [redacted]
Sent: Thursday, February 25, 2010 2:38 PM
To: [redacted]
Subject: FW: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

I'm confused - thought he was gone for the day…

I spoke to [redacted] a little while ago and told him to stand down because there seems to be a disconnect about the [redacted] we need that has gotten incorrectly melded together into this draft. [redacted] had someone in his office and said he'd call me back when he was done (still waiting).

From: [redacted]
Sent: Thursday, February 25, 2010 2:34 PM
To: [redacted]
Cc:
Subject: [redacted]

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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted] and [redacted]

Attached is my rough draft for the [redacted] also has a older version of this draft.

[redacted]

[redacted]

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

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DATE 11-21-2012 BY 65179 DMH/rs

[redacted]

From: [redacted]
Sent: Thursday, July 26, 2007 12:13 PM
To: [redacted]
Cc:
Subject: WITT CDC Presentation

SENSITIVE BUT UNCLASSIFIED
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Attached is the portion of the CDC presentation that WITT personnel will handle. We would like all other items (slides) that were addressed in the original presentation to be handled by OGC. After the demonstration would be the best time to pick questions and issues concerning the [redacted]

Please contact [redacted] and we will coordinate accordingly for a run-through of the material.

Please note that our personnel will not be available on Friday for meetings as we will be off-site.

[redacted]

cdc august 2 2007_edit.ppt

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CELLEBRITE 126725

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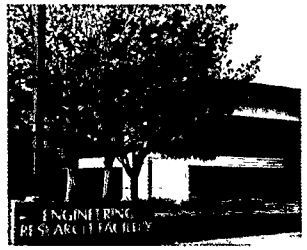
Legal Update

Science & Technology Law Unit, OGC



CELL/OTD 007676

CELLSITE-12673

Agenda

- Geolocating:
  - Cellular "GPS" v. CellSite data
  - [redacted]
  - Role of 3rd Party-provider & 4th Amendment
- Emergency Disclosure
  - Prospective vs. Stored
  - Records vs. Contents
  - Authorities & Immunity
- [redacted]
  - 4th Amendment & Stored Content
  - Role of 3rd Party-Provider
  - Ramifications: e.g. [redacted]

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CELL/OTD 002677

Locating a Cell Phone

1. **Cell Site Data** —tower/sector
2. **Witt ---**Wireless Intercept & Tracking Team; [redacted] b3 b7E
3. **Geolocation** —from provider
   1. Handset-based (GPS)
   2. Network-based (signal strength triangulation)

8/9/2008 CELL/OTD 007678

Access to Historical Location Data

- Past tower/sector records available using 2703(d) order

[redacted] b5

- Historical GPS data typically <u>does not exist</u>
  - some exceptions exist, such as "kiddie-tracking" phones where logging is expressly part of service

CELL/OTD 007687

GEOLocation Data—E911

- FCC "Enhanced 911" mandate requires wireless telephone carriers to be able to deliver certain location data for 911 calls
- Carriers implement this capability in either of 2 ways:
  - **"Handset solution": GPS**
  - FCC requires accuracy:
    - to 50 meters for 67% of calls
    - to 150 meters for 95% of calls
  - **"Network solution": Triangulation**
  - FCC requires accuracy:
    - to 100 meters for 67% of calls
    - to 300 meters for 95% of calls

CELL/OTD 007688

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DATE 11-21-2012 BY 65179 DMH/rs

[redacted]

From: [redacted]
Sent: Monday, July 09, 2007 2:14 PM
To: [redacted]
Cc:
Subject: RE [redacted]

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[redacted]

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[redacted]
Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room [redacted]
Quantico, Va. 22135
Tel [redacted]
Fax
Cel

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From: [redacted]
Sent: Monday, July 09, 2007 8:48 AM
To: [redacted]
Subject: FW: [redacted]

UNCLASSIFIED
NON-RECORD

[redacted] Is the below an accurate accounting of the legal policy?

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b7E

SSA [redacted]
Unit Chief
[redacted]
Operational Technology Division
[redacted]

-----Original Message-----
From: [redacted]
Sent: Monday, July 09, 2007 7:59 AM
To: [redacted]
Subject: FW: [redacted]

UNCLASSIFIED
NON-RECORD

CELL/OTD 007625 CELLSITE-12702

Did you see this? I am going to look into it some more, but wanted to pass it along.

[redacted]

SSA [redacted]
Unit Chief
[redacted]
O:
C: [redacted]

b6
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-----Original Message-----
From: [redacted]
Sent: Thursday, July 05, 2007 9:27 AM
To: [redacted]
Subject: FW [redacted]

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UNCLASSIFIED
NON-RECORD

FYI -
Not sure if you all saw this. Thought it of most concern regarding the [redacted]

[redacted]

[redacted]

[redacted]

....****

[redacted]

[redacted]

[redacted]

(3) [redacted]

[redacted]

Finally, it is important to note that the

Any questions regarding this matter may be directed to the Investigative Law Unit or the Science and Technology Law Unit

Hope all had a great 4th!!!

SSRA
Office:
Cell:

b3
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b7C
b7E

-----Original Message-----
From:
Sent: Wednesday, June 27, 2007 10:22 AM
To: AGENTS
Subject:

UNCLASSIFIED
NON-RECORD

Please read enclosed EC from OGC.

CELL/OTD 007627

CELLSITE-12704

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-21-2012 BY 65179 DMH/rs

From:
Sent: Thursday, November 16, 2006 2:49 PM
To:
Cc:
Subject: FW:

UNCLASSIFIED
NON-RECORD

b5
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The below interpretation from our Administrative Law Unit is consistent with what we spoke about this morning

As noted, we could draft a delegation request to DOJ seeking approval for the arguments that you and CID have offered. Since we have a pending request to DOJ to consider we could wait or go back to them with this as an alternative request.

PRIVILEGED DELIBERATIVE DOCUMENT - NOT FOR DISCLOSURE OUTSIDE THE FBI WITHOUT PRIOR OGC APPROVAL

Assistant General Counsel
Science & Technology Law Unit
Engineering Research Facility
Bldg. 27958A Room A-207B
Quantico, Va. 22135
Tel:
Fax
Cell

SCIENCE & TECHNOLOGY LAW UNIT - OFFICE OF THE GENERAL COUNSEL

-----Original Message-----
From:
Sent: Thursday, November 16, 2006 1:51 PM
To:
Cc:
Subject: RE:

UNCLASSIFIED
NON-RECORD

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While the redelegation language is somewhat ambiguous, I don't think there is a basis to conclude that

CELL/OTD 007617

CELLSITE-12710

-----Original Message-----
From:
Sent: Thursday, November 16, 2006 11:53 AM
To:
Subject: FW:
Importance: High

b5
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b7E

UNCLASSIFIED
NON-RECORD

Can you help with the below question.

Given the do we need to ask DOJ what they meant by (view the entire order at

Thanks,

-----Original Message-----
From:
Sent: Monday, November 13, 2006 6:24 AM
To:
Subject: FW:
Importance: High

b5
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b7E

UNCLASSIFIED
NON-RECORD

Please way in on this legal matter.. And advise.

SSA
Unit Chief
Operational Technology Division

-----Original Message-----
From:
Sent: Thursday, November 09, 2006 3:50 PM
To:
Cc:
Subject:

UNCLASSIFIED
NON-RECORD

the information below was cut and pasted directly from email.

Under the

CELL/OTD 007618

CELLSITE-12711

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-21-2012 BY 65179 DMH/rs

[redacted]

From: [redacted]
Sent: Wednesday, July 29, 2009 8:54 AM
To: [redacted]
Cc:
Subject: RE [redacted] EC

Importance: High

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b3
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Hello [redacted] and [redacted]

My Section Chief, Dave Johnson, would like to attend and he cannot make it tomorrow. He is available Monday morning. Could you meet with us Monday morning, around 10:00 a.m.?

Please let me know and I'll let Dave know.

Thanks,

Corporate Policy EC
to the.fie...

[redacted]
Unit Chief
Violent Crimes/Major Offenders Unit
[redacted]
Blackberr[redacted]
[redacted]

From: [redacted]
Sent: Wednesday, July 29, 2009 6:35 AM
To: [redacted]
Subject: RE [redacted] EC

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b3
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Me too please

SSA [redacted]
Unit Chief
[redacted]
Operational Technology Division
[redacted]

From: [redacted]
Sent: Tuesday, July 28, 2009 4:01 PM
To: [redacted]

CELL/OTD 007549

CELLSITE-12736

Cc:
Subject: RE: EC

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b3
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b7E

Will do.

Unit Chief
Violent Crimes/Major Offenders Unit
Blackberry

From:
Sent: Tuesday, July 28, 2009 4:01 PM
To:
Cc:
Subject: RE: EC

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b6
b7C

Its on my Calendar for 9 Thursday. Please forward the draft for pre read.

From:
Sent: Tuesday, July 28, 2009 3:46 PM
To:
Cc:
Subject: RE: EC

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

How about 9:00 a.m?

b3
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Unit Chief
Violent Crimes/Major Offenders Unit
Blackberry

From:
Sent: Tuesday, July 28, 2009 6:07 AM
To:
Subject: RE: EC

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Yes what time

SSA
Unit Chief

CELL/OTD 007550 CELLSITE-12737

[redacted]
Operational Technology Division
[redacted]

From: [redacted]
Sent: Monday, July 27, 2009 5:22 PM
To: [redacted]
Cc:
Subject: RE [redacted] EC
Importance: High

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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Hello [redacted] and [redacted]

Are you two available for a final meeting re the EC on the [redacted] this Thursday morning?

Let [redacted] and I know if that works for you and we'll come down to meet.

Thanks,

[redacted]
Unit Chief
Violent Crimes/Major Offenders Unit
[redacted]
Blackberry [redacted]
[redacted]

From: [redacted]
Sent: Wednesday, July 22, 2009 8:49 AM
To: [redacted]
Subject: RE: [redacted] EC

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

I'm good for next week. I am awaiting word from Pittsburg when they want to meet next week also in regards to the G20..

SSA [redacted]
Unit Chief
[redacted]
Operational Technology Division
[redacted]

b3
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b7C
b7E

From: [redacted]
Sent: Wednesday, July 22, 2009 8:05 AM
To: [redacted]
Subject: RE: [redacted] EC

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Hello [redacted]

CELL/OTD 007551 CELLSITE-12738

It went well. Overall, we were in agreement. [redacted] had a couple of suggestions for changes, which we will incorporate. They would like to have us come down to your facility for one more meeting that would include [redacted] and you to finalize everything before the EC goes up for approval and out to the field.

Perhaps early next week would work for a meeting.

Let me know when you and [redacted] might be available.

Thanks,

b6
b7C
b7E

[redacted]
Unit Chief
Violent Crimes/Major Offenders Unit
[redacted]
Blackberry [redacted]
[redacted]

From: [redacted]
Sent: Wednesday, July 22, 2009 7:55 AM
To: [redacted]
Subject: RE: [redacted] EC

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

How did your meeting go yesterday..

SSA [redacted]
Unit Chief
[redacted]
Operational Technology Division
[redacted]

From: [redacted]
Sent: Thursday, July 02, 2009 5:57 PM
To: [redacted]
Cc:
Subject: RE: [redacted] EC

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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Hello,

We've made several changes to the EC and I forward the amended EC to [redacted] while he was in San Diego. I'm attaching it to this email. I've indicated changes to the previous EC in red.

I do think it would be worthwhile for us to meet on this one more time to get on the same page [redacted]

I'll be out on AL next week, but I'll be back in the office the week of the 13th. Hopefully, we can discuss this further then.

<< File: Corporate Policy EC to the.field 2.wpd >>

CELL/OTD 007552 CELLSITE-12739

[redacted]
Unit Chief
Violent Crimes/Major Offenders Unit
[redacted]
Blackberry [redacted]
[redacted]

b6
b7C
b7E

From: [redacted]
Sent: Wednesday, July 01, 2009 2:16 PM
To: [redacted]
Cc: [redacted]
Subject: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Gents: I am attaching the OTD "reviewed" version of [redacted] EC and a copy of OGC [redacted] comments [redacted] I am sending the "comment" EC for your review, consideration, and clarification.. Please advise of your comments..

<< File [redacted] EC on Corporate Policy.wpd >> << File: [redacted] Edits-Comments.doc >>

SSA [redacted]
Unit Chief
[redacted]
Operational Technology Division
[redacted]

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SENSITIVE BUT UNCLASSIFIED

CELL/OTD 007553

CELLSITE-12740

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DATE 11-21-2012 BY 65179 DMH/rs

[redacted]

From: [redacted]
Sent: Thursday, June 11, 2009 2:00 PM
To: [redacted]
Cc:
Subject: RE: [redacted]

UNCLASSIFIED
NON-RECORD

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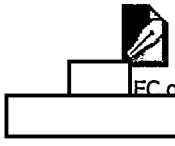
Please see my comments, in red, within the attached copy.


[redacted]EC on [redacted]wpd.

From: [redacted]
Sent: Wednesday, June 10, 2009 6:14 PM
To: [redacted]
Cc:
Subject: RE: [redacted]

UNCLASSIFIED
NON-RECORD

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[redacted]

1) "what is the rush", the only reason people at FBIHQ have jobs is to support case agents in the field. This [redacted] I know because I spent most of my career working those cases all day, night and weekend, just like my guys still in the field. I've been fielding daily questions about this [redacted]

[redacted]

2) Good point, dually noted and I have already made the correction by adding AD Thomas to the approval line.

* Just for further reference, I've brought this issue to the attention of four people from OGC and you're the first one that's had any input.

Thanks,

[redacted]

SSA [redacted]
Violent Crimes Unit - FBIHQ
Desk [redacted]
Fax [redacted]

[redacted]

CELL-OTD 012967

From:
Sent: Tuesday, June 09, 2009 4:38 PM
To:
Cc:
Subject: RE:

UNCLASSIFIED
NON-RECORD

b3
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b7C
b7E

I opened the EC and two quick questions popped out in my head:

I will try to read it tomorrow.

Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
(Office
(Cell
(Secret)
(Fax)

PRIVILEGED ATTORNEY-CLIENT COMMUNICATION AND ATTORNEY WORK PRODUCT. DO NOT DISSEMINATE WITHOUT OGC APPROVAL.

From:
Sent: Tuesday, June 09, 2009 4:08 PM
To:
Subject: FW

b3
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b5

UNCLASSIFIED
NON-RECORD

I sent this to the guys down at OGC but had his out of office notification on and it said to contact you. Please let me know if you can look at this in his place.

Thanks

SS
Violent Crimes Unit - FBIHQ
Des
Fax

CELL-OTD 012962

From:
Sent: Tuesday, June 09, 2009 4:05 PM

To:

Cc:
Subject:

UNCLASSIFIED
NON-RECORD

Guys,

Sorry to take up any of your time but and I wanted you guys to take a look at this at the FBI-WITT conference so we hope to have it out before then.

Thanks,

b3
b5
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b7E

SSA
Violent Crimes Unit - FBIHQ
Desk
Fax

<< File: wpd >>

Thanks,

SSA
Violent Crimes Unit - FBIHQ
Desk
Fax

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CELL-OTD 012963

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HEREIN IS UNCLASSIFIED
DATE 11-21-2012 BY 65179 DMH/ra

(Rev. 05-01-2008)

UNCLASSIFIED

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 04/14/2009

To: All Field Offices **Attn:** ADICs
SACs
Criminal Program ASACs
CDCs
VCMO SSAs

From: Criminal Investigative
Violent Crimes/Major Offenders Unit (VC/MOU)
Contact: SSA [redacted]

b6
b7C

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: 62F-HQ-C1522631

Title: Violent Crimes - Wireless Intercept Tracking Team (WITT)

Synopsis: To provide guidance on the new [redacted] as it pertains to Wireless Intercept and Tracking Team (WITT) related matters.

Reference: 268-HQ-1068430 Serial 620

b7E

Administrative: [redacted] and for usage of cellular wireless telephone locating equipment (Wireless Intercept and Tracking Team - WITT)". [redacted]

UNCLASSIFIED

CELL-OTD 012964

DECLASSIFIED BY 65179 DMH/rs
ON 11-21-2012

[redacted]

From: [redacted]
Sent: Friday, July 31, 2009 11:47 AM
To: [redacted]

Subject: [redacted]

~~CONFIDENTIAL~~
RECORD 268-HQ-1068430

b6
b7C
b7E

Attached,

[redacted]

[redacted]

~~DERIVED FROM: Multiple Sources~~
DECLASSIFY ON: 20340731
~~CONFIDENTIAL~~

CELLSITE-012852

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

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DATE 11-19-2012 BY 65179 DMH/rs

(Rev. 01-31-2003)

FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE **Date:** 10/28/2008

To: All Divisions **Attn:** All Agents

From: ERF
TTU
Contact: UC

Approved By: Line 1

Drafted By: [redacted]

REF: [redacted] EC (269-HQ-1539382)

Case ID #: 319-xx-xxxxx (Pending)

Title: Legal Requirements for Deployment of the Wireless Intercept and Tracking Team (WITT) Personnel and Equipment.

Synopsis: This EC highlights the legal authority required to deploy the Wireless Intercept and Tracking Team (WITT) personnel and equipment.

Enclosure(s): Copy of Office of Attorney General Order 2954-2008, Copy of MIOG, Part II, Section 10-10.7, 10-10.7.1, 10-9, 16-3.1.6 (26), Copy of Title 18, Part II, Chapter 206, 3122, 3123 and 3125. Checklist for deployment of WITT and policy requirements.

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b7E

Details: [redacted]

CELL/OTD 008770

CELLSITE-4230

To: All Divisions From: ERF
Re: 319-xx-xxxxx, 10/28/2008

[redacted]

Emergency Authority

[redacted]

Therefore, emergency use of the device is likewise governed by the emergency provisions of that statute, 18 U.S.C. 3125 and/or MIOG Part II, Section 10-10.7.1. The same statutory procedure will apply as outlined above with the following requirements for emergency authorization.

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The statute and FBI policy requires DOJ approval for Federal court orders, with a written application to the courts within 48 hours. Authorization must come from an Assistant Attorney General or higher ranking DOJ official. A DOJ hotline has been established to expedite this process. The DOJ hotline telephone number is [redacted] normal business hours - [redacted]

In the matter of State/Local court orders according to the same statute requires the principal prosecuting attorney of any State or subdivision thereof acting pursuant to a statute of that state approval for State/Local court orders, with a written application to the courts within 48 hours.

With either the Federal or State/local court orders, the proper authorities must reasonably determine that an emergency situation exists that involves -

A) immediate danger of death or serious bodily injury to any person;

[redacted]

CELL/OTD 008771

CELLSITE-4231

To: All Divisions From: ERF
Re: 319-xx-xxxxx, 10/28/2008

♦♦

CELL/OTD 008774

CELLSITE-4234

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-19-2012 BY 65179 DMH/rs

[redacted]

From: [redacted]
Sent: Monday, April 02, 2007 4:54 PM
To: [redacted]
Subject: Policy ec

UNCLASSIFIED
NON-RECORD

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WITT POLicy
04-05-07.wpd

This is a second draft I'm awaiting input from [redacted]

SSA [redacted]
Wireless Intercept Tracking Team (WITT),
[redacted]

UNCLASSIFIED

CELL/OTD 007[redacted]CELLSITE-4243

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

[redacted]

From: [redacted]
Sent: Thursday, May 10, 2007 4:07 PM
To: [redacted]
Cc:
Subject: FW: WITT EC

DATE: 11-19-2012
CLASSIFIED BY 65179 DMH/rs
REASON: 1.4 (c)
DECLASSIFY ON: 11-19-2037

~~UNCLASSIFIED~~
NON-RECORD

fyi

SSA [redacted]
Wireless Intercept Tracking Team (WITT),
[redacted]

-----Original Message-----
From: [redacted]
Sent: Wednesday, April 04, 2007 3:10 PM
To: [redacted]
Cc:
Subject: RE: WITT EC

~~UNCLASSIFIED~~
NON-RECORD

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[redacted], I highlighted two paragraphs in your EC in yellow for consideration.

[redacted]

~~SECRET~~

CELLSITE-4251

CELL/OTD 007961

~~SECRET~~

To: [redacted]
Cc:
Subject: WITT EC

UNCLASSIFIED
NON-RECORD

<< File: WITT POLicy 04-05-07.wpd >>

Hey [redacted] I'm in the process of updating the attached WITT EC (**DRAFT ONLY**). I would like to include your efforts in this EC i.e. history, purchases, teamwork, training, field offices equipped with WITT gear. However, I don't want to misrepresent your program so please provide the requested information and any additional information you would like to see in this EC.

b3
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b7E

SSA [redacted]
Wireless Intercept Tracking Team (WITT),
[redacted]

UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

~~SECRET~~

CELL/OTD 007963 CELLSITE-4253

DECLASSIFIED BY 65179 DMH/rs
ON 11-19-2012

[redacted]

From: [redacted]
Sent: Wednesday, February 24, 2010 9:35 AM
To: [redacted]

(U) **Subject:** (S//OC/NF) EC for uploading document to OTD management.

SECRET//ORCON,NOFORN
RECORD 268-HQ-1068430

b6
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[redacted]

I put the "guts" within this EC, need help in formatting "who" this should be sent to. If you and [redacted] could look this over, and finalize it, I would much appreciated.

FYI - The attachment will be the same document that was provided to [redacted] for approving. This EC is for sending the document to higher management within OTD... ie [redacted]

[redacted]

(S-OC-NF) OTD

[redacted]

DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20350224
SECRET//ORCON,NOFORN

CELL/OTD 009737

CELLSITE-4255

DECLASSIFIED BY 65179 DMH/rs
ON 11-19-2012

[redacted]

From: [redacted]
Sent: Tuesday, February 23, 2010 4:18 PM
To: [redacted]
Cc:
Subject: (S//OC/NF) [redacted]

(U)

b3
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SECRET//ORCON,NOFORN
RECORD 268-HQ-1068430

[redacted]

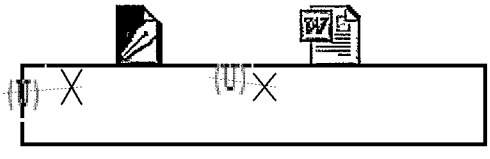
Pe[redacted] approval, please upload the attached EC and attachment for sending this document to General Counsel.

[redacted]

Please review the final conclusions and contact me if you feel we need any more editing. I believe that you may have to sign the document in electronic form so we could use the OC portions as authorization for use of the portion marking is designated down to the UC level. You only have to sign your name on the approved line on the cover page of the attached document.

Everyone Else,

Attached are the final draft for informational purposes only.



(U) (U)

DERIVED FROM: Multiple Sources
DECLASSIFY ON: 20350223
SECRET//ORCON,NOFORN

CELL/OTD 009740

CELLSITE-4258

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
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FOI/PA# 1212582-1

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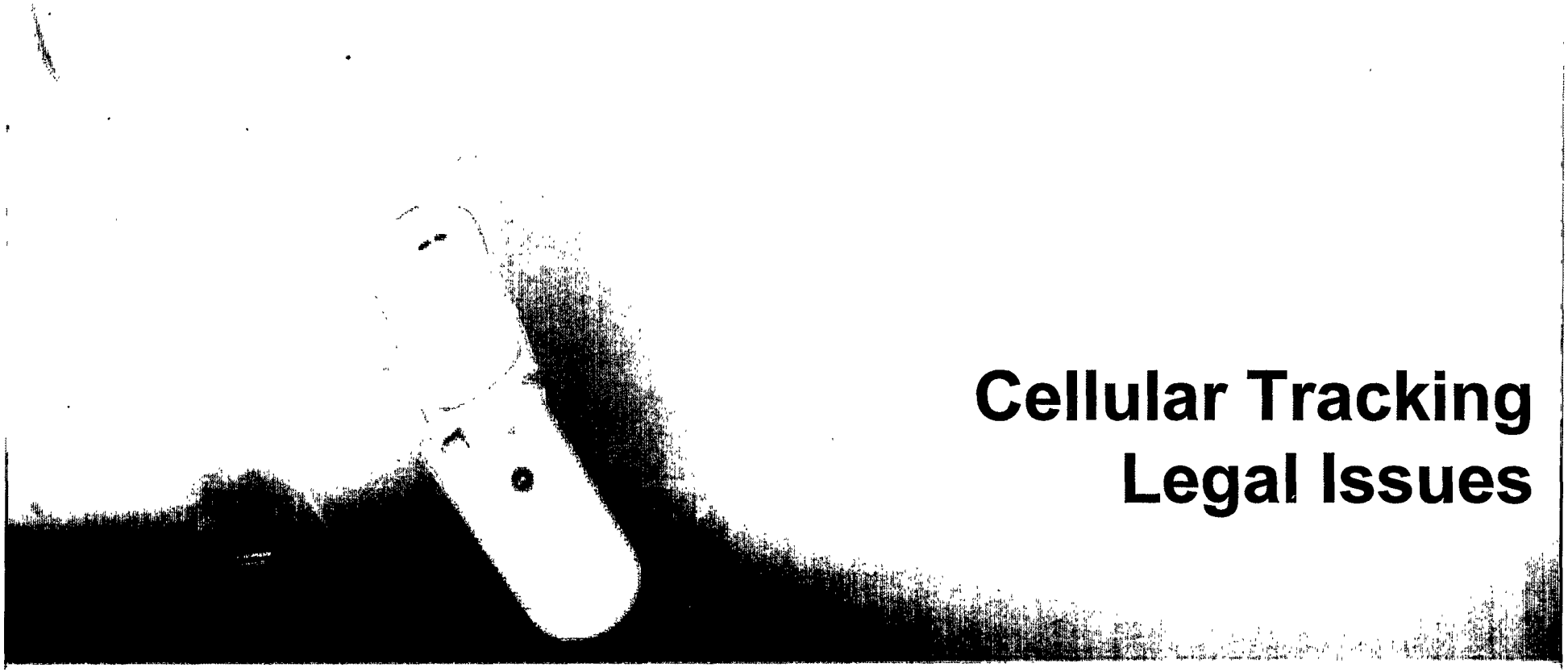
Wireless Intercept

a Team



Cellular Tracking Legal Issues

CELL/DTD 024137

WiTT
Wireless Intercept and Tracking Team

Overview

- DOJ's Policy on Cellsite Simulators: **Pen Register Device** (18 U.S.C. § 3127(3))
  - **BEST PRACTICES**
- Emergency Pen Register Authority
  - Federal v. State Orders
  - Voluntary Disclosures
- Loan of ELSUR Policy
  - **Using State Orders**
    [redacted]
  - **Liability-scope of authority**
- [redacted]
- [redacted]
- Protecting Sensitive Techniques
  - Use as evidence

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CELL/OTD 0224138

CELLSITE-18206

WITT
Wireless Intercept and Tracking Team

Pen Register Device: 18 USC 3127(3)

Old Definition

- "pen register" means a device which records or decodes electronic or other impulses which **identify the numbers dialed or otherwise transmitted on the telephone line to which such device is attached….**

New Definition

- "pen register" means a device ***or process*** which records or decodes ***dialing, routing, addressing, or*** **signaling** ***information*** **transmitted by an instrument or facility from which a wire or electronic communication is transmitted,** ***provided, however, that such information shall not include the contents of any communication***….

CELL/OTD 024139

CELLSITE-18207

WiTT
Wireless Intercept and Tracking Team

New Law: USA Patriot Act

DOJ/CCIPS & OEO:

- ✓
- ✓
- ✓ **"signaling information":** any non-content information "transmitted by" a telephone instrument

http://30.100.99.18/ogc/usabook/usabook/esis/13esis.htm

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CELL/OTD 024140

CELLSITE-18208

New DOJ Opinion:

DOJ: Pen/Trap **order** [redacted]

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to use a Pen Register Device to obtain "signaling information" transmitted from a cellular telephone to:

1) Identify a target phone **or**
2) Locate a phone

CELL/OTD 024141

CELLSITE-18209

WITT
Wireless Intercept and Tracking Team

WITT Pen Register— BEST PRACTICES

BEST PRACTICES:

Use PR/TT order to authorize use of WITT gear

1. authorize installation & use
2. Advise of potential
3. Not retain records beyond use to locate target phone?

-

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CELL/OTD 024142

CELLSITE-18210

WITT
Wireless Intercept and Tracking Team

Disruption of Service

[redacted]

- 47 U.S.C. § 333 prohibits interference with cellular frequencies
  - [redacted]
- 18 USC 3124: requires that a pen register be implemented with "minimum of interference" to those accorded service-
  - [redacted]
- [redacted]

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CELL/OTD 024144

CELLSITE-18212

- Maintaining/Purging "Pen" data?
  - [redacted]
    - [redacted]

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CELL/OTD 024146

WITT
Wireless Intercept and Tracking Team

[redacted]

[redacted]

- [redacted]

[redacted] Therefore, pursuant to 18 U.S.C. § 3123(d), I request that this application and order be sealed until otherwise ordered by this court; and

- [redacted]

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CELL/OTD 024147

CELLSITE-18215

WITT
Wireless Intercept and Tracking Team

Emergency Provision § 3125(a)(1)

[redacted]

- DOJ command Center [redacted]
- OEO (business hours)
- Emergencies involving:
  - Immediate danger of death or serious injury or immediate threat to a national security interest
- [redacted]
  - MIOG, Part 2, 10-10.7.1 [redacted]
- [redacted]

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CELL/OTD 024148

CELLSITE-18216

Alternative authority

Consent (18 USC 3121(b)(3))

Voluntary Disclosure by Provider (18 USC 2702(c)(4)) : if provider "reasonably believes that an emergency involving immediate danger of death or serious physical injury to any person justifies the disclosure of: "a record or other information pertaining to a subscriber or customer of such service."

1.
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CELL/OTD 024149

WITT What is Cell site location data

Wireless Intercept and Tracking Team

- Tower/Sector data:
  1. is generated by the network for network purposes regardless of a LE order.
  2. is necessary to Provision of Service & a call cannot be processed without it.
  3. exists in the network as a **RECORD** prior to its being obtained by LE.
  4. has no relationship to the content of a communication.
  5. is delivered to LE under CALEA only at the beginning and end of calls.

CELL/OTD 024156

CELLSITE-18224

1. CALEA prohibits collecting location information "solely pursuant" to a PR/TT
2. 18 USC 2703(d) (stored communication act)
3.
   -

C "OTD 024158
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WITT
Wireless Intercept and Tracking Team

CALEA Delivery of location data

- **Near Real-Time**: CALEA (47 USC 1002) requires carriers to "expeditiously isolates"
  - "call-identifying information": includes cell site information utilized in processing calls
  - for government access "before, during, or immediately after the transmission of a [ ] communication" (i.e., in real-time or near real-time)
- CALEA J-Standard: location information is delivered after generation of data by the carrier's network and use in the provision of service (e.g., call origination, Answer, call release)

CELL/OTD 024159

CELLSITE-18227

CELL_GUID 024162

- [redacted]
- **AND Use a PR/TT order for WITT gear**
  1. [redacted]
  2. Advise of [redacted]
  3. Not retain records
- [redacted]

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WITT
Wireless Intercept and Tracking Team

4th Amendment Privacy Interest

- [redacted]
  - [redacted] Smith v. Maryland, 442 U.S. 435, 744 (1979).
    - no legitimate expectation of privacy in information knowingly conveyed to a third party
    - In re Digital Analyzer found "[n]o logical distinction between telephone numbers called and a party's own telephone number (or ESN number), all of which are regularly voluntarily exposed and known to others. 885 F. Supp. at 199 (citing Smith v. Maryland, 442 U.S. 735, 742-45 (1979)).
- [redacted]

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CELLSITE 02

CELLSITE-18231

WITT
Wireless Intercept and Tracking Team

Protecting Sensitive Techniques

CELL/OTD 024171

- *Qualified* Government Privilege in Non-disclosure based on ***Roviaro v. United States*, 353 U.S. 53 (1957):** disclosure of identity (and testimony) of informant.
  - Generally technique, type of device, location of install, etc. is protected
    - unless Defense can establish disclosure is necessary to defense, I.e., no other/adequate means to cross-examine/test evidence; if so:
    - then Balancing of interests

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[redacted]

- see also Jayme S. Walker "The qualified privilege to protect sensitive investigative techniques from disclosure," LEB Vol 69 NO.5 at 26 (May 2000).

[redacted]

CELLSITE-18239

Qualified Privilege

- **Compare, United States v. Van Horn**, 789 F.2d 1492 (11th Cir.), cert. denied, 479 U.S. 854 (1986) (concealed microphone in office, defendant sought information about location of device claiming necessary to demonstrate that voices on tape could have been distorted by way mic was hidden and the distortion led to misidentification of the voice), recognized a qualified government privilege not to disclose sensitive investigative techniques.
  - [redacted]
  - [redacted]

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- **With United States v. Foster**, 986 F.2d 541, 543 (D.C. Cir. 1993) (defendant sought location of observation post: officer's observation of drug transaction was key evidence implicating defendant; surveillance not taped or photographed, so no alternative evidence for jury to examine to determine whether surveillance post provided clear view from which officer could make accurate identification of defendant).

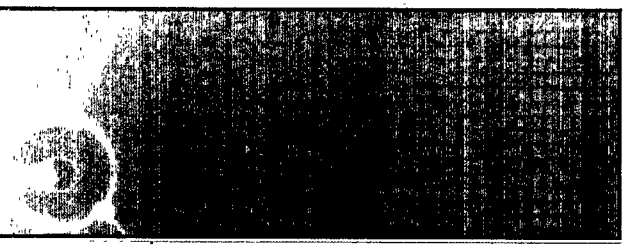
CELLSITE-18240

Qualified Privilege (cont).

CELL/OTD 024173

- U.S. v. Garey, 2004 WL 2663023 (M.D.Ga. Nov. 15, 2004)
  - Defendant sought nature & details of pen register used to determine the geographical location of a cellular phone
  - Court found the information protected by qualified investigative techniques privilege & national security privilege
  - Balanced government's interest in maintaining privilege with Defendant's need for the information
- Defendant had the Product of the Surveillance: the cellphone used in making threatening calls was found in defendant's house during search of residence;
    - Defendant did not need to know how the technology traced the geographic location of the phone.
    - locating the phone in the residence confirmed the accuracy of the geographic surveillance;
  - Moreover,Defendant could challenge the technology used to establish that phone found in residence was the one that actually made the criminal calls.

CELLSITE-18241



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Contact Info:

- [redacted]

ASSISTANT GENERAL COUNSEL,

Science &Technology Law Unit,

Office of the General Counsel

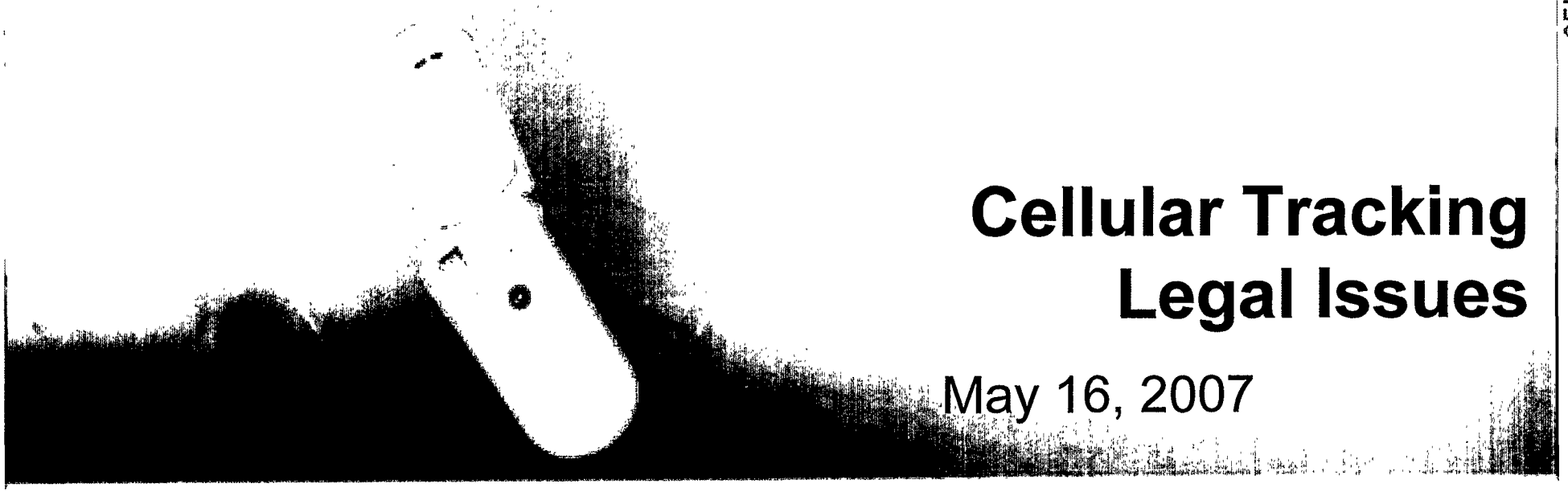
- DOJ (CCIPS): www.cybercrime.gov

CELLSITE-18242

WITT

Wireless Intercept and Tracking Team

CELL/OTD 024289



Cellular Tracking Legal Issues

May 16, 2007

WITT
Wireless Intercept and Tracking Team

Pen Register Device

- "pen register" means a device ***or process*** which records or decodes ***dialing, routing, addressing, or*** **signaling** ***information*** **transmitted by an instrument or facility from which a wire or electronic communication is transmitted,** ***provided, however, that such information shall not include the contents of any communication***....

18 USC 3127(3)

CELL/OTD 0243291

CELLSITE-18245

WITT
Wireless Intercept and Tracking Team

[redacted] b3 b7E

DOJ/CCIPS & OEO:

[redacted]

- ✓ **"signaling information":** any non-content information "transmitted by" a telephone instrument

http://30.100.99.18/ogc/usabook/usabook/esis/13esis.htm

CELL/OTD 024292 b5

CELLSITE-18246

WITT
Wireless Intercept and Tracking Team

WITT Pen Register— BEST PRACTICES

BEST PRACTICES: Use PR/TT order to authorize use of WITT gear [redacted]

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1. authorize installation & use [redacted]
2. Advise of potential [redacted]
3. Not retain records beyond use to locate target phone?

- [redacted]

CELL/OTD 0242933

CELLSITE-18247

Disruption of Service

[redacted]

- 47 U.S.C. § 333 prohibits interference with cellular frequencies
  - [redacted]
- 18 USC 3124: requires that a pen register be implemented with "minimum of interference" to those accorded service-
  - [redacted]
- [redacted]

CELLSITE-02429S

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Purge [redacted] Data

[redacted]

– [redacted] preserve 1st Amendment rights & Minimize [redacted] data

[redacted]

CELLSITE-024296
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[redacted]

- Maintaining/Purging "Pen" data?
  - [redacted]
    - [redacted]

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CELL/OTD 02/27/07

CELLSITE-18251

WITT
Wireless Intercept and Tracking Team

[redacted]

[redacted]

- [redacted]

[redacted] Therefore, pursuant to 18 U.S.C. § 3123(d), I request that this application and order be sealed until otherwise ordered by this court; and

- [redacted]

CELL_"OTD 024298

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CELLSITE-18252

WITT
Wireless Intercept and Tracking Team

Emergency Request
18 USC 2702(c)(4)

Provider may **Voluntary Disclose**:

"a record or other information pertaining to a subscriber or customer of such service."

if provider "in good faith, believes that an emergency involving danger of death or serious physical injury to any person ***requires*** disclosure without delay of information relating to the emergency."

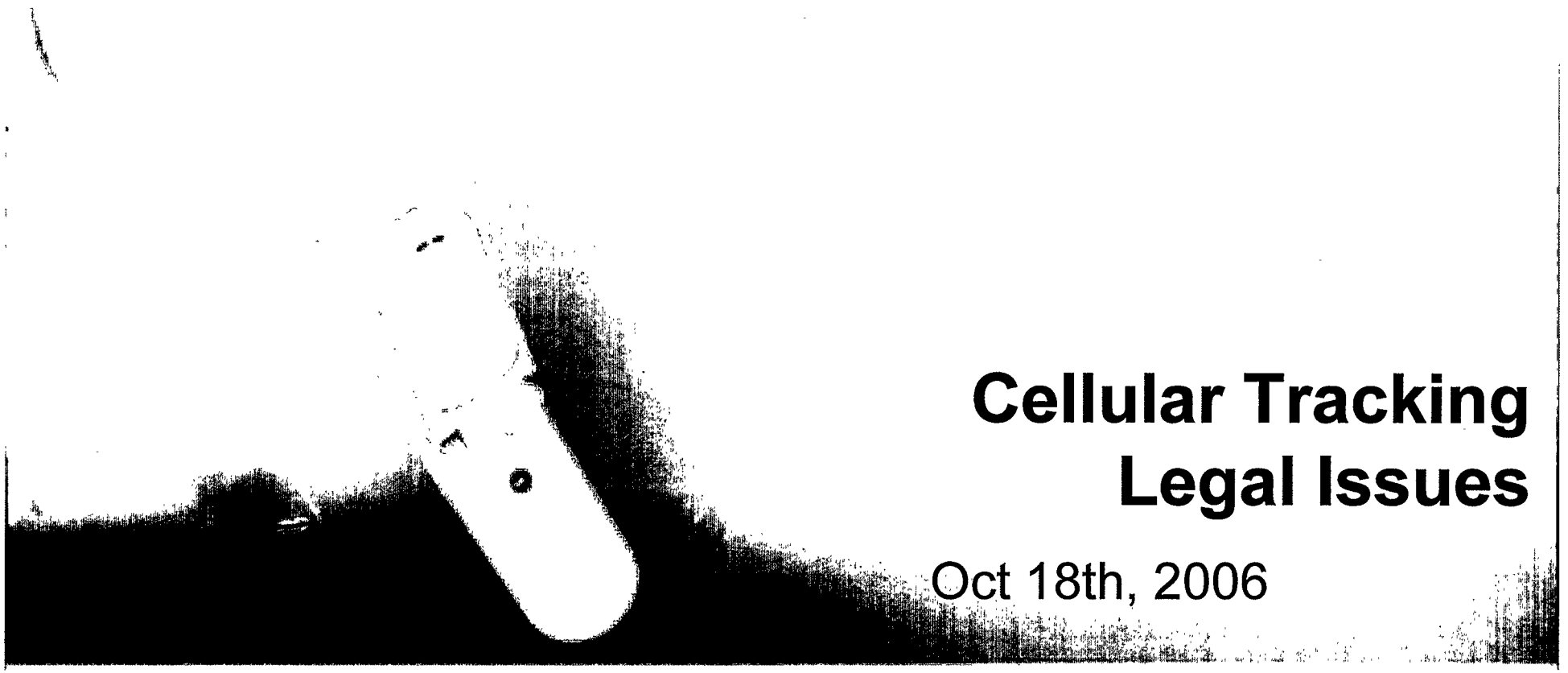
Reporting Requirement: annual report of number of accounts and summary basis for voluntary disclosures per 2702(d)

CELL/OTD 024301

CELLSITE-18255

WITT

Wireless Intercept and Tracking Team



Cellular Tracking Legal Issues

Oct 18th, 2006

CELL/DTD 024247

WITT
Wireless Intercept and Tracking Team

Overview

- DOJ's Policy on Cellsite Simulators: **Pen Register Device** (18 U.S.C. § 3127(3))
  - [redacted]
  - **LIABILITY RISKs & Best Practices**
- Loan of ELSUR Policy
  - **Using State Orders**
  - **Liability**
- Emergency Pen Register Authority
  - Federal v. State Orders
  - Voluntary Disclosures
- [redacted]
- Protecting Sensitive Techniques
  - Use as evidence

CELL/OTD 0224249 b3 b5 b7E

CELLSITE-18285

WITT
Wireless Intercept and Tracking Team

New DOJ Opinion:

DOJ/CCIPS: Pen/Trap **order** [redacted] a Pen Register Device) to obtain any "signaling information" transmitted from a cellular telephone to:

1) Identify a target phone **or**
2) Locate a phone

DOJ: **"signaling information"** is any non-content information "transmitted by" a telephone instrument

CELL/OTD 024252

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CELLSITE-18288

WITT
Wireless Intercept and Tracking Team

WITT Pen Register— BEST PRACTICES

CELL/OTD 02425

BEST PRACTICES:

Use PR/TT order to authorize use of WITT gear

- authorize installation & use
- Advise of potential
- Not retain records beyond use to locate target phone?

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CELLSITE-18294

WITT
Wireless Intercept and Tracking Team

FBI/DOJ
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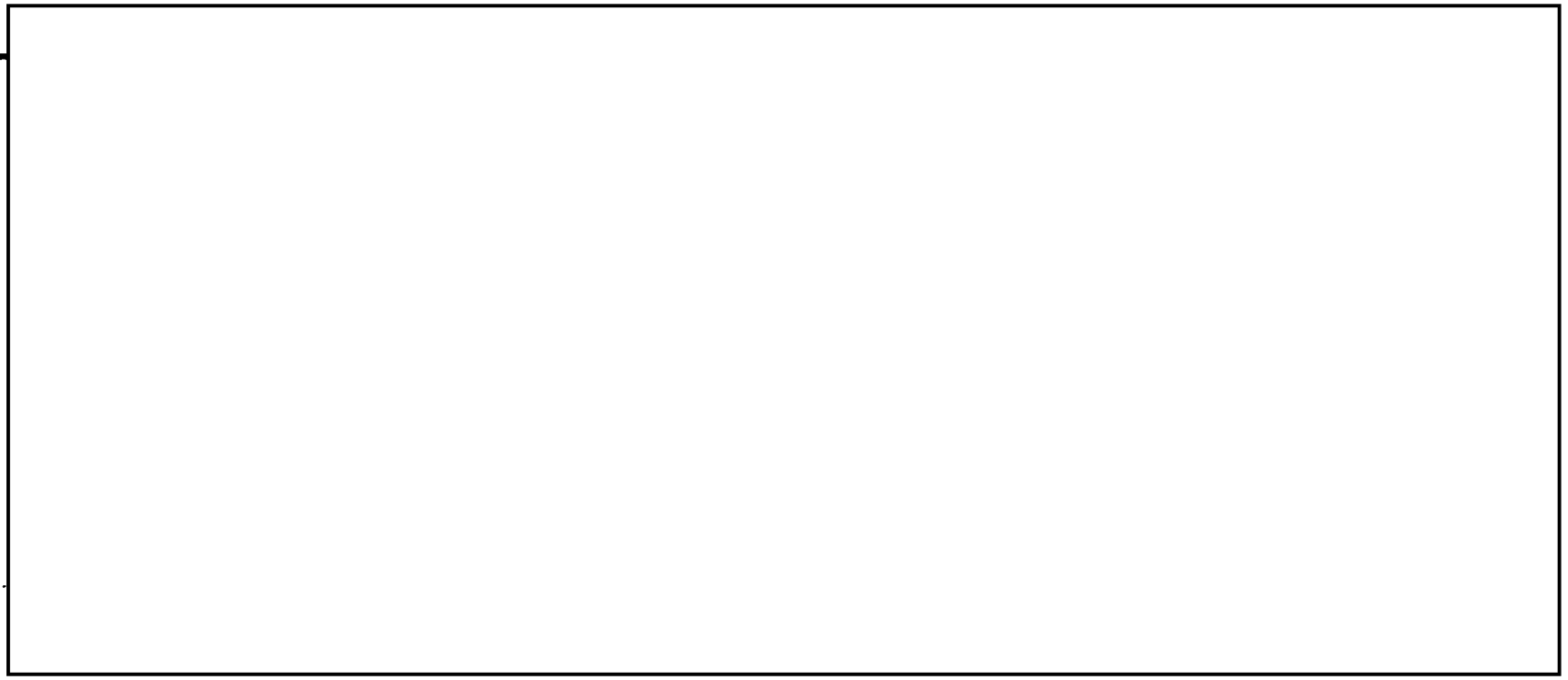
0224263

- Maintaining/Purging "Pen" data?



CELLSITE-18299

Emergency Provision

§ 3125(a)(1)

[redacted]

- [redacted] DOJ command Center [redacted] or OEO (business hours)
  [redacted]
- Emergencies involving:
  - Immediate danger of death or serious injury

[redacted]

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- [redacted]
- MIOG, Part 2, 10-10.7.1 [redacted]

[redacted]

CELLSITE-18301

WITT
Wireless Intercept and Tracking Team

Alternative authority

CELL/OTD 024266

Consent (18 USC 3121(b)(3)) [redacted]

[redacted]

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Voluntary Disclosure by Provider under 18 USC 2702(c)(4) : if provider "reasonably believes that an emergency involving immediate danger of death or serious physical injury to any person justifies the disclosure of" "a record or other information pertaining to a subscriber or customer of such service."

CELLSITE-18302

What is Cell site location data

024269
CELL/OTD

- is generated by the network for network purposes regardless of a LE order.
- is necessary to Provision of Service & a call cannot be processed without it.
- exists in the network as a **RECORD** prior to its being obtained by LE.
- has no relationship to the content of a communication.
- is delivered to LE under CALEA only at the beginning and end of calls.

WITT
Wireless Intercept and Tracking Team

HOLDING of Cell site Court Decisions

CELL-OTD 024272

- CALEA prohibits collecting location information "solely pursuant" to a PR/TT
- 18 USC 2703(d) (stored communication act)
- [redacted]

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CELLSITE-18308

CALEA Delivery of location data

CELL/OTD 024273

- **Near Real-Time**: CALEA requires carriers to "expeditiously isolates"
  - "call-identifying information": includes cell site information utilized in processing calls
  - for government access "before, during, or immediately after the transmission of a [ ] communication" (i.e., in real-time or near real-time)
- CALEA Standard: location information is delivered after generation of data by the carrier's network and use in the provision of service (e.g., call origination, Answer, call release)

CELL/OTD 024276

- [redacted]

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- **AND Use a PR/TT order for [redacted] gear**
  - [redacted]
    - [redacted]
    - Advise of [redacted]
    - [redacted]
    - Not retain records

CELLSITE-18312

WITT
Wireless Intercept and Tracking Team

4th Amendment Privacy Interest

CELL/OTD 024277

- [redacted]

[redacted] Smith v. Maryland, 442 U.S. 435, 744 (1979).

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  - no legitimate expectation of privacy in information knowingly conveyed to a third party
  - In re Digital Analyzer found "[n]o logical distinction between telephone numbers called and a party's own telephone number (or ESN number), all of which are regularly voluntarily exposed and known to others. 885 F. Supp. at 199 (citing Smith v. Maryland, 442 U.S. 735, 742-45 (1979)).

- [redacted]

CELLSITE-18313

WITT

Wireless Intercept and Tracking Team

Cellular Tracking Legal Issues

March 21, 2007

CELL/QTD 024209

WITT What is Cell site location data

Wireless Intercept and Tracking Team

- Tower/Sector data:
  1. is generated by the network for network purposes regardless of a LE order.
  2. is necessary to Provision of Service & a call cannot be processed without it.
  3. exists in the network as a **RECORD or Other Information** prior to its being obtained by LE.
  4. NON-Content data; not substance of a communication.
  5. is delivered only at the beginning and end of calls per CALEA J-Std

CELL/OTD 024228

CELLSITE-18344

16-4.13.4 Loan of Electronic Surveillance Equipment (Formerly 16-7.3.4) (See MIOG, Part 2, 10-9.14 and 10-10.10.) (RCU)

(1) LOAN OF ELECTRONIC SURVEILLANCE EQUIPMENT TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES (RCU)

By Department Order 1945-95, dated January 18, 1995 (replacing Department Order 890-80, dated April 29, 1980), the Attorney General delegated to the Federal Bureau of Investigation the authority to approve loans of electronic surveillance equipment to state and local law enforcement agencies for use in their investigations (i.e., NOT joint FBI investigations). Under this delegation, the loan of such equipment is to be made only in exceptional circumstances and to be consistent with federal and state laws, as well as with state and local law enforcement regulations. (RCU)

Electronic surveillance equipment is defined as any equipment which would be used in Title 18, USC, Section 2510, et seq. (Title III) - or consensual electronic coverages. (RCU)

(a) It is the policy of the Department of Justice that loans of electronic surveillance equipment to state and local law enforcement agencies are generally to be discouraged and are to be permitted only: (RCU)

1. in furtherance of the federal government's interests in the investigation and prosecution of violations of state criminal law that are of federal concern; (RCU)

2. in compliance with all applicable provisions of federal, state and local law; (RCU)

3. without interfering with state and local control of state and local law enforcement; and (RCU)

4. without duplication of other federal programs of assistance to state and local law enforcement. (RCU)

(b) No request may be granted until the head of the state or local law enforcement agency certifies in writing that the agency: (RCU)

1. has authority under state and local law to borrow the equipment on the terms required by this Order; (RCU)

2. has valid legal authority under state and local law to conduct the particular electronic surveillance for which the equipment is requested; and (RCU)

3. cannot obtain the requested equipment from other law enforcement agencies within the state. (RCU)

(c) The Director of the FBI or his designee may, at his discretion, grant a request for the loan of electronic surveillance equipment upon receipt of a written request from a state or local law enforcement agency. The formal request must contain a copy of a written opinion of the chief legal officer of the state or local government relative to compliance with (b) 1. and (b) 2. above. (RCU)

(d) The Director of the FBI or his designee shall not grant a request for the loan of electronic surveillance equipment unless the Director or his designee determines that: (RCU)

1. there is no current need for the equipment within the Bureau; (RCU)

2. it is in the interest of the United States to facilitate the criminal investigation for which the equipment is needed; and, (RCU)

3. the agency has previously not violated the terms of any loan of electronic surveillance equipment by the FBI. (RCU)

(e) Any loan of electronic surveillance equipment shall be made by written agreement between the Director of the Federal Bureau of Investigation or his designee and the state or local law enforcement agency. The agreement shall identify the equipment and state the subject, duration,

location, and purpose of the surveillance to be conducted. It shall also include the following provisions: (RCU)

1. the loan of the equipment is subject to the needs of the Department of Justice, and the equipment must be returned upon request; (RCU)

2. the loan of the equipment is limited to the duration of the validly authorized surveillance for which it is requested, and in any event not to exceed 90 days; (RCU)

3. the equipment may be used only for the validly authorized surveillance for which it was requested; (RCU)

4. the agency will not permit any other person or governmental entity to use the equipment; (RCU)

5. the agency may disclose electronic surveillance equipment, information concerning it, or its installation or use only with the consent of the Director of the FBI or his designee and subject to the nondisclosure provisions set forth in 28 C.F.R. 1622, 1624, and 1626; (RCU)

6. the agency will not use the electronic surveillance equipment outside the United States or under circumstances where there is reason to believe that the equipment may be taken outside of the United States, without the approval of the Director of the FBI or his designee; and, (RCU)

7. the agency will reimburse the United States for all loss or damage to the equipment. Any dispute over the amount of loss or damage will be resolved by the Director of the FBI or his designee, and this resolution will be final. The Director of the FBI or his designee may agree to any other terms consistent with the above stipulations. (RCU)

(f) When the head of the state or local law enforcement agency represents to the Director or his designee that an emergency situation and need for electronic surveillance equipment exist and that the requesting agency is authorized under state law to conduct emergency electronic surveillance in such circumstances and specifies the provision of state law upon which he is proceeding, the Director or his designee may grant the emergency request. The information required to be submitted by the head of the law enforcement agency in (b) and (c) must be submitted to the Director or his designee within three days of the day on which the loan is made. (RCU)

(g) The Director of the FBI, pursuant to Attorney General Department Order 1945-95, dated January 18, 1995, has delegated his authority to permit [redacted] on a case-by-case basis, to assist in the installation and operation of electronic surveillance equipment. Such delegated authority requires the concurrent approval from the Section Chief of the appropriate Criminal Investigative Division section having oversight over the investigative program involved; the Section Chief of the appropriate Operational Technology Division Section having oversight over the electronic surveillance equipment involved; and the Office of the General Counsel. If such technical assistance is approved, the state or local court orders (where required) must specifically include the court's authorization for FBI assistance in the state and local electronic surveillance endeavor. Without such approval, no FBI personnel may install the equipment or participate in the surveillance. This restriction does not prohibit maintenance and repair of the equipment when not installed. (RCU) b7E

(h) The Director of the FBI will retain all requests for electronic surveillance equipment by state and local law enforcement agencies. The Director will report to the Assistant Attorney General, Criminal Division, on October 1 and April 1 of each year on the duration and results of all loans made pursuant to the order. (RCU)

(i) The Director of the FBI, pursuant to Attorney General Department Order 1945-95, dated January 18, 1995, has delegated his authority to approve loans of electronic surveillance equipment upon written request from a state or local law enforcement agency. Such delegated authority requires the concurrent approval of the Section Chief of the appropriate Criminal Investigative Division section having oversight over the investigative program involved and the Section Chief of the appropriate Operational Technology Division Section having oversight over the electronic surveillance equipment involved. Where requests involve installation or operation of

technical equipment by FBI [redacted] approval by the Office of the General Counsel is also required. (RCU)

(j) The FBI field division must advise FBIHQ when requesting approval to loan electronic surveillance equipment (be it either a routine or an emergency request) whether there is a current need for equipment within the division; whether, in the SAC's opinion, it is within the interests of the United States to loan the requested equipment in the specific criminal investigation; and, whether the agency involved has previously violated the terms of any loan of electronic surveillance equipment by the FBI. (RCU)

(k) Routine requests should be by electronic communication (EC) to FBIHQ, directed to the Operational Technology Division and to the appropriate Criminal Investigative Division section having oversight over the investigative program involved. This EC should enclose both a written request from the head of the local or state law enforcement agency and the written opinion of the chief legal officer of the local or state government. Emergency requests should be by telephone, confirmed by EC, and followed by an EC, enclosing the necessary documents. (RCU)

(2) THE USE OF FBI ELECTRONIC SURVEILLANCE EQUIPMENT IN JOINT CASES WHERE STATE AND LOCAL LAW ENFORCEMENT AGENCIES OBTAINED AUTHORITY FOR ITS USE (SEE MIOG, PART 2, 10-10.3 (8).) (RCU)

(a) A JOINT CASE, for purposes of this section, is an investigation in which there exists significant FBI interest in the subject or subjects of a local investigation and substantial FBI investigative resources have been utilized and/or will be utilized in the planned investigation with the local agency. (RCU)

(b) FBIHQ authority MUST be obtained prior to any use of FBI electronic surveillance equipment or personnel in furtherance of any order or authority obtained by state or local law enforcement agencies. Should approval be granted for such use, the pertinent local or state order or authority MUST contain specific language authorizing FBI participation and specifying whether the assistance is for installation, monitoring, or whatever is required. (RCU)

b7E

(c) In requesting FBIHQ authority, the field office is to set forth the following information: (RCU)

1. A synopsis of the investigation conducted to date by FBI and the local agency involved, to include the date the FBI case was opened, as well as when the joint investigation was initiated. (RCU)

2. the specific SAC comments as to the value of the assistance to the FBI investigation and extent of federal control over local electronic surveillance. (RCU)

3. the exact nature of equipment to be utilized and technical assistance required, and whether the equipment is on hand in the requesting division. (RCU)

4. the specific comments of the [redacted] as to the complexity of the equipment and the ability of the local agency to properly utilize technical equipment requested. (RCU)

5. that the local agency has valid legal authority under state or local law to conduct the electronic surveillance for which equipment will be utilized, to include citation of the specific statute; (RCU)

6. that the Chief Division Counsel or the Assistant U.S. Attorney has reviewed the affidavits and orders to be filed and concurs in their sufficiency; and, (RCU)

7. that FBI policy in limiting disclosure as set forth in Part 2, Sections 10-10.13 and 10-10.16, of this manual, will be honored in any subsequent local proceedings. (RCU)

The above information is to be provided by appropriate communication to the attention of the Operational Technology Division, as well as to either the Criminal Investigative Division or the [redacted] as appropriate. (RCU)

(d) Any request for FBI assistance in the execution of a locally obtained court order which [redacted] will be handled separately and will require

significant justification. Emergency requests for such assistance are to be discouraged and likely will NOT be approved. (RCU)

(3) LOAN OF ELECTRONIC SURVEILLANCE EQUIPMENT TO OTHER FEDERAL AGENCIES. (RCU)

(a) The loan of FBI technical electronic surveillance equipment to other federal agencies is permissible on a short- basis. The loan of equipment is subject to availability and must not negatively affect the technical investigative capabilities of the FBI. (RCU)

(b) For agencies of the Department of Justice (DOJ) (e.g., the Drug Enforcement Administration (DEA)), material support and assistance, including the loan of technical equipment, should be handled on a local level, subject to the provisions stated above in (3)(a). (RCU)

(c) For agencies outside the DOJ, requests must be made on a headquarters level, and the requesting agency must have appropriate electronic surveillance authority and capability. (RCU)

(d) All technical equipment provided must be available in existing field office inventory. (RCU)

FEDERAL BUREAU OF INVESTIGATION
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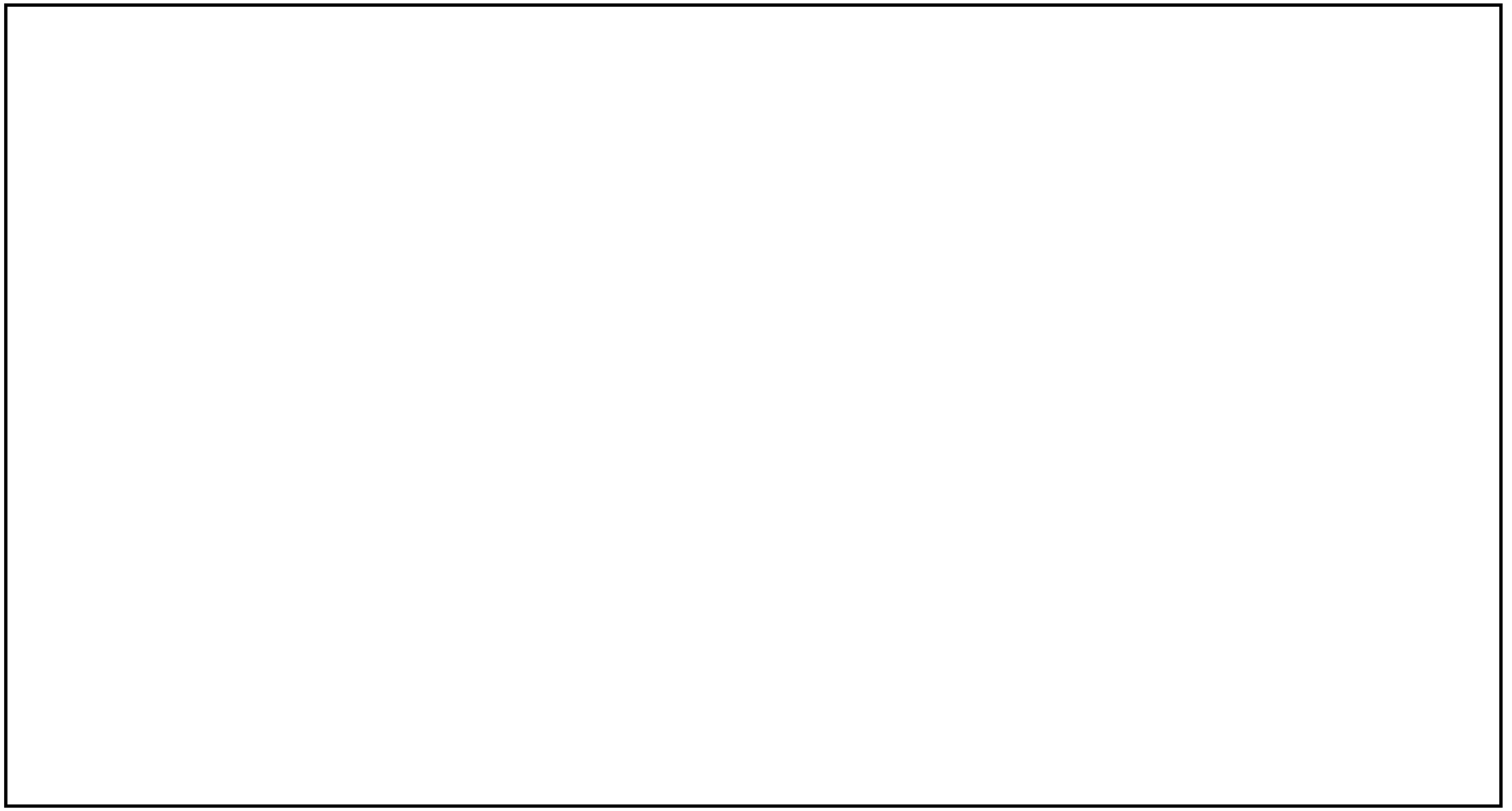
Emergency Disclosure Authorities

CELL/OTD 015730

Disclose What & When ?



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Emergency PR/TT

18 U.S.C. § 3125(a)(1)

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- **Prior DOJ approval required (AG, DAG, Assoc. AG or any AAG or any DAAG)** [redacted]
  DOJ command Center [redacted] or OEO (business hours) [redacted]
  [redacted]
- Emergencies involving:
  - Immediate danger of death or serious injury
  - Conspiratorial activities characteristic of organized crime
  - (C) an immediate threat to a national security interest; or
  - (D) an ongoing attack on a protected computer (as defined in section 1030) that constitutes a crime punishable by a term of imprisonment greater than one year"
- **48 hours to Apply for Court Order 18 USC 3125(c)—**
  - **"installation and use....without application for the authorizing court order within 48 hours of installation shall constitute a violation"**
- **If deployed under STATE Emergency PR/TT authority: still must apply for Court Order within 48 hours**

Alternative authority

Consent:

1. PR/TT (18 USC 3121(b)(3): "Implied Consent" IF seeking info from victim's phone—not e.g., a Fugitive's phone.

Emergency Request 18 USC 2702(c)(4)

Provider may Voluntary Disclose:

"a **record or other information** pertaining to a subscriber or customer of such service."

if provider "in good faith, believes that an emergency involving danger of death or serious physical injury to any person *requires* disclosure without delay of information relating to the emergency."

Reporting Requirement: annual report of number of accounts and summary basis for voluntary disclosures per 2702(d);

CPNI 47 USC 222(c)(1)

- Carriers must protect (CPNI) "Customer Proprietary Network Information" from disclosure

1. "Except as required by law **or**
2. with the approval of the customer"

CPNI

- Customer Proprietary Network Information means: 47 USC 222(h)(1)
  1. Information that relates to …..type, destination, location and amount of use of a telecommunication service…and
  2. Information contained in the bills…or telephone toll service received by a customer

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Civil Liability Protection 18 USC 2707(e)

- "A good faith reliance on
  - Court warrant or order, a grand jury subpoena, a legislative authorization **or a statutory authorization** (including a request of a governmental entity under section 2703(f) of this title)

is a complete defense to any civil or criminal action brought under this chapter or any other law."

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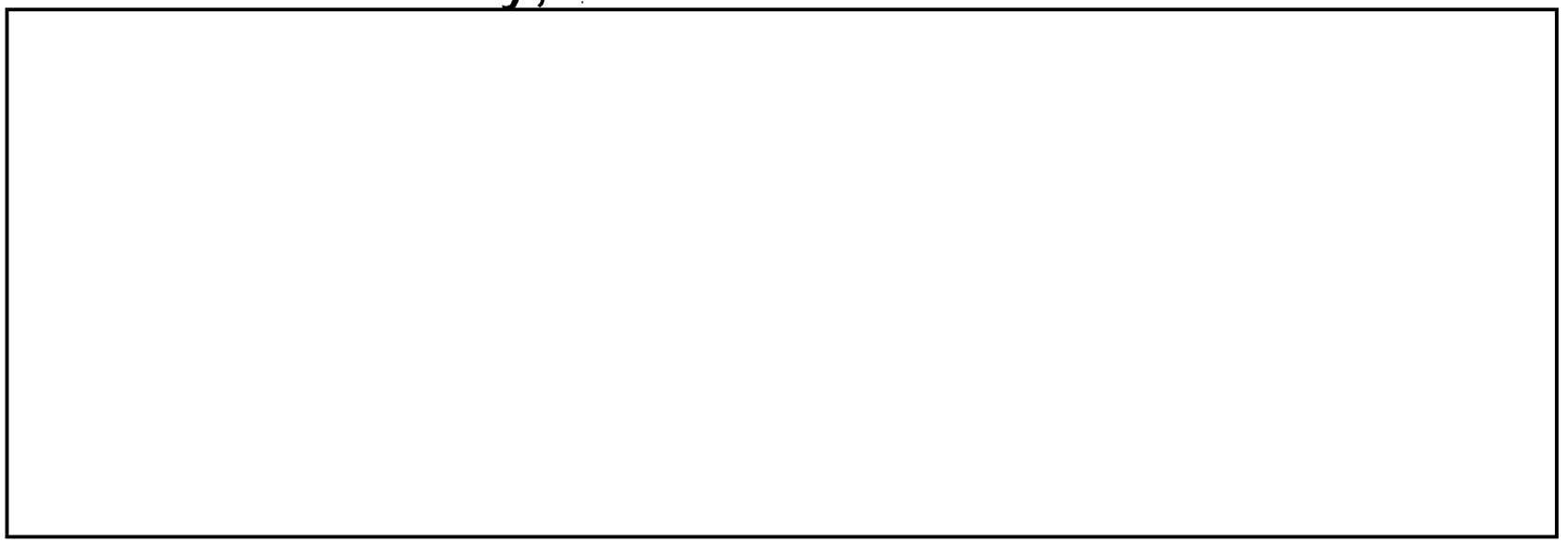
Civil Liability Protection 18 USC 2703(e)

No cause of action shall lie in any court against any provider of wire or electronic communication service, its officers, employees, agents, or other specified persons for providing information, facilities, or assistance in accordance with the terms of a court order, warrant, subpoena, statutory authorization, or certification under this chapter.

2002 Amendment Subsec. (e). Pub.L. 107-296, § 225(h)(1), inserted ", statutory authorization" following "subpoena".

Provider Immunity

Voluntary disclosure under 2702(c) statutory authority of records or other information in Good Faith reliance based on LE representation that an emergency circumstance required disclosure without delay,



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Phone Records on Internet

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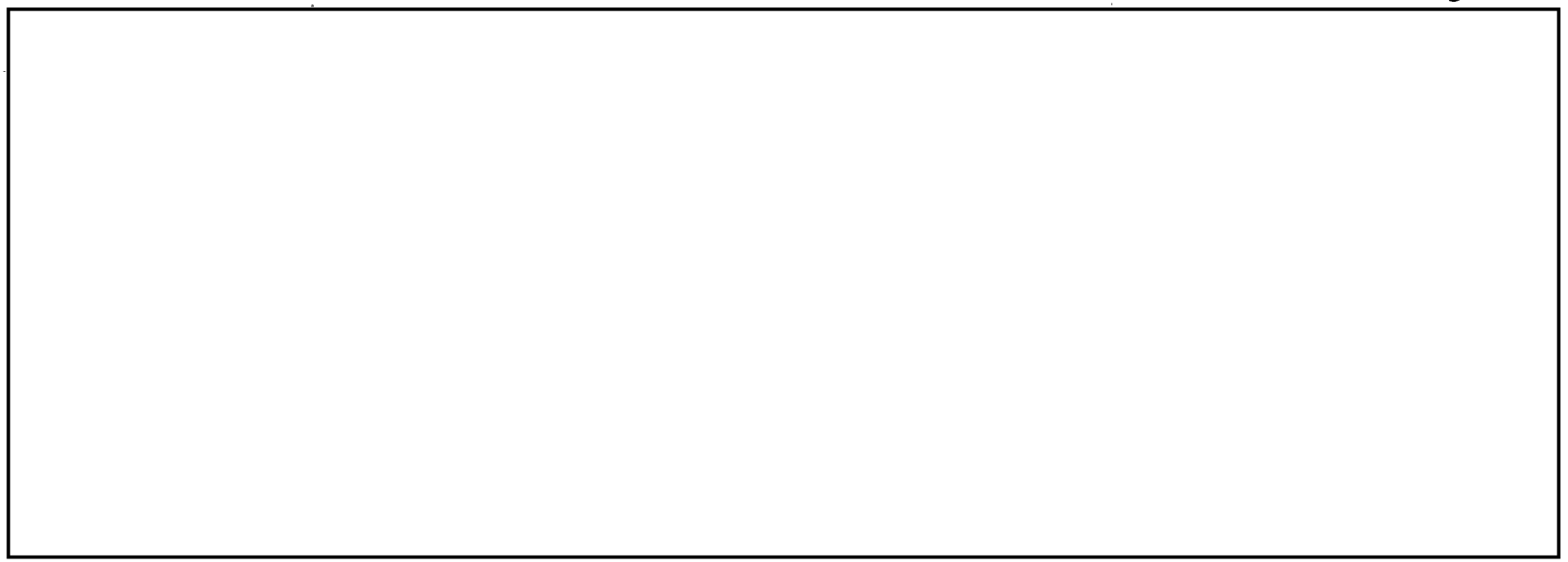
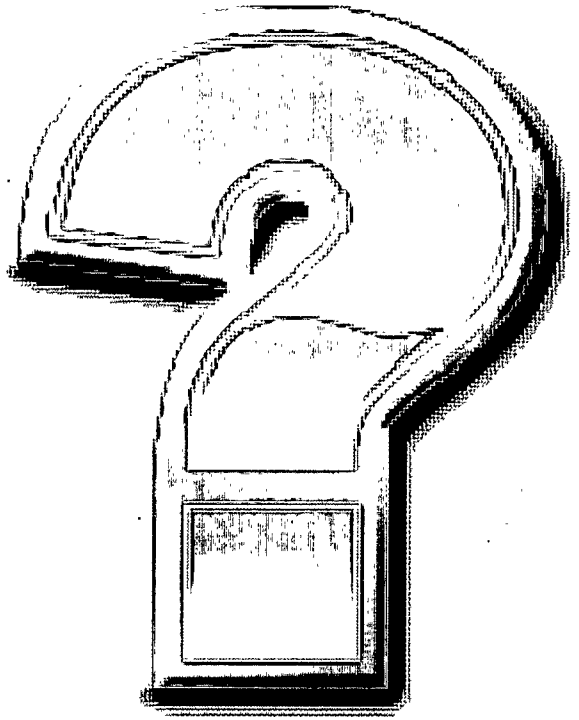
- **18 USC 1039** (Jan 2007) now criminal violation to Obtain confidential phone records information through Fraud or relative activity.



QUESTIONS?



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WITT: Wireless Intercept & Tracking Team

A Cell Site Simulator

CELL/OTD 01500

Wireless Tracking Execution

Wireless tracking will be executed as follows:

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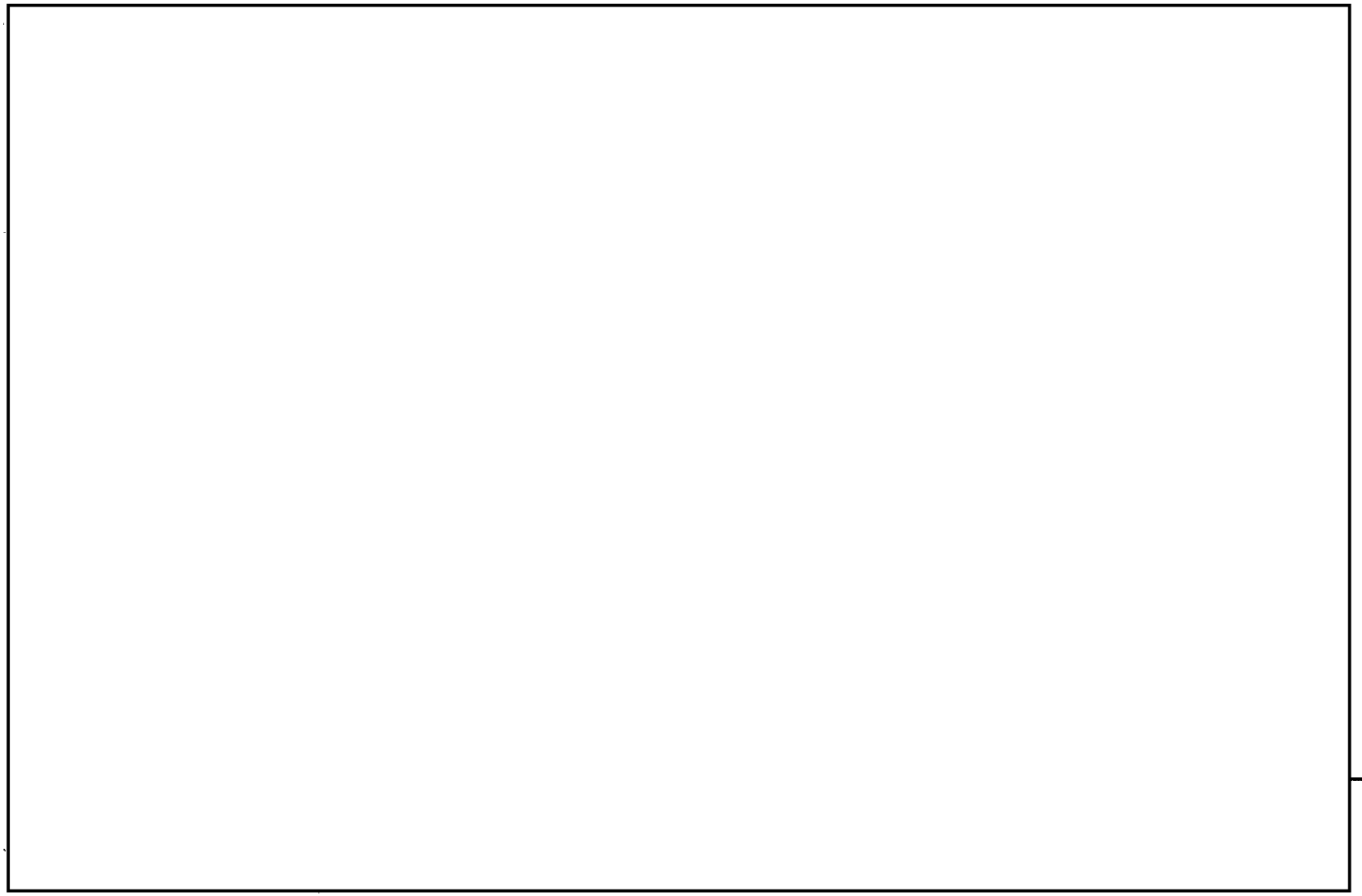

WITT Missions

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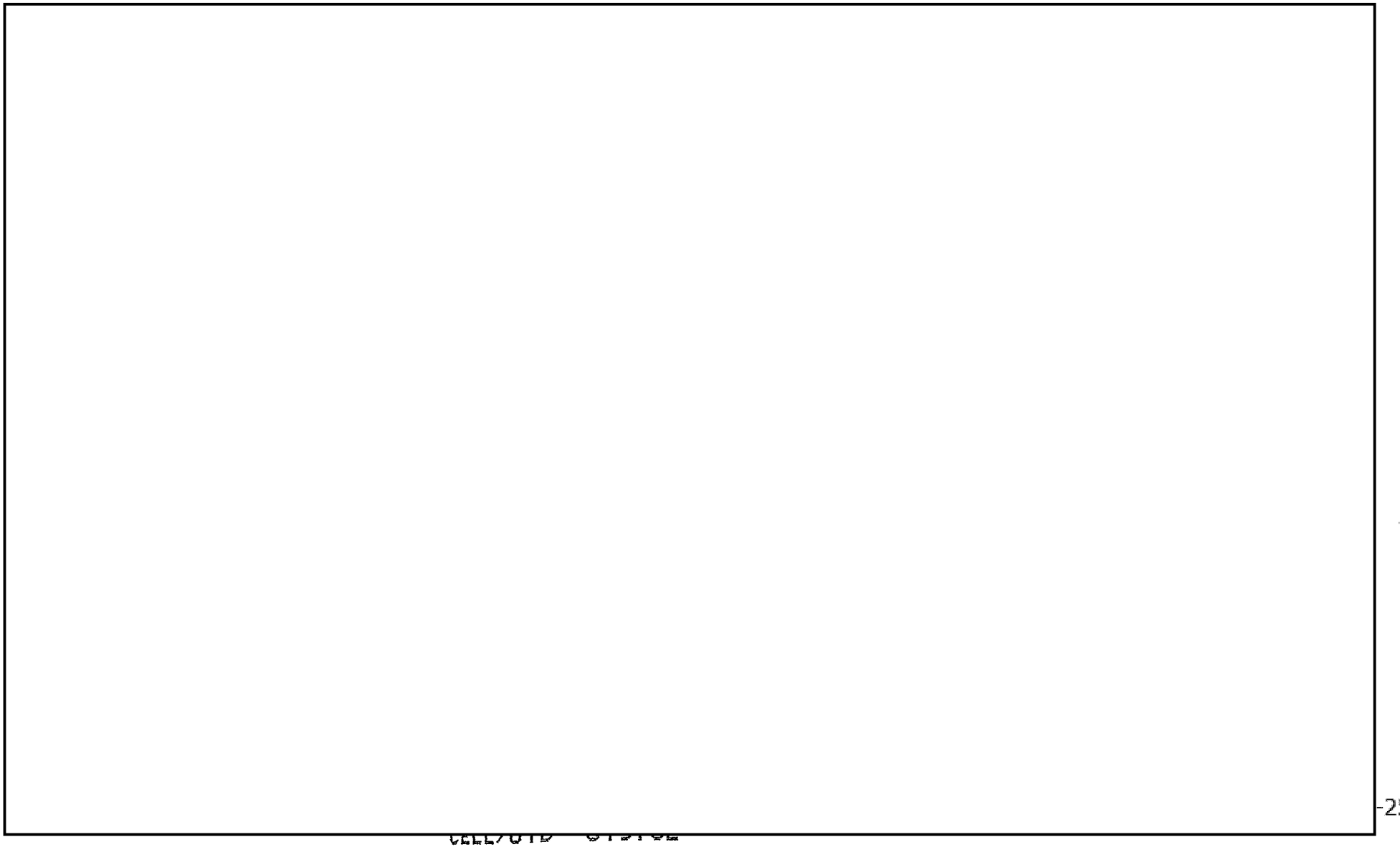
WITT supports two types of missions



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Modes of Operation:

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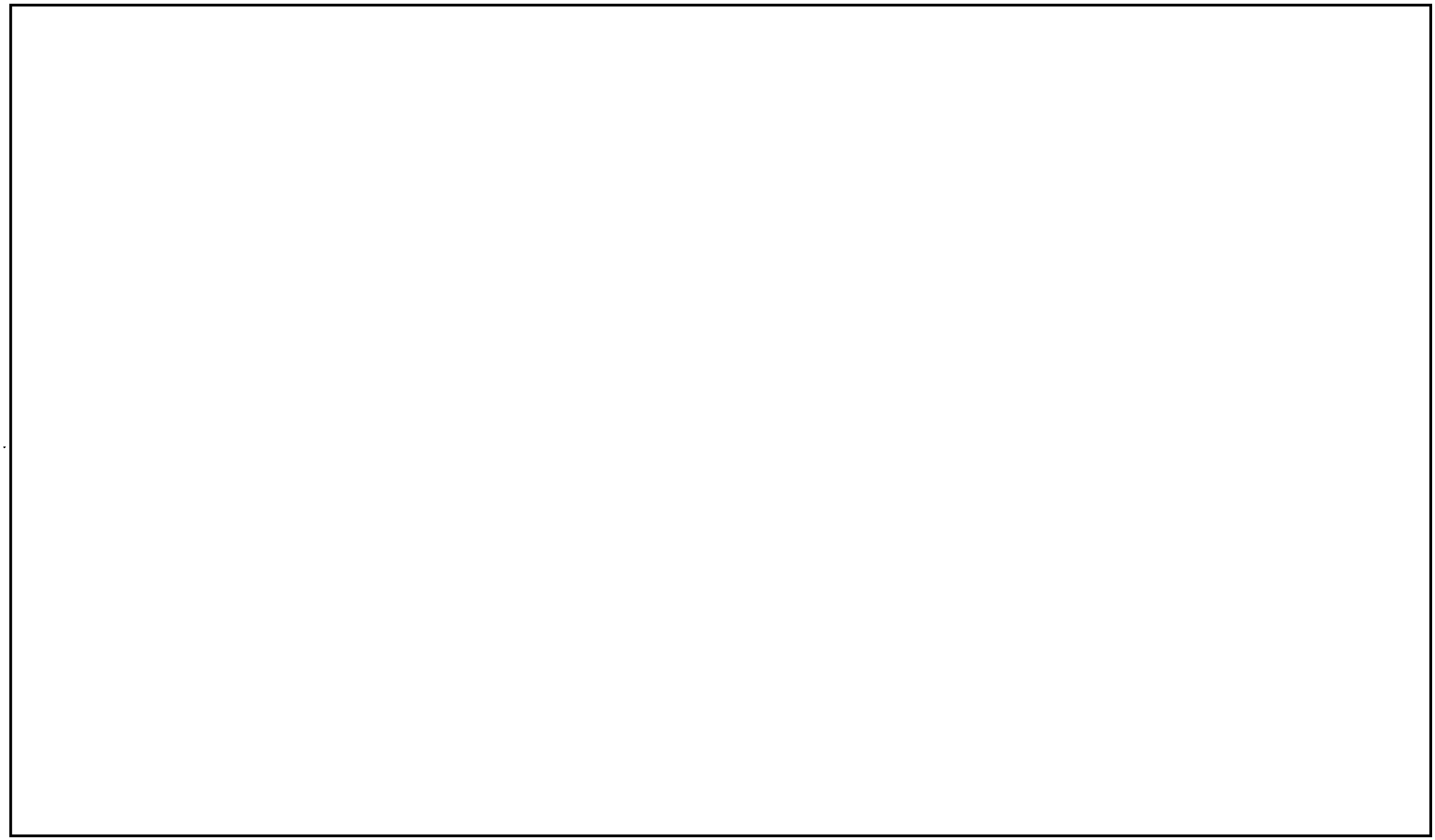

Pen Register Device: 18 USC 3127(3)

Old Definition

- "pen register" means a device which records or decodes electronic or other impulses which **identify the numbers dialed or otherwise transmitted on the telephone line to which such device is attached....**

New Definition

- "pen register" means a device ***or process*** which records or decodes ***dialing, routing, addressing, or*** **signaling** ***information*** **transmitted by an instrument or facility from which a wire or electronic communication is transmitted,** ***provided, however, that such information shall not include the contents of any communication....***

USA Patriot Act Definition

b7E

DOJ/CCIPS & OEO:

a cellphone is an "**instrument or facility from which a communication is transmitted**"

- ✓ A device that captures any "**Signaling information**" transmitted by cellphone" is a "pen register device"
- ✓ **"signaling information":** any non-content information "transmitted by" a telephone instrument

✓ Hence a PenRegister Order is required to use WITT

WITT Pen Register— BEST PRACTICES

BEST PRACTICES:

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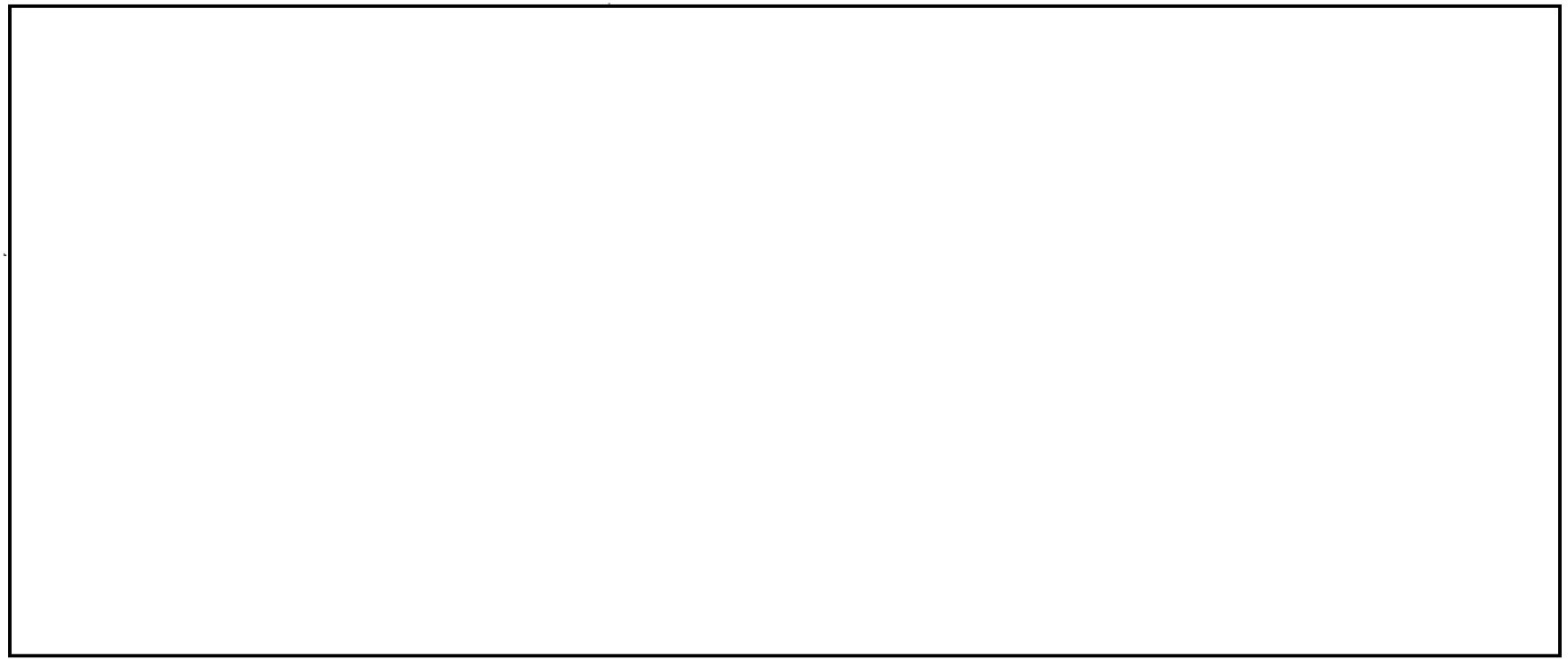

Disruption of Service:

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18 USC 3124: requires that a pen register be implemented with "minimum of interference" to those accorded service-

47 U.S.C. § 333 prohibits interference with cellular frequencies

Purge Non-Target Data

Legitimate reasons for purging: [redacted]

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- Avoid retaining data on innocent users: preserve 1st Amendment rights & Minimize non-target data

[redacted]

- U.S. v. Balzano, 687 F.2d 6 (1st Cir 1982) (USSS Nigra recording, re-recorded onto device, but lost "original" removable medium—destruction of original recording on the device was not done in bad faith b/c nature of equipment and agency practice was such that original was erased in the re-recording process)

[redacted]

Alternative authority

Consent (18 USC 3121(b)(3)) "Implied Consent" IF seeking info from **victim's** phone—not e.g., a Fugitive's phone.

Voluntary Disclosure by Provider (18 USC 2702(c)(4)) : if provider in good faith believes that an emergency involving immediate danger of death or serious physical injury to any person requires disclosure without delay of: "a record or other information pertaining to a subscriber or customer of such service." b3 b5 b7E

SITE-2608

4th Amendment Privacy Interest

- **Fourth Amendment: no privacy interest in registration information**
  - like dialed numbers voluntarily conveyed to the phone company and "exposed" to its equipment in the normal course of business. Smith v. Maryland, 442 U.S. 435, 744 (1979).
    - no legitimate expectation of privacy in information knowingly conveyed to a third party
    - In re Digital Analyzer found "[n]o logical distinction between telephone numbers called and a party's own telephone number (or ESN number), all of which are regularly voluntarily exposed and known to others. 885 F. Supp. at 199 (citing Smith v. Maryland, 442 U.S. 735, 742-45 (1979)). b3 b5 b7E
- [redacted]

TE-2609

4th Amendment Privacy Interest: Cons

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What if phone located in a Residence?

[redacted]

- See Kyllo v. United States, 533 U.S. 27 (2001) (use of thermal imager to measure heat emitted from home constituted a search in part because there was no objective reason for the home owner to know that a device would be routinely used to detect and measure heat emitted from his home).

[redacted]

- See, e.g., United States v. White, 401 U.S. 745, 752 (1971) (plurality opinion) (party to conversation accepts the risk that his listener may betray his confidences); Hoffa v. United States, 385 U.S. 293, 300-03 (1966).

STATE Authority triggers Loan of ELSUR:

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- **Agents need Federal Approval to assist when conducting surveillance pursuant to a State Authority** so that they are within Scope of Federal Employment when either providing equipment and/or assistance:

Usage

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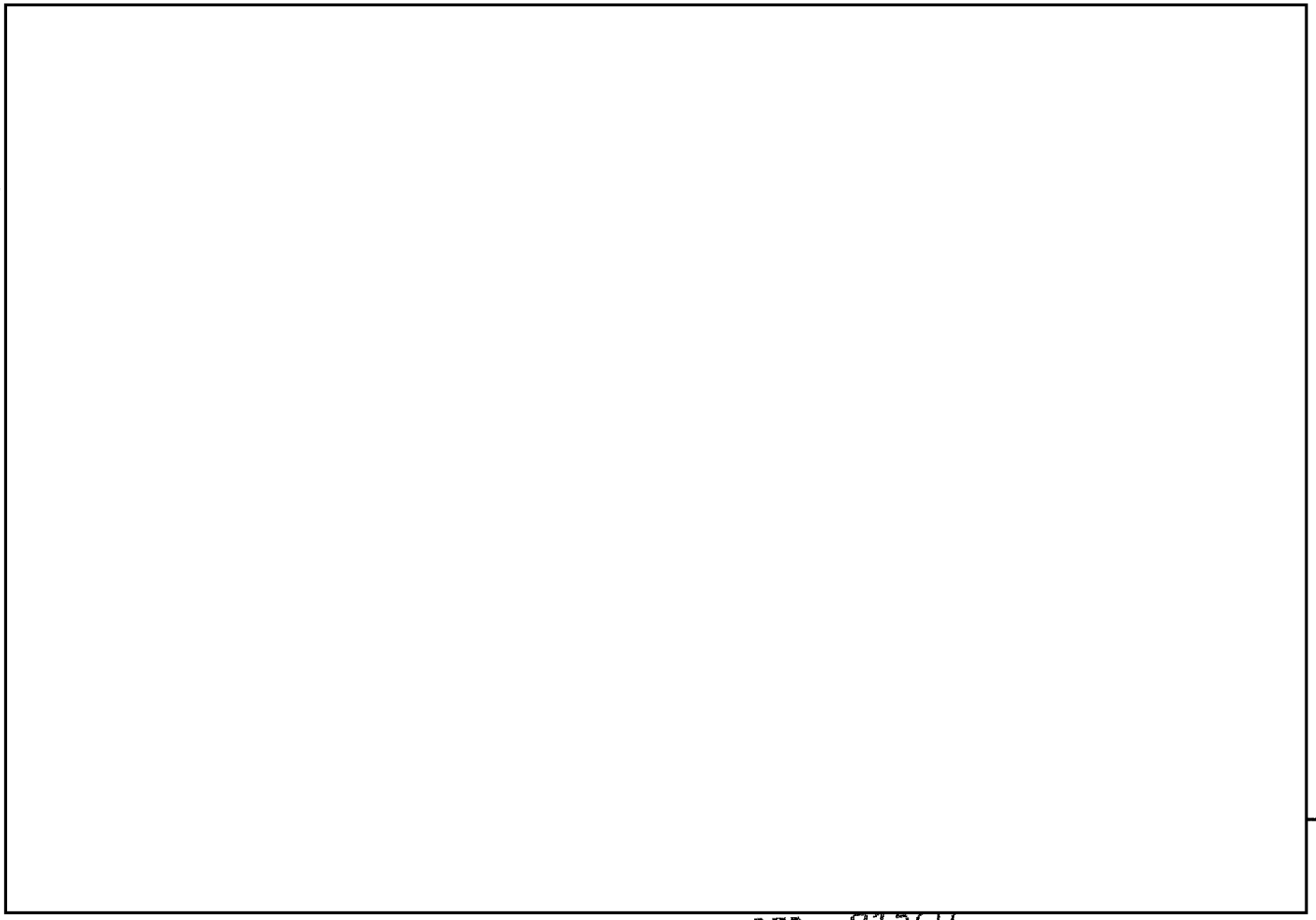

[redacted] Applications

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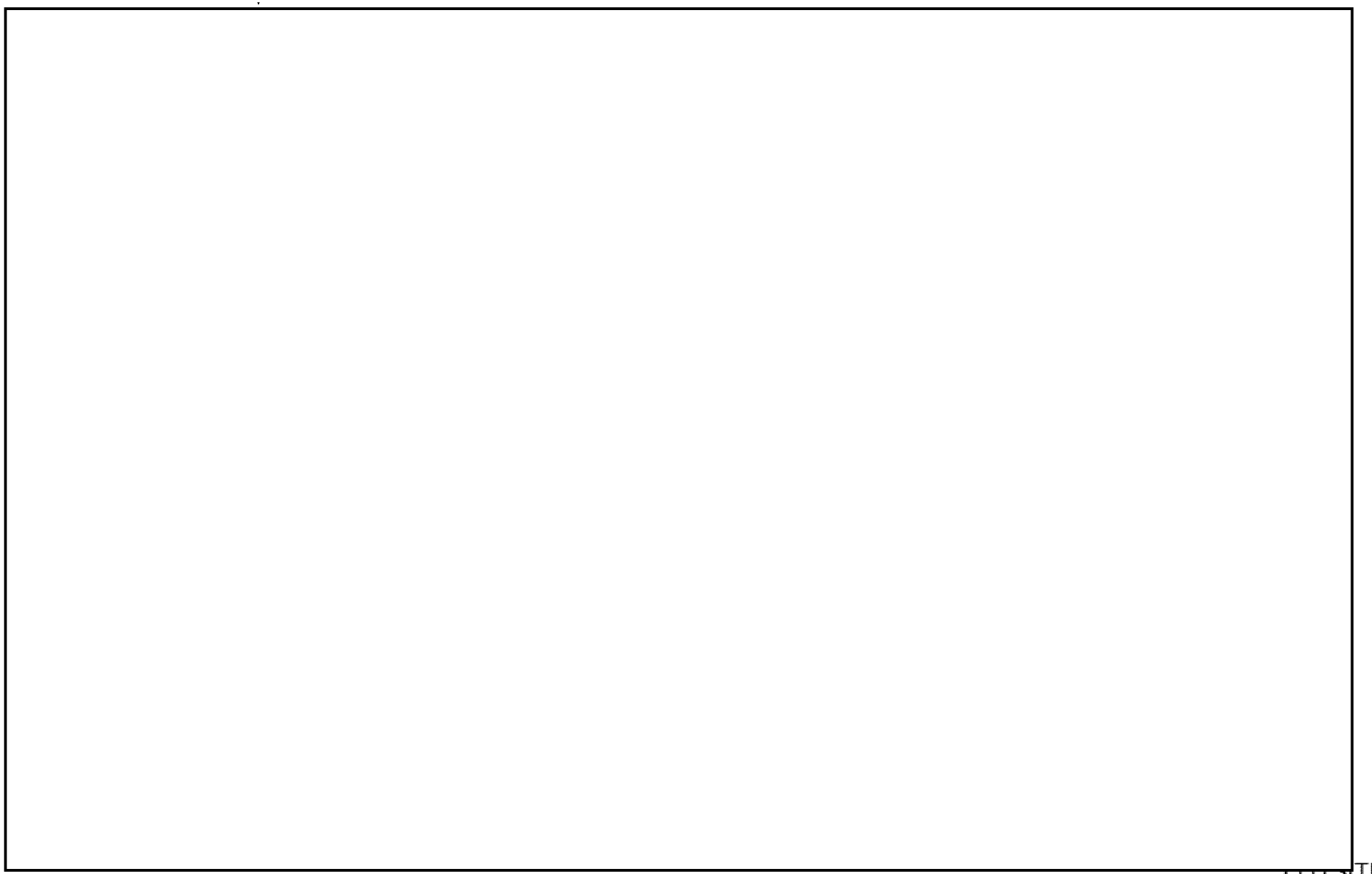

Quick Bits

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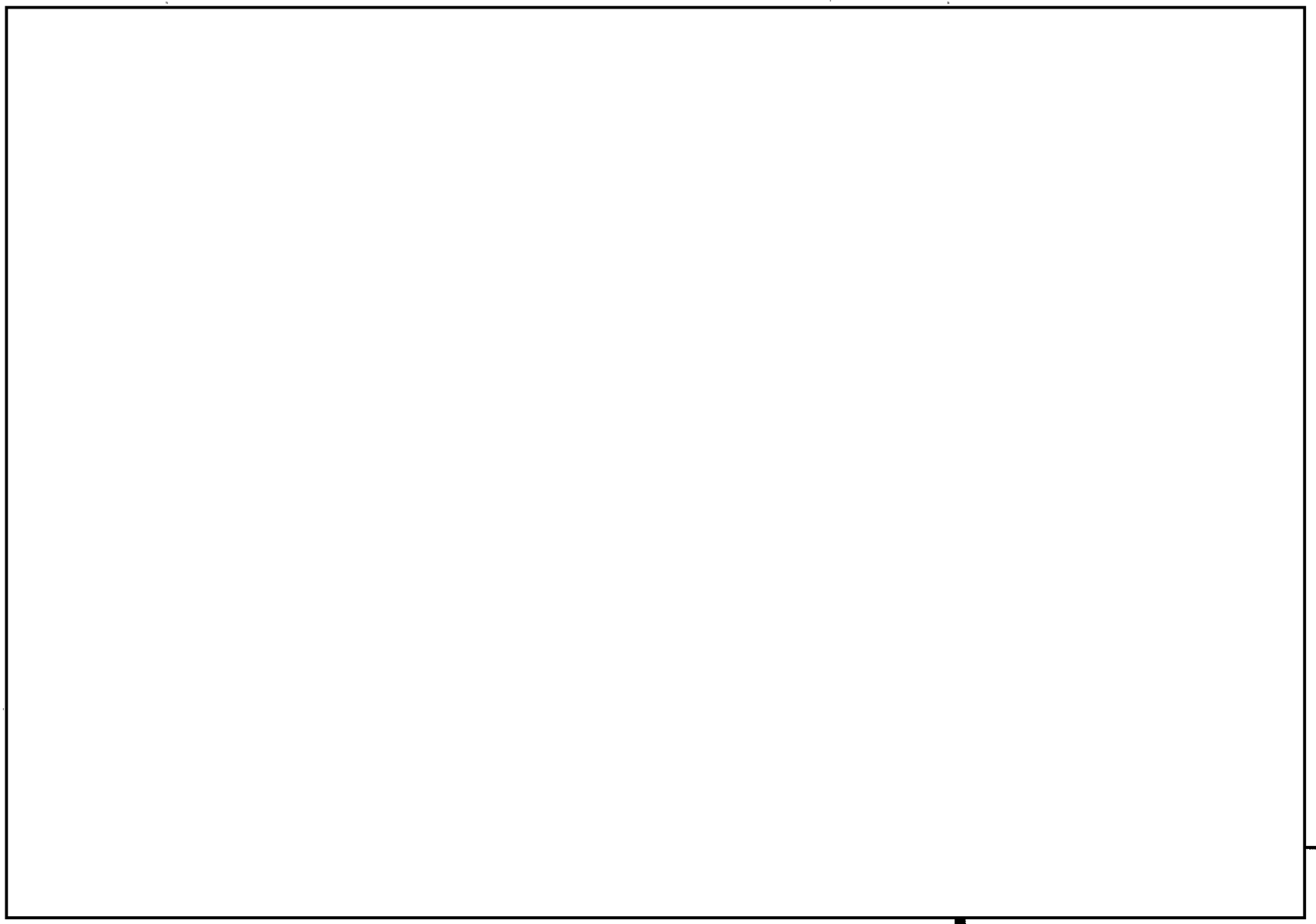

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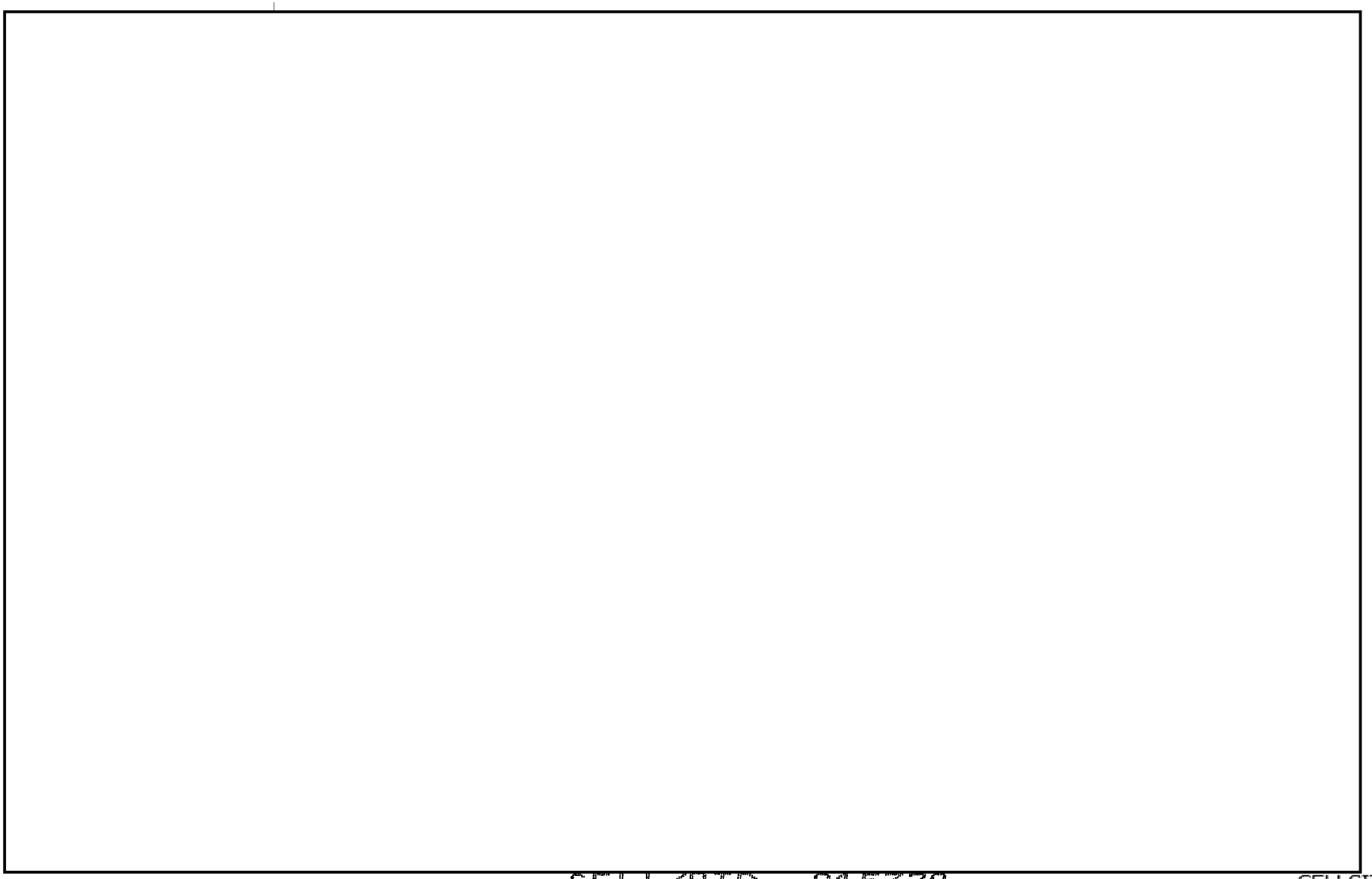

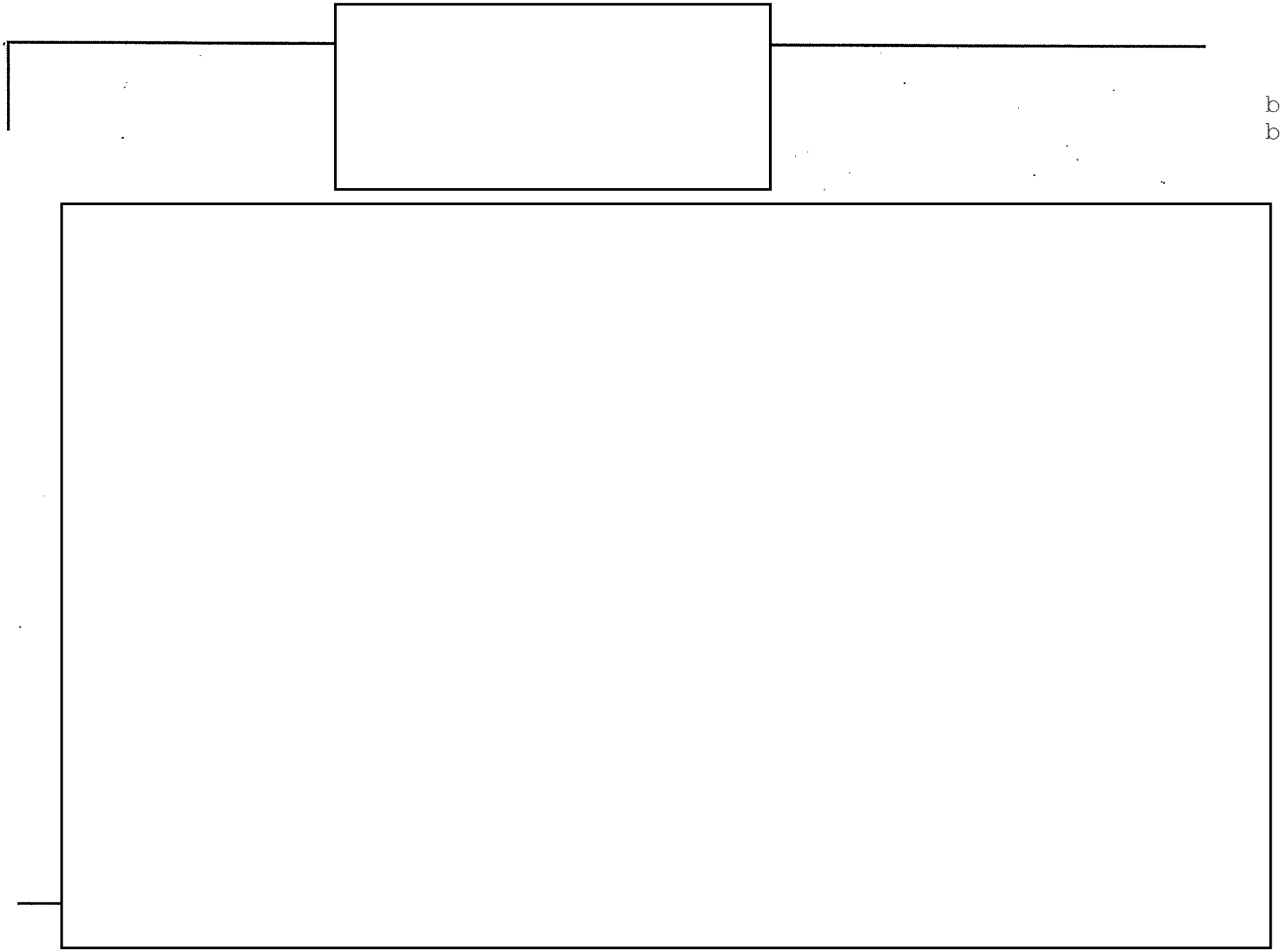

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[redacted] b6

From: [redacted] b7C
Sent: Thursday, November 09, 2006 3:50 PM
To: [redacted]
Cc:

Subject: Loan of Technical Equipment

UNCLASSIFIED
NON-RECORD

b5

[redacted] **the information below was cut and pasted directly from** [redacted] **email.**

[redacted]

Based on what we are reading, we believe the Director has the ability to delegate his authority to SACs based on the following: b5 b6 b7C

[redacted]

Your thoughts? Thanks, [redacted]

[redacted]

UNCLASSIFIED

CELL/OTD 009130

CELLSITE-2733
CELL/OTD 00

~~SECRET~~

DATE: 11-20-2012
CLASSIFIED BY 65179 DMH/SIW
REASON: 1.4 (C, G)
DECLASSIFY ON: 11-20-2037

From: b1
Sent: Monday, May 03, 2010 12:50 PM b3
To: b6
Cc: b7C
(S) **Subject:** RE: project Briefs 4/27- 4/30

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Thanks,

From: b1
Sent: Friday, April 30, 2010 1:42 PM b3
To:
(S) **Subject:** RE: project Briefs 4/27- 4/30 b6
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(S) Do you want me to set up some meetings with on this or with th Engineers?

SSA

~~SECRET~~

CELL/OTD 1 017423

~~SECRET~~

(S)

From:
Sent: Thursday, April 29, 2010 5:08 PM
To:
(S) **Subject:** FW: project Briefs 4/27- 4/30

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(S)

Like to have your assistance in setting up a meeting with key players on the availability of sharing some of the below tools to the Bureau. Will talk.

From:
Sent: Thursday, April 29, 2010 5:05 PM
(S) **To:**

Subject: RE: project Briefs 4/27- 4/30

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From:
Sent: Friday, April 02, 2010 3:11 PM
To:
Cc:

(S)

Subject: project Briefs 4/27- 4/30

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All,

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Due to space limitations in the conference rooms, [redacted] we need to keep the group very small. Lets keep it to one SME per unit per day.

Thanks,

[redacted]

Operational Technology Division

[redacted]

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I've added [redacted] in the Spectrum Management Support Group to this distribution as she is the FBI's representative with NTIA and may have some thoughts to add to mine.

[redacted]

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From: [redacted]
Sent: Friday, October 02, 2009 6:34 AM
To: [redacted]
Cc:
Subject: RE: [redacted]

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NON-RECORD

OGC in the "Legislative" process addressing just this issue.. I will defer to [redacted] as she is the legal authority working the issue.

[redacted] Can you provide some guidance and direction.. Specifically, until the new legislation goes forward and is approved what type of Court Order is necessary..

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted]

From: [redacted]
Sent: Thursday, October 01, 2009 1:08 PM
To: [redacted]
Cc:
Subject: FW: [redacted]

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[redacted]

I spoke with [redacted] per the below message abou [redacted] If you have any insight onto any legal or what is required, please forward. I'll be available in capacity to obtain equipment and help with any deployments should this be desired.

I left the conversation with the fact that [redacted] but requested that legal issues or policies be worked out with you two.

Anyways, this has been of interest for some time now...and is a big issue in [redacted]

[redacted]

From: [redacted]
Sent: Thursday, August 27, 2009 12:43 PM
To: [redacted]
Subject: [redacted]

CELL/OTD 017534

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[redacted]

Hello I got your name from [redacted]

[redacted] as a test bed. We are working [redacted] I would like to talk to you concerning the implementation. Thanks [redacted]

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CELL/OTD 017535

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[redacted]

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From: [redacted]
Sent: Friday, October 02, 2009 6:34 AM
To: [redacted]
Cc:
Subject: RE: [redacted]

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OGC in the "Legislative" process addressing just this issue.. I will defer to [redacted] as she is the legal authority working the issue.

[redacted] Can you provide some guidance and direction.. Specifically, until the new legislation goes forward and is approved what type of Court Order is necessary..

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted]

From: [redacted]
Sent: Thursday, October 01, 2009 1:08 PM
To: [redacted]
Cc:
Subject: FW: [redacted]

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[redacted]

I spoke with [redacted] per the below message about [redacted] If you have any insight onto any legal or what is required, please forward. I'll be available in capacity to obtain equipment and help with any deployments should this be desired.

I left the conversation with the fact that [redacted] but requested that legal issues or policies be worked out with you two.

Anyways, this has been of interest for some time now...and is a big issue in [redacted]

[redacted]

From: [redacted]
Sent: Thursday, August 27, 2009 12:43 PM
To: [redacted]
Subject: [redacted]

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[redacted]

Hello I got your name from [redacted] as a test bed. We are working [redacted] I would like to talk to you concerning the implementation. Thanks [redacted]

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[redacted]

From: [redacted]
Sent: [redacted] PM
To: [redacted]
Cc: [redacted]
Subject: FW: NTIA Responses to DOJ Comments on [redacted] IMMEDIATE (6pm tonight!) Deadline
Importance: High

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All - this relates to [redacted] OGC is trying to get through the department. I believe you've been working with [redacted] on it, but do not know who else might need to see it. We need comments ASAP. I can provide additional information on UNET as to what the proposal was and what this is in response to, but you can see the general comments we made and NTIA's response to each.

From: [redacted]
Sent: Tuesday, September 29, 2009 5:39 PM
To: [redacted]
Cc: [redacted]
Subject: NTIA Responses to DOJ Comments on [redacted] - IMMEDIATE (6pm tonight!) Deadline
Importance: High

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NTIA Response to DOJ Comments ...

DOJ has routed this with an extremely tight deadline.

The attached are NTIA responses to DOJ's proposed comments on [redacted] and the Commerce Department letter on the bill.

DOJ components are requested for comment or "no comment" by the deadline.

I apologize for the ridiculous deadline - but at the moment, I'm being told "No extensions"...

Thank you.

[redacted]
FBI OCA

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To: Operational Technology From: Operational Technology
Re: 319X-10-HQ-A1487709 - OTD, 10/02/2010

(U) **Objective I:** Ensure all FBI Field Offices involved with the [redacted] WITT Regional Program are supplied with policy, direction, and all current capabilities required to meet all deployment requirements.

(U) **Performance Measurement I:** Objective performance will be measured/monitored through conference and working group meetings, along with feedback. Statistical accounting shall also be incorporated to track the success of all programs that are being supported by [redacted]

b7E

(U) **Objective III:** [redacted]

(U) **Performance Measurement I:** Objective performance will be measured/monitored through clearly communicated customer requirements and feedback.

♦♦

CELL-OTD 022481

CELLSITE-15118

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DATE 11-19-2012 BY 65179 DMH/SIW

[redacted]

From: [redacted]
Sent: Sunday, August 28, 2011 1:43 PM
To: [redacted]
Cc:
Subject: New [redacted] approval letter --- UNCLASSIFIED//LES/FOUO

Classification: UNCLASSIFIED//LES/FOUO
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[redacted] please use this latest template for our approval letters:

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[redacted] approval template 08282...

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Classification: UNCLASSIFIED//LES/FOUO

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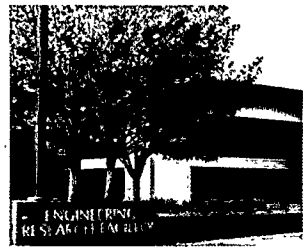
Legal Update

Science & Technology Law Unit, OGC



Agenda

- Geolocating:
  - Cellular "GPS" v. CellSite data
  - WITT & [redacted] b7E
  - Role of 3rd Party-provider & 4th Amendment
- Emergency Disclosure
  - Prospective vs. Stored
  - Records vs. Contents
  - Authorities & Immunity
- *Warshak* (6th Cir)
  - 4th Amendment & Stored Content
  - Role of 3rd Party-Provider
  - Ramifications: e.g., PCTDD-content

Locating a Cell Phone

1. **Cell Site Data** —tower/sector
2. **Witt ---**Wireless Intercept & Tracking Team; i.e., [redacted] b7E
3. **Geolocation** —from provider
   1. Handset-based (GPS)
   2. Network-based (signal strength triangulation)

Cell site Court Decisions

1. CALEA prohibits collecting location information "solely pursuant" to a PR/TT
2. 18 USC 2703(d) (stored communication act) only applies to historical records; can't authorize prospective disclosure of location information for "records" that don't yet exist.
3. [redacted]

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Opinions Since August 2005

[redacted]

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- DOJ position since 1994: invoke § 2703(d) in combination with pen/trap ("hybrid theory")
  - [redacted]

Access to Historical Location Data

- Past tower/sector records available using 2703(d) order
  - [redacted] b5
- Historical GPS data typically does not exist
  - some exceptions exist, such as "kiddie-tracking" phones where logging is expressly part of service

GEOLocation Data—E911

- FCC "Enhanced 911" mandate requires wireless telephone carriers to be able to deliver certain location data for 911 calls
- Carriers implement this capability in either of 2 ways:
  - **"Handset solution": GPS**
  - FCC requires accuracy:
    - to 50 meters for 67% of calls
    - to 150 meters for 95% of calls
  - **"Network solution": Triangulation**
  - FCC requires accuracy:
    - to 100 meters for 67% of calls
    - to 300 meters for 95% of calls

Is GPS Data Protected by the Fourth Amendment?:

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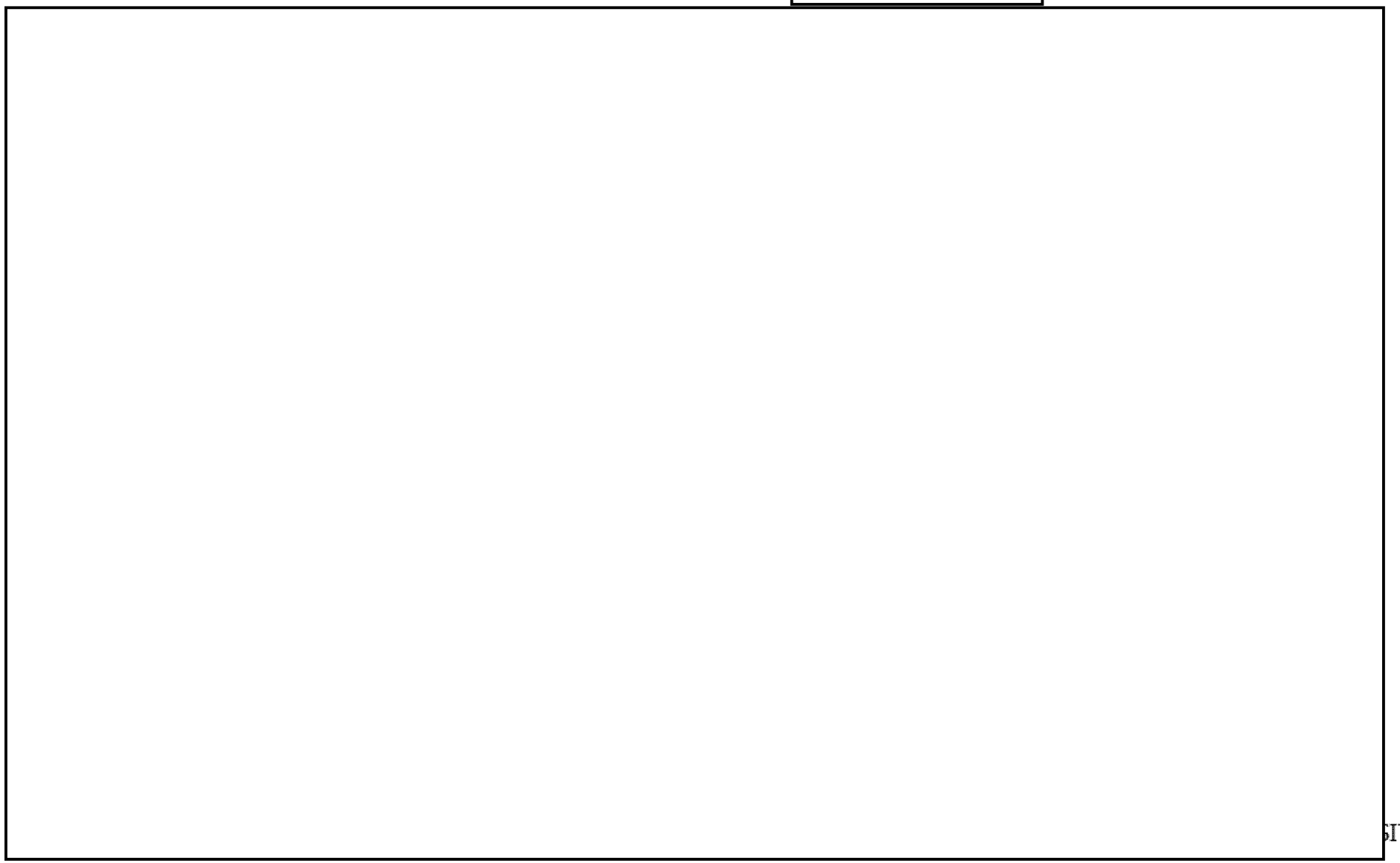
Is Geolocation Data Protected by the Fourth Amendment?:



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"Tracking Devices": Rule 41 and 18 U.S.C. § 3117

- Rule 41 amended 12/1/06 to add procedures for use of "tracking devices" (R. 41(b)(4))
- Cross-reference to § 3117 definition
  - "an electronic or mechanical device which permits the tracking of the movement of a person or object"

[redacted] b5

- *Warshak* 6th Cir
  1. 4th Amendment & Stored Content
  2. Role of 3rd Party-Provider
  3. PCTDD-content

Stored Contents

Warshak 6th Cir. (June 18, 2007)

- Mail/wire fraud investigation of owner of Berkeley Premium Neutaceuticals, Inc.; compelled stored emails—older than 180 days--w/ 2703(d) order & **delayed notice** under (2703(b)(1)(B)).

4th Amendment requires

1. P/C for warrant;
2. Reasonableness for Subpoenas; why:
   1. b/c there's prior notice w/ Subpoenas and so may be challenged before disclosure made; or
   2. When disclose info to 3rd party, no REP vis-à-vis that 3rd party b/c one disclosing assumes the risk that 3rd party may disclose the "shared information"

- Issue: whether user maintains REP in emails vis-à-vis 3rd party ?

Warshak: stored email (cont.)

Holding: Enjoined gov't from compelling disclosure from provider of stored emails **unless**:

1. P/C based warrant—particularly describing emails subject to search (2703(a));
2. Prior notice to subscriber and ct order under 2703(d); or
3. ISP has: "complete access" & actually relies on & uses this access in the "normal course of business"
    1. Gov't can show Specific & Articulable facts that —e.g.,if in Terms of Service, e.g., ISP notified customer & also utilized its right to "inspect, monitor and audit the content of emails" then NO REP
    2. Mere ability to access is not enough to waive REP.
    3. Scanning/screening all email for viruses, spam, impressible conduct (e.g., pornography) does not diminish REP, b/c automated process--No human review & analogous to post office scanning for drugs or explosives—i.e. like a drug-dog sniff

        Query would this theory permit the Gov't to use keyword screening for pornography or other illegal activity on the ground that it doesn't infringe a REP?

PCTDD -Content

ISSUE: Does 4th Amendment bar collection of PCTDD-Content pursuant to PR/TT & absent P/C–asked the EDNY MJ

1. **Role of 3rd party:** Gov't argued no REP in PCTDD-content b/c providers have ability to access such "dialed number" data in ordinary course of business when required, e.g., to investigate fraud, misuse, etc.; so user assumes the risk that provider can and will access.

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2. Gov't also argued the limited nature of communicative value of "numerical communications" reduces REP, so when coupled with knowing disclosure to provider and provider's access/use to process data = no REP so PR/TT standard "reasonable" for 4th amendment purposes.

Geolocation Data

Role of 3rd Party-provider & 4th Amendment

- Warshak STD: "complete access" & actually relies on & uses this access in the "normal course of business"
- CellSite data: yes
- Cellular "GPS" & triangulation:
- WITT &

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By

FEDERAL BUREAU OF INVESTIGATION

[redacted] b7E

DATE: 11-26-2012
CLASSIFIED BY 65179 DMH/STW
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~~Reviewed by~~ _____

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CELLSITE-15190

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(S)

Prepared by [redacted]

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ABSTRACT

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[redacted]

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CELLSITE-15191

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(U) CONCEPT OF OPERATIONS 7
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Authors: 1st [redacted] 2nd [redacted] b6 b7C

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(U) PROTOTYPE SYSTEM DESCRIPTION

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(U) CONCEPT OF OPERATIONS

(U) (S//OC/NF) **SYSTEM OPERATION**

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(U) Cost-Benefit Analysis

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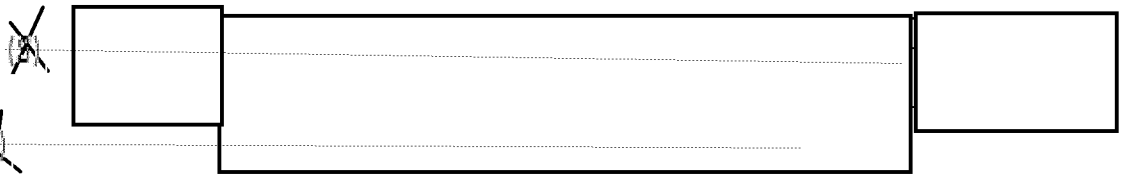

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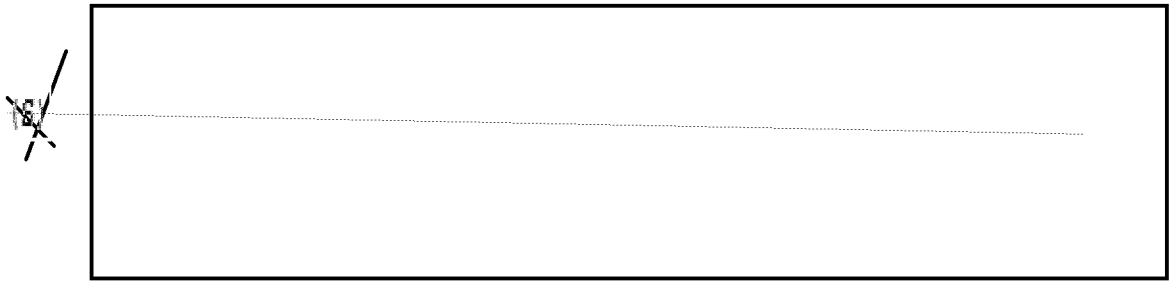
(U) Conclusion



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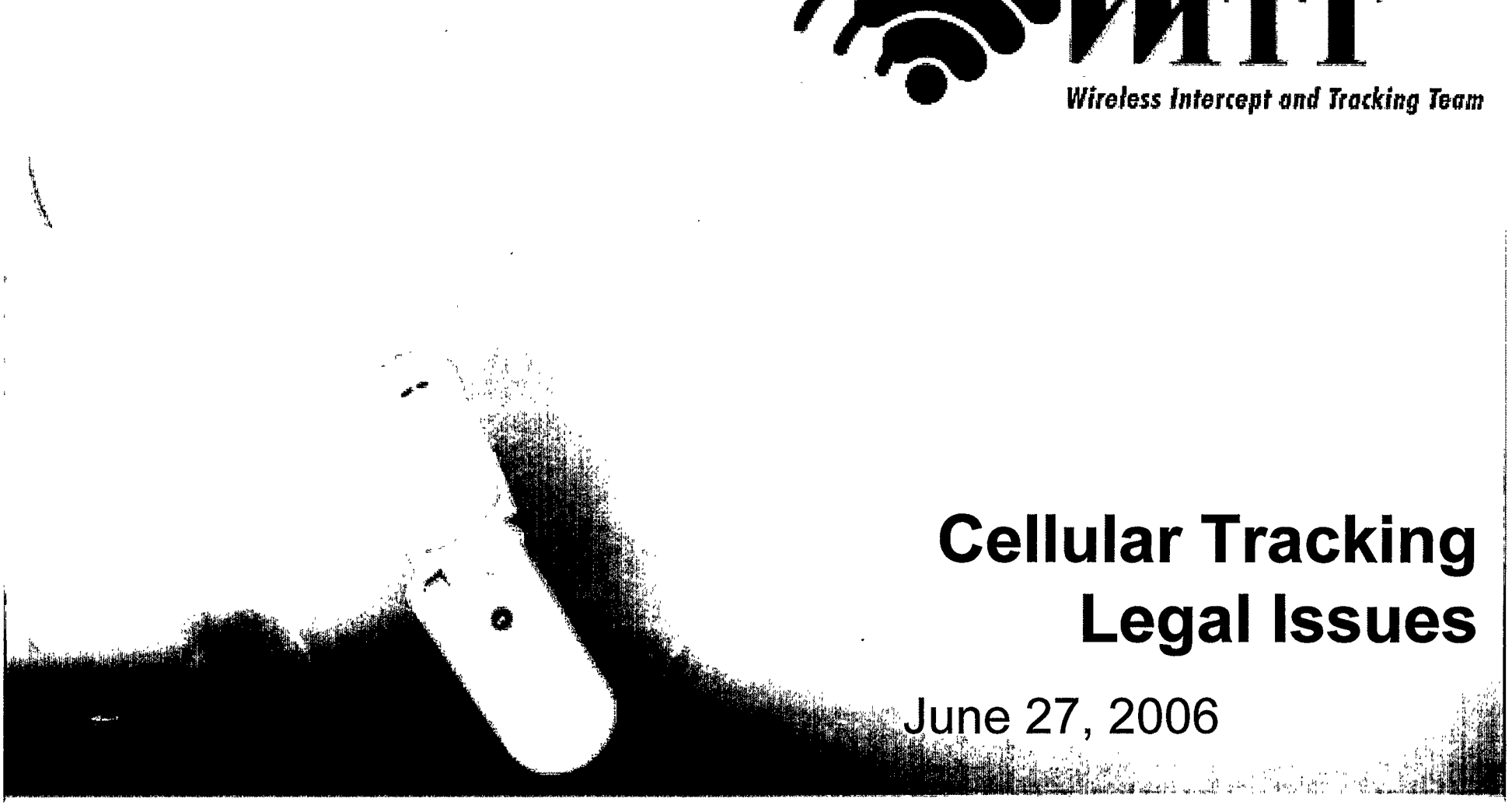
WITT
Wireless Intercept and Tracking Team



Cellular Tracking Legal Issues

June 27, 2006

CELL/OTD 024505

WITT
Wireless Intercept and Tracking Team

Overview

- DOJ's Policy on Cellsite Simulators: **Pen Register Device** (18 U.S.C. § 3127(3))
  - [redacted]
  - **LIABILITY RISKs & Best Practices**
- Loan of ELSUR Policy
  - [redacted]
  - [redacted]
- Emergency Pen Register Authority
  - Federal v. State Orders
  - Voluntary Disclosures
- Prospective Cell Site Location data
  - [redacted]
- Protecting Sensitive Techniques
  - [redacted]

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CELL/OTD 024506

CELLSITE-2808

WITT
Wireless Intercept and Tracking Team

Pen Register Device: 18 USC 3127(3)

CELL/OTD 024507

Old Definition

- "pen register" means a device which records or decodes electronic or other impulses which **identify the numbers dialed or otherwise transmitted on the telephone line to which such device is attached….**

New Definition

- "pen register" means a device ***or process*** which records or decodes ***dialing, routing, addressing, or*** **signaling** ***information*** **transmitted by an instrument or facility from which a wire or electronic communication is transmitted,** ***provided, however, that such information shall not include the contents of any communication****….*

CELLSITE-2809

WITT
Wireless Intercept and Tracking Team

New Law: USA Patriot Act

- **§ 3127 Pen Register device or process:**
  - "records or decodes dialing, routing, addressing, or signaling information
  - transmitted by an instrument or facility from which a wire or electronic communication is transmitted"

DOJ/CCIPS:

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http://30.100.99.18/ogc/usabook/usabook/esis/13esis.htm

CELL/OTD 024508

CELLSITE-2810

WITT
Wireless Intercept and Tracking Team

USMS Fugitive Authorities

CELL/OTD 024510

STATE LAW FUGITIVES:

- **U.S. Marshals (including FBI agents serving as deputy marshals)** are authorized to investigate fugitive matters "as directed by the Attorney General." 28 USC 566(e)(1)(B)
  - Includes pursuit of fugitives wanted on state warrants when done pursuant to a "special apprehension program" (e.g., Fugitive Investigative strike teams) approved by the Attorney General;
  - IF the investigation of a state fugitive is conducted pursuant to such an authorized "special apprehension program" then the US Marshall is, in effect, executing "federal law" within the State; AND
  - USMS "May exercise the same powers which a sheriff of the State may exercise in executing the laws thereof" (28 USC 564), **INCLUDING the power to arrest a state law fugitive**
    - DOJ, Office of Legal Counsel memo to FBI, General Counsel: "Authority to Pursue Non-Federal Fugitives" (Feb. 21, 1995).

CELLSITE-2812

CELL/OTD 024511

- Agents of the Unites States Marshals Service have sole and inherent authority among federal law enforcement to pursue non-federal fugitives. 28 U.S.C. § 566(e)(1)(B). Pursuant to the Attorney General's National Anti-Violent Crime Initiative, the Presidential Threat Protection Act of 2000 (Pub. L. 106-544), and the Department of Justice Policy on Fugitive Apprehension (Aug. 11, 1988), when participating on a task force duly-sanctioned by a U.S. Attorney's Office, the Service is allocated federal funds and is expressly tasked with investigating and apprehending violent or otherwise significant state fugitives. No federal charge, such as Unlawful Flight to Avoid Prosecution, is necessary.

CELLSITE-2813

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FBI SAs as Deputy USMS

CELL/OTD 02452/2

An FBI agent serving as **a Deputy US Marshall** could also arrest a state law fugitive under the same lawful authority.

- BUT if **not deputized**, FBI agents have the authority to investigate/arrest state law fugitives ONLY
  - **if there is a reasonable indication that the state law fugitive will violate the Fugitive Felons Act (FFA or UFAP),**

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WITT Pen Register— BEST PRACTICES

CELL/OTD 024515

BEST PRACTICES:

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CELLSITE-2817

WITT
Wireless Intercept and Tracking Team

WITT: Function of Cellsite Simulators:

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CELL/OTD 024516

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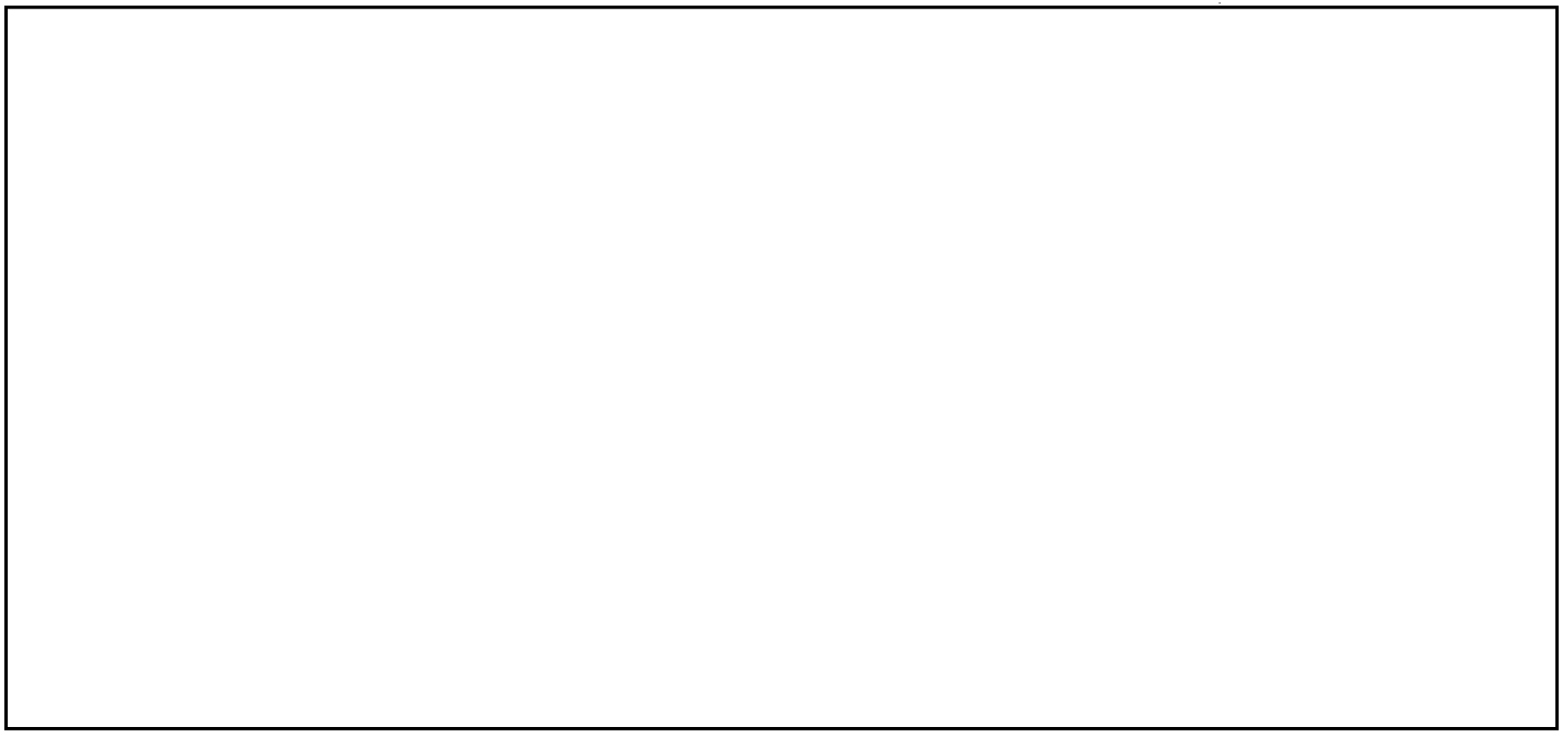
WITT
Wireless Intercept and Tracking Team

Incidental Collection

CELL/OTD 024517

advise court of potential for incidental collection on innocent users



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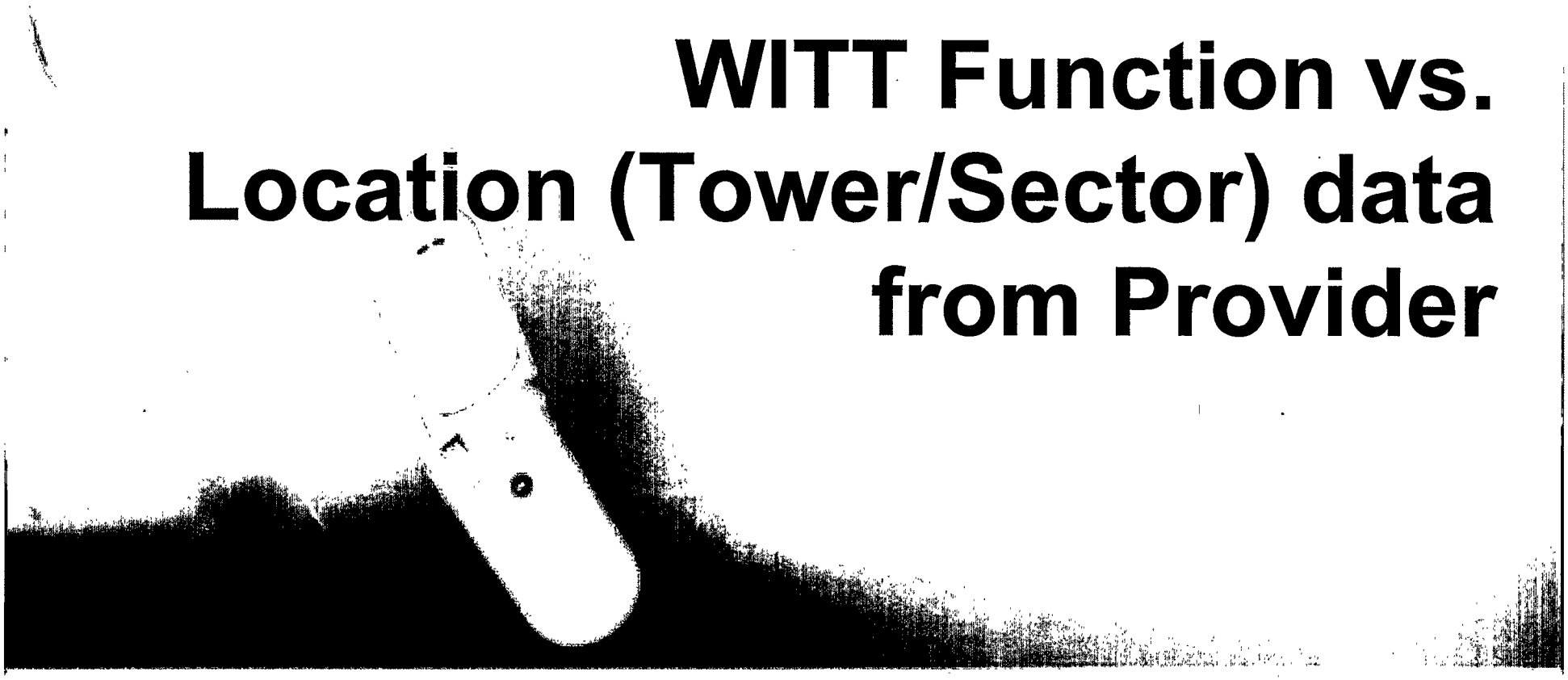
WITT

Wireless Intercept and Tracking Team

CELL/OTD 024524

WITT Function vs. Location (Tower/Sector) data from Provider



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Qualified Privilege

CELL/OTD 024539

- **Compare, United States v. Van Horn**, 789 F.2d 1492 (11th Cir.), cert. denied, 479 U.S. 854 (1986) (concealed microphone in office, defendant sought information about location of device claiming necessary to demonstrate that voices on tape could have been distorted by way mic was hidden and the distortion led to misidentification of the voice), recognized a qualified government privilege not to disclose sensitive investigative techniques.

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- **With United States v. Foster**, 986 F.2d 541, 543 (D.C. Cir. 1993) (defendant sought location of observation post: officer's observation of drug transaction was key evidence implicating defendant; surveillance not taped or photographed, so no alternative evidence for jury to examine to determine whether surveillance post provided clear view from which officer could make accurate identification of defendant).

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Qualified Privilege (cont).

- U.S. v. Garey, 2004 WL 2663023 (M.D.Ga. Nov. 15, 2004)
  - Defendant sought nature & details of pen register used to determine the geographical location of a cellular phone
  - Court found the information protected by qualified investigative techniques privilege & national security privilege
  - Balanced government's interest in maintaining privilege with Defendant's need for the information
- Defendant had the Product of the Surveillance: the cellphone used in making threatening calls was found in defendant's house during search of residence;

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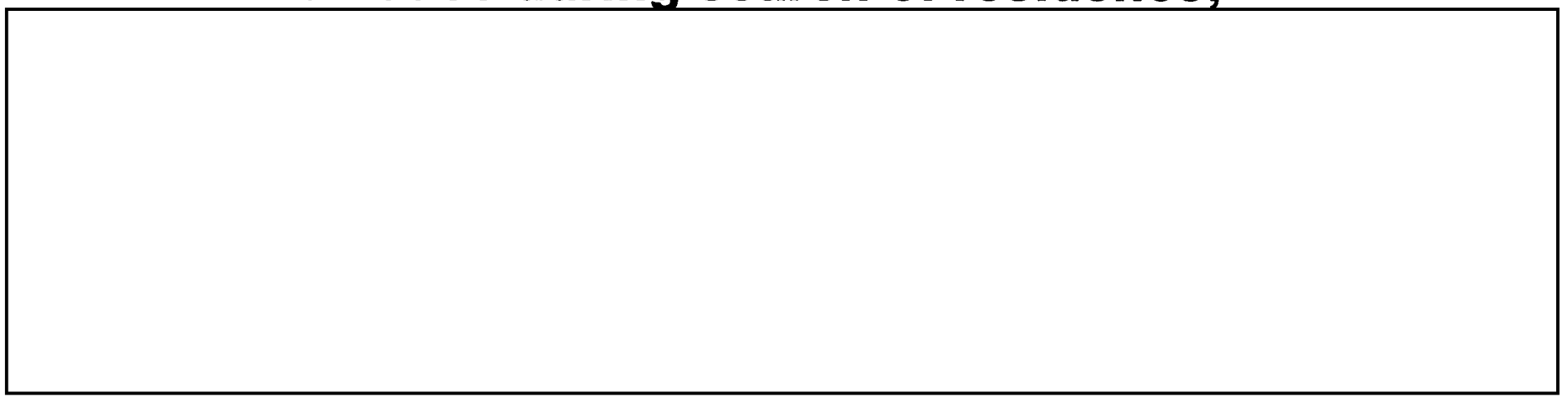

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Contact Info:

- [redacted]

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ASSISTANT GENERAL COUNSEL,

Science &Technology Law Unit,

Office of the General Counsel

- DOJ (CCIPS): www.cybercrime.gov

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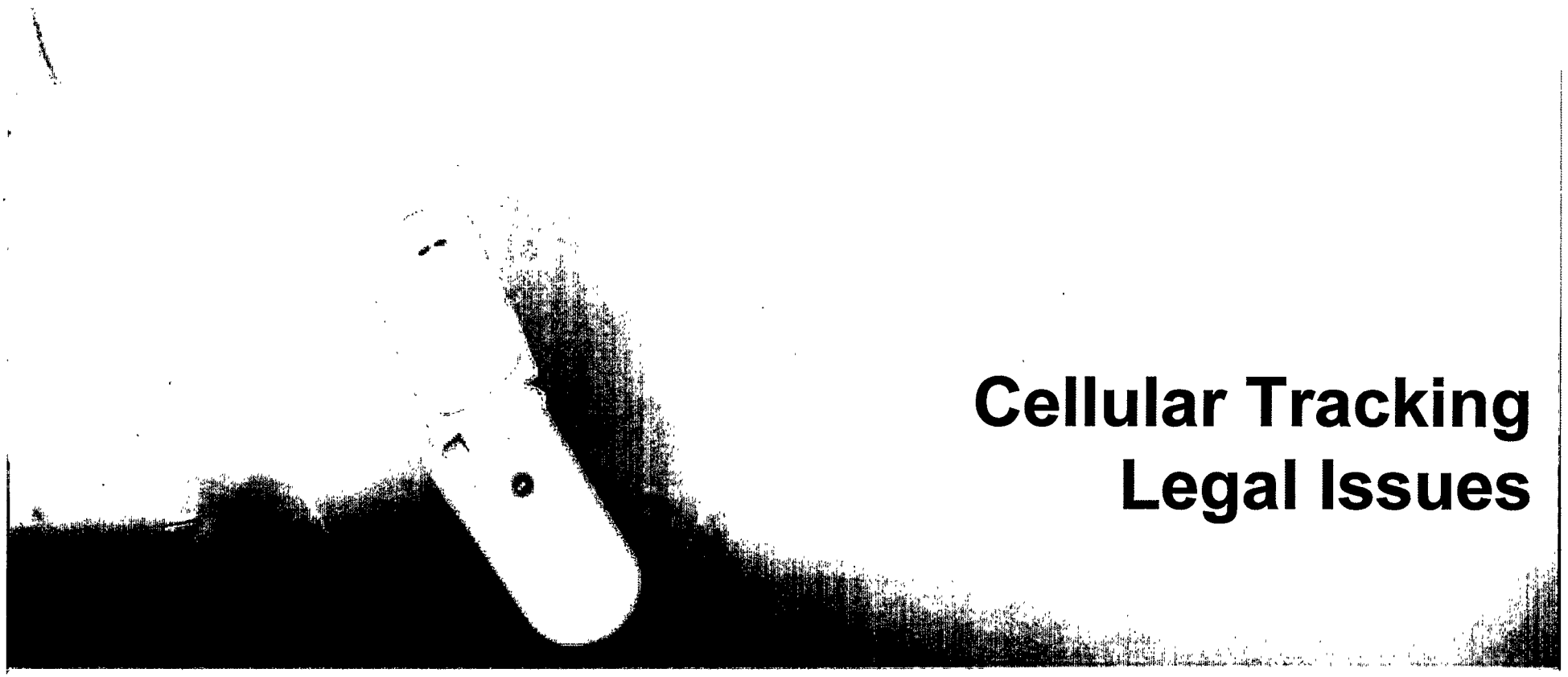

Cellular Tracking Legal Issues

WITT
Wireless Intercept and Tracking Team

Overview

- DOJ's Policy on Cellsite Simulators: **Pen Register Device** (18 U.S.C. § 3127(3))
  - **BEST PRACTICES**
- Emergency Pen Register Authority
  - Federal v. State Orders
  - Voluntary Disclosures
- Loan of ELSUR Policy
  - [redacted]
  - [redacted]
- Prospective Cell Site Location data
  - [redacted]
- GPS/Triangulation from provider
- Protecting Sensitive Techniques
  - [redacted]

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CELLSITE-2849

CELL/OTD 020919

WITT
Wireless Intercept and Tracking Team

Pen Register Device: 18 USC 3127(3)

Old Definition

- "pen register" means a device which records or decodes electronic or other impulses which **identify the numbers dialed or otherwise transmitted on the telephone line to which such device is attached….**

New Definition

- "pen register" means a device ***or process*** which records or decodes ***dialing, routing, addressing, or*** **signaling** ***information*** **transmitted by an instrument or facility from which a wire or electronic communication is transmitted,** ***provided, however, that such information shall not include the contents of any communication****….*

CELLSITE-2850

CELL/OTD 020920

WITT
Wireless Intercept and Tracking Team

Disruption of Service

Potential **disruption of service** to phones while temporarily registered with government device during **active interrogation.**

- **47 U.S.C. § 333 prohibits interference with cellular frequencies**

[redacted]

- **18 USC 3124: requires that a pen register be implemented with "minimum of interference" to those accorded service-**

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USMS Fugitive Authorities

STATE LAW FUGITIVES:

- **U.S. Marshals** are authorized to investigate fugitive matters "as directed by the Attorney General." 28 USC 566(e)(1)(B)
  - Includes pursuit of fugitives wanted on state warrants when done pursuant to a "special apprehension program" (e.g., Fugitive Investigative strike teams) approved by the Attorney General;
  - IF the investigation of a state fugitive is conducted pursuant to such an authorized "special apprehension program" then the US Marshall is, in effect, executing "federal law" within the State; AND
  - USMS "May exercise the same powers which a sheriff of the State may exercise in executing the laws thereof" (28 USC 564), **INCLUDING the power to arrest a state law fugitive**
    - DOJ, Office of Legal Counsel memo to FBI, General Counsel: "Authority to Pursue Non-Federal Fugitives" (Feb. 21, 1995).

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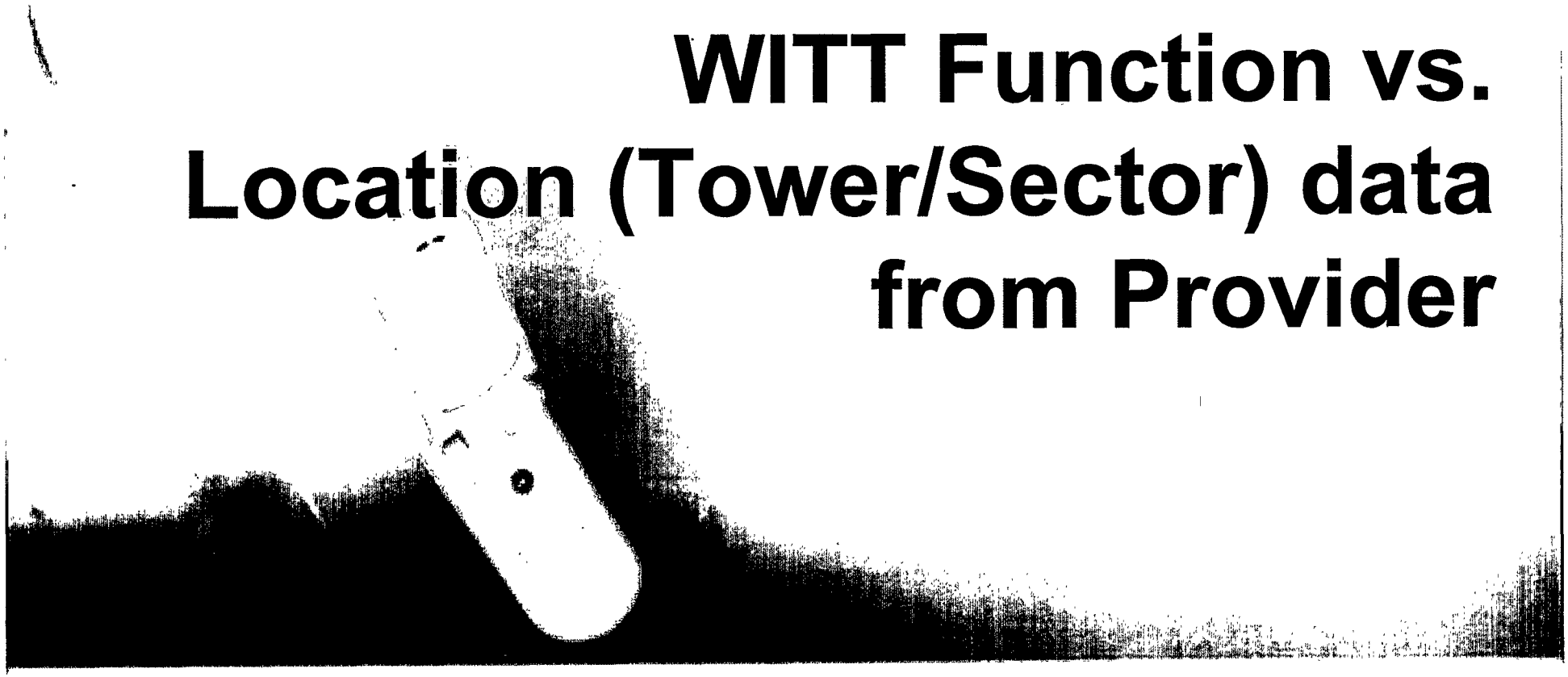
CELL/OTD 020932

WITT

Wireless Intercept and Tracking Team

WITT Function vs. Location (Tower/Sector) data from Provider



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FEDERAL BUREAU OF INVESTIGATION

Precedence: Routine **Date:** 03/11/2009

To: Operational Technology **Attn:** Tracking Technology Unit

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From: Security
Security Operations Section
Physical Security Unit, PA555
Contact:

Approved By:

Drafted By:

Case ID #: 261D-HQ-C1188941-TECHSEC

Title: PHYSICAL SECURITY MATTERS

ENGINEERING RESEARCH FACILITY, QUANTICO, VA

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Synopsis:

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CTIA Advocacy

Wireless Glossary of Terms

Last Updated: July 2011

3G / 4G: A general term that refers to new wireless technologies which offer increased capacity and capabilities delivered over digital wireless networks.

Air Interface: The operating system of a wireless network. Technologies include AMPS, TDMA, CDMA, GSM and iDEN.

AMPS: Advanced Mobile Phone Service (AMPS) is the original analog "cellular" service transmission standard first deployed in the United States, still used as a default standard for cellular systems in the U.S., and in some regions around the world.

Analog: The traditional method of adapting radio signals so they can carry information. AM (Amplitude Modulation) and FM (Frequency Modulation) are the two most common analog systems. Analog has largely been replaced by digital technologies, which are more secure, more efficient and provide better quality.

Antenna: A device for transmitting and receiving radiofrequency (RF) signals. Often camouflaged on existing buildings, trees, water towers or other tall structures, the size and shape of antennas are generally determined by the frequency of the signal they manage.

App (Application): Downloadable tools, resources, games, social networks or almost anything that adds a function or feature to a wireless handset which are available for free or a fee.

Base Station: The central radio transmitter/receiver that communicates with mobile telephones within a given range (typically a cell site).

Bluetooth: The name for a technological standard (a communications protocol) that enables mobile devices equipped with a special chip to send and receive information wirelessly. Using Bluetooth, electronic devices such as desktop computers, wireless phones, electronic organizers and printers can communicate over short-ranges using the 2.4 GHz spectrum band.

Bonded copper: Aggregating DSL circuits together to boost throughput.

BREW: Binary Runtime Environment for Wireless is a service application developer's platform. The BREW platform was introduced by QUALCOMM in 2001 to provide developers with the ability to create a wide variety of applications that users can download wirelessly via any BREW-enabled handset. Thanks to common standards, software applications will automatically work on new device models.

Broadband: A transmission facility having a bandwidth (capacity) sufficient to carry multiple voice, video or data channels simultaneously. Broadband is generally equated with the delivery of increased speeds and advanced capabilities, including access to the Internet and related

services and facilities.

BTA (Basic Trading Area): A geographic area designed by Rand McNally to reflect business centers, and adopted by the FCC for the licensing of Personal Communications Services and some other wireless services. BTAs are composed of several neighboring counties associated by business and commuting patterns. The U.S. is divided into 493 BTAs.

Carrier: Also known as a service provider or network operator, a carrier is the communications company that provides service to end user customers or other carriers. Wireless carriers provide their customers with service (including air time) for their wireless phones.

Cache (or Cookie): Many websites store the initial visit so that when the mobile device user visits again, the data from the same website can appear faster.

CDMA (Code Division Multiple Access): A technology used to transmit wireless calls by assigning them codes. Calls are spread out over the widest range of available channels. Then codes allow many calls to travel on the same frequency and also guide those calls to the correct receiving phone. In the U.S., CDMA carriers include: Alaska Communications System, Carolina West, CellCom/nSight, Bluegrass Cellular, Leap Wireless, Sprint, U.S. Cellular and Verizon Wireless.

CDMA2000 1XRTT: The first step in the evolution to 3G is cdma2000 1X, which improves packet data transmission capabilities and speeds in the network, and also boosts voice capacity. (Speed of up to 307 kbps.)

CDMA2000 1XEV-DO (Evolution Data-Only): CDMA2000 1XEV represents the second step in the evolution of CDMA2000. Commercially launched in 2001, offers data speeds of up to 2.4 Mbps.

CDMA2000 1XEV-DV (Evolution Data-Voice): CDMA2000 1XEV represents the next step in the evolution of CDMA2000. Approved by the International Telecommunications Union (ITU), a standards body based in Geneva, as a 3G technology to provide data and voice services together, with data rates of up to 3.09 Mbps.

Cell: The basic geographic unit of wireless coverage. Also, shorthand for generic industry term "cellular." A region is divided into smaller "cells," each equipped with a low-powered radio transmitter/receiver. The radio frequencies assigned to one cell can be limited to the boundaries of that cell. As a wireless call moves from one cell to another, a computer at the Mobile Telephone Switching Office (MTSO) monitors the call and at the proper time, transfers the phone call to the new cell and new radio frequency. The handoff is performed so quickly that it's not noticeable to the callers.

Cell Site: The location where a wireless antenna and network communications equipment is placed in order to provide wireless service in a geographic area.

Cell Splitting: A means of increasing the capacity of a wireless system by subdividing one cell into two or more smaller cells.

Channel/Circuit: A communications pathway that may take the form of a connection established over wireless, wired, or fiber optic facilities.

CSD (Circuit Switched Data): One technological approach used for the exchange of data. A circuit connection is made that is exclusively reserved for the individual's use. This can be inefficient, as many communications do not require a dedicated communications channel, and offers only brief connectivity primarily used for the transmission of short messages.

CMRS (Commercial Mobile Radio Service) Provider: An FCC designation for any wireless carrier or license owner whose wireless service is connected to the public switched telephone network and/or is operated for profit. Wireless services that are offered to the public are classified as CMRS, unlike private systems which are classified as "Private Mobile Services."

Co-Location: Placement of multiple antennas at a common site. Some companies act as brokers or cell site managers, arranging cell sites and coordinating many carriers' antennas at a single cell site.

Common Short Codes (CSC): Five– or six–digit numbers which allow wireless devices to send text messages for value-added services such as tele-voting campaigns, mobile coupons, charitable donations and other programs.

Contract Plan (Post-Paid): The most popular cell phone plan in which a subscriber agrees to a contract for certain period of time, usually a year or two and in exchange, the carrier provides the customer with a lower monthly rate and subsidized handset. There may be a fee if you want to cancel the contract before it expires, also known as an "early termination fee." CTIA developed a voluntary Consumer Code to help consumers make informed choices when selecting their wireless service.

Digital: Technological approach that converts signals (including voice) into the binary digits '0' and '1'. This data is compressed, and then transformed into electronic pulses for a wired network, optical light waves for fiber optic networks or radio waves for wireless networks. Digital wireless technology has largely superseded analog technology, because digital delivers more capacity and supports more applications, as well as offers better sound quality, and more secure signals.

DSL (Digital Subscriber Line): A digital line connecting the subscriber's terminal to the serving company's central office, providing multiple communications channels able to carry both voice and data communications simultaneously.

Dual Band: A wireless handset that works on more than one spectrum frequency, e.g., in the 800 MHz frequency and 1900 MHz frequency bands.

EDGE: Enhanced Data Rate for Global Evolution is an evolutionary step in the GSM-development path for faster delivery of data, delivered at rates up to 384 Kbps. The standard is based on the GSM technology platform and uses the TDMA approach (see TDMA, below).

ESN (Electronic Serial Number): The unique serial identification number programmed into a wireless phone by the manufacturer. Each time a call is placed, the ESN is transmitted to a nearby base station so the wireless carrier can validate the call. The ESN differs from the Mobile Identification Number, which identifies a customer's wireless phone number. MINs and ESNs are electronically monitored to help prevent fraud.

Evolution-Data Optimized (EVDO): The third generation CDMA technology. The U.S. had 74.6 million subscribers in 4Q 2009 out of 124.6 million (or 23 percent of all subscribers). This means the U.S. had 60 percent of all EVDO subscribers in the world.

Federal Communications Commission (FCC): An independent U.S. government agency responsible with regulating interstate and international communications by radio, television, wire, satellite and cable. This includes all aspects of the wireless industry such as devices, policies, programs and outreach initiatives.

Facility-based Wireless Carrier: A provider of wireless services that owns the physical network used to deliver those services. *See contra* MVNO, a provider that leases capacity on a facilities-based provider network.

Federal Regulatory Fee: Annual communications regulatory fees as mandated by Congress. The fees require the FCC to recover the regulatory costs associated with its enforcement, policy and rulemaking, user information, and international initiatives.

Federal Trade Commission (FTC): The only federal U.S. agency with both consumer protection and competition jurisdiction in broad sectors of the economy. The FTC pursues vigorous and effective law enforcement; advances consumers' interests by sharing its expertise with federal and state legislatures and U.S. and international government agencies; develops policy and research tools through hearings, workshops, and conferences; and creates practical and plain-language educational programs for consumers and businesses in a global marketplace with constantly changing technologies.

Femtocell: A small cellular base station or access point that is used in homes or offices to deliver wireless traffic to service providers via pre-existing broadband connections. This allows for improvement of coverage in small (typically indoor) areas without requiring the addition of new full-sized cellular sites.

FDD (Frequency Division Multiplexing): Frequency-division multiplexing is a method in which numerous signals are combined for transmission on a single communications channel. Each signal is assigned a different frequency (subchannel) within the main channel.

Filters: Most wireless carriers provide parents with the ability to filter Internet content accessed on a wireless phone on their network.

GPRS (General Packet Radio Service): A packet technology approach that enables high-speed wireless Internet and other GSM-based data communications. It makes very efficient use of available radio spectrum for transmission of data.

GPS (Global Positioning System): A worldwide satellite navigational system, made up of a constellation of satellites orbiting the earth and their receivers on the earth's surface. The GPS satellites continuously transmit digital radio signals, with information used in location tracking, navigation and other location or mapping technologies.

GSM (Global System for Mobile Communications): A technological approach also based on dividing wireless calls into time slots. GSM is most common in Europe, Australia and much of Asia and Africa. Generally, GSM phones from the United States are not compatible with international GSM networks because the U.S. and many other nations use different frequencies for mobile communications. However, some phones are equipped with a multi-band capability to operate on such other frequencies. In the U.S., GSM carriers include: AT&T, DoCoMo Pacific, GCI Communications, TerreStar, Westlink and T-Mobile.

Handoff: The process when a wireless network automatically switches a mobile call to an adjacent cell site.

HSCSD (High Speed Circuit Switched Data): In using HSCSD a permanent connection is established between the called and calling parties for the exchange of data. As it is circuit switched, HSCSD is more suited to applications such as videoconferencing and multimedia than 'bursty' type applications such as email, which are more suited to packet switched data.

HSPA (High Speed Packet Access): The third generation of GSMA technology. The U.S. had 24 million subscribers out of the 200 million total which means the U.S. had 24 percent of all HSPA subscribers in the world for 2Q 2009.

iDEN (Integrated Digital Enhanced Network): A specialized mobile technology that combines two-way radio, telephone, text messaging and data transmission into one digital network. iDEN is designed to give users quick access to information on a single device. Introduced by Motorola and used by AirTel Montana, Nextel Communications, Nextel Partners, and Southern LINC Wireless, among others.

Interconnection: Connecting one network to another, such as a wireless network to a local telephone company's wireline network.

Interoperability: The ability of a network to coordinate and communicate with other networks, such as two systems based on different protocols or technologies.

LAN (Local Area Network): Is a small data network covering a limited area, such as a building or group of buildings. Most LANs connect workstations or personal computers. This allows many users to share devices, such as laser printers, as well as data. The LAN also allows easy communication, by facilitating e-mail or supporting chat sessions.

Location Based Services (LBS): An information, advertising or entertainment service that uses the geographical position of a cell phone. CTIA developed voluntary Best Practices and Guidelines for Location-Based Services to promote and protect user privacy.

LTE (Long Term Evolution): The next-generation network beyond 3G. In addition to enabling fixed to mobile migrations of Internet applications such as Voice over IP (VoIP), video streaming, music downloading, mobile TV and many others, LTE networks will also provide the capacity to support an explosion in demand for connectivity from a new generation of consumer

devices tailored to those new mobile applications.

Machine-to-Machine (M2M): Applications or mobile units that use wireless networks to communicate with other machines. These applications may include telemetry and telematic devices, remote monitoring systems (e.g. smart grid, healthcare, transportation, etc) and other devices that provide status reports to businesses' centers (e.g. operations, traffic management, data management, etc).

Megahertz (MHz): Is a unit of frequency equal to one million hertz or cycles per second. Wireless mobile communications within the United States generally occur in the 800 MHz, 900MHz and 1900MHz spectrum frequency bands.

mHealth (Mobile Health): The use of mobile devices and technology in health care. This includes text message reminders to prompt them to take medication, follow a certain diet, engage in physical activity, check glucose levels, monitor blood pressure and more. It can also be used to monitor patients' health and track and guide self-care beyond the doctors' offices.

mLearning (Mobile Learning): Education that takes advantage of the opportunities mobile devices provides, including not being prohibited by location. This includes sending text messages for in-class participation or voting, accessing the mobile Internet for information or conducting homework assignments.

MIN (Mobile Identification Number): The MIN, more commonly known as a wireless phone number, uniquely identifies a wireless device within a wireless carrier's network. The MIN is dialed from other wireless or wireline networks to direct a signal to a specific wireless device. The number differs from the electronic serial number, which is the unit number assigned by a phone manufacturer. MINs and ESNs can be electronically checked to help prevent fraud.

MSA (Metropolitan Statistical Area): One of the 306 urban-centered cellular service areas based on the largest urban markets as designated by the U.S. government in 1980. Two "cellular" service operators are licensed in each MSA.

MTA (Major Trading Area): A geographic area designed by Rand McNally to reflect business centers, and adopted by the FCC for the licensing of Personal Communications Services and some other wireless services. MTAs are composed of neighboring basic trading areas (BTAs) associated with major business centers. The U.S. is divided into 51 MTAs, which do not reflect state boundaries.

MTSO (Mobile Telephone Switching Office): The central computer that connects wireless phone calls to the public telephone network. The MTSO controls the series of operations required to complete wireless calls, including verifying calls, billing and antenna handoffs.

MVNO (Mobile Virtual Network Operator): A company that buys network capacity from a network operator in order to offer its own branded mobile subscriptions and value-added services to customers. **NAM (Number Assignment Module):** The NAM is the electronic memory bank in the wireless phone that stores its specific telephone number and electronic serial number.

Number Pooling: A means by which phone numbers are conserved, and the need to create new area codes is reduced. Unused phone numbers are returned to a central authority which then makes them available to other carriers based on need. Carriers receive numbers in blocks

of 1,000, not 10,000 as was originally the case. Smaller blocks of numbers reduce the carriers' cost and maximize the availability of new numbers to meet public demand.

Number Portability: The ability of a customer to retain their telephone number when changing service providers in a specific area, whether changing from one wireless company to another, one wireline company to another, or between wirelesss and wireline companies.

Operating System (OS): As of August 2010, there are 10 wireless operating system platforms. They are: Android (Open Handset Alliance); BlackBerry OS (Research in Motion); BREW (Qualcomm); Java (Sun Microsystems); LiMo (Open Source Linux for Mobile); iOS (Apple); Palm OS (Palm); WebOS (Palm); Windows Mobile (Microsoft); and bada (Samsung).

OFDM (Orthogonal Frequency Division Multiplexing): A system for the transmission of digital message elements spread over multiple channels within a frequency band, in order to achieve greater throughput while minimizing interference and signal degradation through the use of multiple antennas.

Packet: A piece of data sent over a packet-switching network, such as the Internet. A packet includes not just the data comprising the message but also address information about its origination and destination.

Packet Data: Information that is reduced into digital pieces or 'packets', so it can travel more efficiently across networks, including radio airwaves and wireless networks.

Parental Control Tools: Services offered by wireless carriers or third parties or built-in to a wireless device that allow parents to limit or monitor their child's cell phone use. CTIA developed voluntary Guidelines for Carrier Content Classification and Internet Access.

PCS (Personal Communications Services): Defined by the FCC as a broad family of wireless services, commonly viewed as including two-way digital voice, messaging and data services. One set of "PCS" licenses established by the FCC operates in the 1900 MHz band.

PDA (Personal Digital Assistant): A portable computing device capable of transmitting data. These devices offer services such as paging, data messaging, e-mail, computing, faxes, date books and other information management capabilities.

PIN (Personal Identification Number): An additional security feature for wireless phones, much like a password. Programming a PIN into the Subscriber Information Module (SIM) on a wireless phone requires the user to enter that access code each time the phone is turned on.

POPs: For wireless, POPs generally refers to the number of people in a specific area where wireless services are available (the population). For traditional 'landline' communications, a "Point of Presence" defines the interconnection point between the two networks.

Prepaid Plan: This plan allows customers to purchase a pre-determined amount of minutes for a set price and then "re-fill" the minutes at the customer's choice. Some prepaid plans include text messaging and other wireless data services. CTIA developed the voluntary Consumer Code to help consumers make informed choices when selecting wireless service.

Premium Text: Text to or from a commercial entity that delivers news, information, images, ringtones or entertainment for a fee above standard messaging rates.

Privacy Settings: Ability to determine how much personally identifiable information (PII) is shared digitally. Many wireless services and apps allow users to determine the PII available to third parties including friends, advertisers and the general public.

Protocol: A standard set of definitions governing how communications are formatted in order to permit their transmission across networks and between devices.

PSD (Packet Switched Data): A technological approach in which the communication "pipe" is shared by several users, thus making it very efficient. The data is sent to a specific address with a short delay. This delay depends on how many users are using the pipe at any one time as well as the level of priority requested for your information. PSD is the technology used for data communication across the Internet and makes more efficient use of the network.

Public Service/Utility Commission (PSC/PUC): A state government's agency responsible for regulating intrastate communications. Although many states preempt a PSC/PUC's authority to regulate wireless, federal law permits non-preempted states to regulate a wireless carriers' terms and conditions but not rates.

Rating System: A system for classifying and providing information about specific content such as games, music, TV, movies and apps. Wireless carriers and manufacturers may rate content or utilize existing rating system to help parents filter content available to children. (*See* CTIA Wireless Content Guidelines Classification Criteria).

Repeater: Devices that receive a radio signal, amplify it and re-transmit it in a new direction. Used in wireless networks to extend the range of base station signals and to expand coverage. Repeaters are typically used in buildings, tunnels or difficult terrain.

Roaming: When traveling outside their carrier's local service area, roaming allows users to continue to make and receive calls when operating in another carrier's service coverage area.

RSA (Rural Service Area): One of the 428 rural markets across the United States, as designated by the FCC for the delivery of cellular service outside of the initial 306 MSAs.

Smart Antenna: A wireless antenna with technology that focuses its signal in a specific direction. Wireless networks use smart antennas to reduce the number of dropped calls, and to improve call quality and channel capacity.

Smart Phone: Wireless phones with advanced data features and often keyboards. What makes the phone "smart" is its ability to better manage data and Internet access.

SMS: Short Messaging Service enables users to send and receive short text messages (usually about 140-160 characters) on wireless handsets. Usually referred to as "text messaging" or "texting."

SPAM: Unsolicited and unwanted emails or text messages sent to wireless devices. While carriers are constantly filtering their networks to stop SPAM text messages, spammers are

evolving and changing their methods to try to get through. If you receive a SPAM email on your mobile device, file a complaint with the FCC . The FCC's CAN-SPAM ban only applies to "messages sent to cell phones and pagers, if the message uses an Internet address that includes an Internet domain name (usually the part of the address after the individual or electronic mailbox name and the "@" symbol)". The FCC's ban does not cover "short messages," typically sent from one mobile phone to another, that do not use an Internet address.

Spectrum: The radio frequencies that are designated for specific uses, such as personal communications services and public safety.

Spectrum Allocation: Process whereby the federal government designates frequencies for specific uses, such as personal communications services and public safety. Allocation is typically accomplished through lengthy FCC proceedings, which attempt to adapt allocations to accommodate changes in spectrum demand and usage.

Spectrum Assignment: Federal government authorization for the use of specific frequencies within a given spectrum allocation, usually in a specific geographic location. Mobile communications assignments are granted to both private users such as businesses, and commercial providers such as wireless and paging operators. Spectrum auctions and/or frequency coordination processes, which consider potential interference to existing users, may apply.

Spread Spectrum: A method of transmitting a radio signal by spreading it over a wide range of frequencies. This reduces interference and can increase the number of simultaneous users on one radio frequency band.

SIM (Subscriber Identity Module) Card: A small card that fits inside some cell phones and communicates with a wireless network using a unique code. A SIM card can be removed and transferred to another wireless device.

TCP/IP (Transmission Control Protocol/Internet Protocol): A protocol permitting communications over and between networks, the TCP/IP protocol is the basis for the Internet communications.

TDMA (Time Division Multiple Access): A technological standard that permits the transmission of information by dividing calls into time slots, each one lasting only a fraction of a second. Each call is assigned a specific portion of time on a designated channel. By dividing each call into timed 'packets,' a single channel can carry many calls at once.

Telecommunications Relay Service (TRS): A telephone service that allows persons with hearing or speech disabilities to place and receive telephone calls.

Tower Siting: To expand their service offerings and meet consumer demand for "always-on"

broadband, wireless carriers need to be able to build out their networks, which involves constructing new towers or adding new equipment to already existing structures. It enables mobile services, including voice and broadband, for consumers, businesses and public safety. In November 2009, the FCC provided much-needed certainty to the tower siting process by adopting a declaratory ruling which set a definitive time frame for local zoning authorities to act on tower siting requests. The time limit to address requests for collocation is 90 days and the time for addressing requests for new tower construction is 150 days. Local zoning authorities who do not meet the time frames will have "failed to act," giving tower applicants the right to appeal to the courts for action on their requests. Also, a zoning authority may not deny an application filed by one provider based on the presence of another wireless provider in a given area.

Tri-Band Handset: Phones that work on multiple frequencies, typically in the 1900 MHz, 800 MHz, and 900 MHz frequencies used in the U.S. and elsewhere.

Universal Charger Solution (UCS): Developed by the Open Mobile Terminal Platform industry standards group and adopted by GSMA, the UCS (also known as the "one-charger-fits-all") will provide an estimated 50 percent reduction in standby energy consumption. The UCS will use the Micro-USB format as the common universal charging interface and use energy efficient chargers in compliance with the U.S. "Energy Star" requirements for external power adapters. As of January 1, 2012, most of the new smartphones in the U.S. will have UCS.

UMTS (Universal Mobile Telecommunications Systems): This is third generation technology generally based on W-CDMA (Wideband Code Division Multiple Access). UMTS promises a communications speed between 384 kbps and up to about 2 Mbps.

VoIP (Voice over Internet Protocol): VoIP is a two-way communication service that can allow users to communicate via voice or video. Based on IP technology, VoIP is used to transfer a wide range of different type traffic.

Voice Recognition: The capability for wireless phones, computers and other devices to be activated and controlled by voice commands.

WAN (Wide Area Network): A general term referring to a large network spanning a country or around the world. The Internet is a WAN. A public mobile communication system such as a cellular or PCS network is a WAN.

WAP (Wireless Application Protocol): Wireless Application Protocol is a set of standards that enables wireless devices, such as phones, pagers and palm devices, to browse content from specially-coded Web pages.

W-CDMA: Wideband Code Division Multiple Access, one of two 3G standards that makes use of a wider spectrum than CDMA and therefore can transmit and receive information faster and more efficiently.

Wi-Fi® (Wireless Fidelity): Wi-Fi provides wireless connectivity over unlicensed spectrum (using the IEEE 802.11a or 802.11b standards), generally in the 2.4 and 5 GHz radio bands. Wi-Fi provides wireless Internet access to the immediate local area and is used in homes, businesses and other similar settings to allow people to go online without using a cord or wire. Wi-Fi offers local area connectivity to Wi-Fi enabled computers and devices, typically smart phones.

Wi-Max (Worldwide Interoperability for Microwave Access): A wireless technology based on the IEEE 802.16 standard providing metropolitan area network connectivity for fixed and mobile wireless access at broadband speeds.

Wireless Internet: A general term for using wireless services to access the Internet, e-mail and/or the World Wide Web.

Wireless Local Area Network (WLAN): Using radio frequency (RF) technology, WLANs transmit and receive data wirelessly in a certain area. This allows users in a small zone to transmit data and share resources, such as printers, without physically connecting each computer with cords or wires.

Wireless Private Branch Exchange (PBX): Equipment that allows employees or customers within a building or limited area to use wireless devices in place of traditional landline phones.

WLL (Wireless Local Loop): WLL is a system that connects wireless users to the public switched telephone network (PSTN) using wireless technology and other circuitry to complete the "last mile" between the wireless user and the exchange equipment. Wireless systems can often be installed faster and cheaper than traditional wired systems.

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Course Syllabus

FB [redacted] Training

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INSTRUCTORS *(for all training courses)*

- [redacted]

COURSE TOPICS

- [redacted]

b3
b7E

DESCRIPTION

- [redacted]

ORGANIZATION

This course is taught using a variety of instructional methods including [redacted]

PREREQUISITES

[redacted]

COURSE OBJECTIVES

b3
b7E

- [redacted]

CELL/OTD 028729 CELLSITE-18808

[redacted]

Course Syllabus

FBI [redacted] Training

- [redacted]

b3
b7E

CELL/OTD 028730

CELLSITE-18809

[redacted]

Course Syllabus

FBI [redacted] Training

b3
b6
b7C
b7E

INSTRUCTORS *(for all training courses)*

- [redacted]

COURSE TOPICS

- [redacted]

DESCRIPTION

- [redacted]

b3
b7E

ORGANIZATION

This course is taught using a variety of instructional methods including [redacted]

PREREQUISITES

N/A

COURSE OBJECTIVES

- [redacted]

b3
b7E

- Successfully complete student evaluation
  - Complete a written test [redacted]
  - Each student will successfully complete [redacted]

CELL/OTD 028731

The [redacted] is now available at [redacted]

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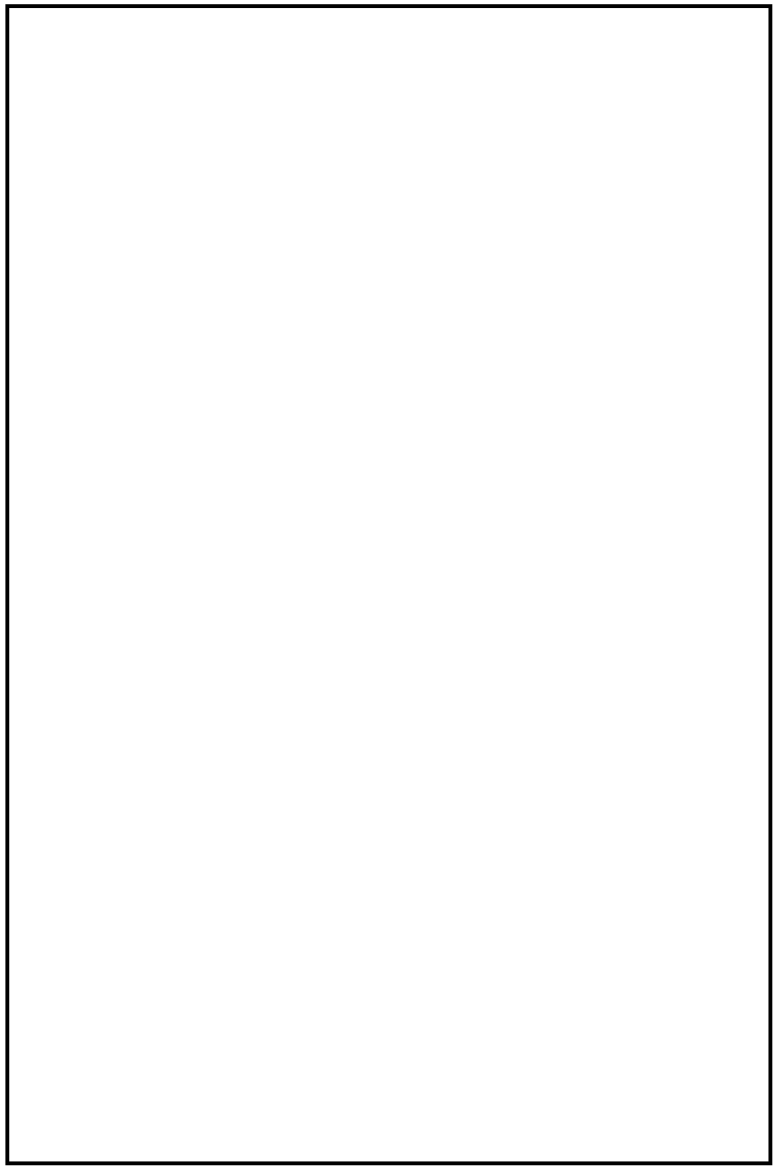
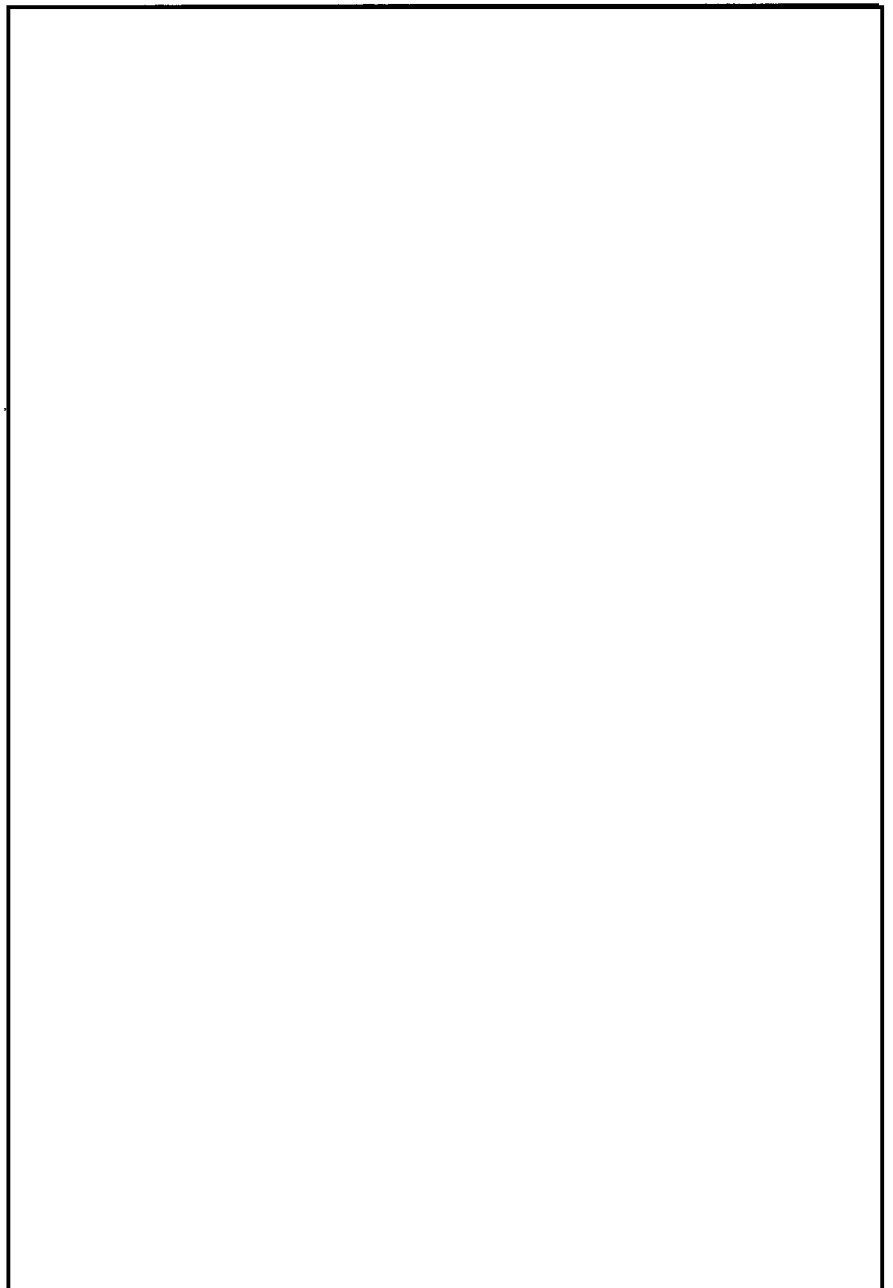
CELL/OTD 024350

QUICK START GUIDE 04/24/2007





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MANUAL

Version 1.0.0

04/23/2007

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CELL/OTD 025996

CELLSITE-19149

Hardware Installation / Parts List

[redacted] is composed of all supplies and parts as specified in Table 1.

Quantity	Description
1	[redacted]
2	
3	
4	
5	

Table 1: Parts List [redacted]

1. [redacted]

2.

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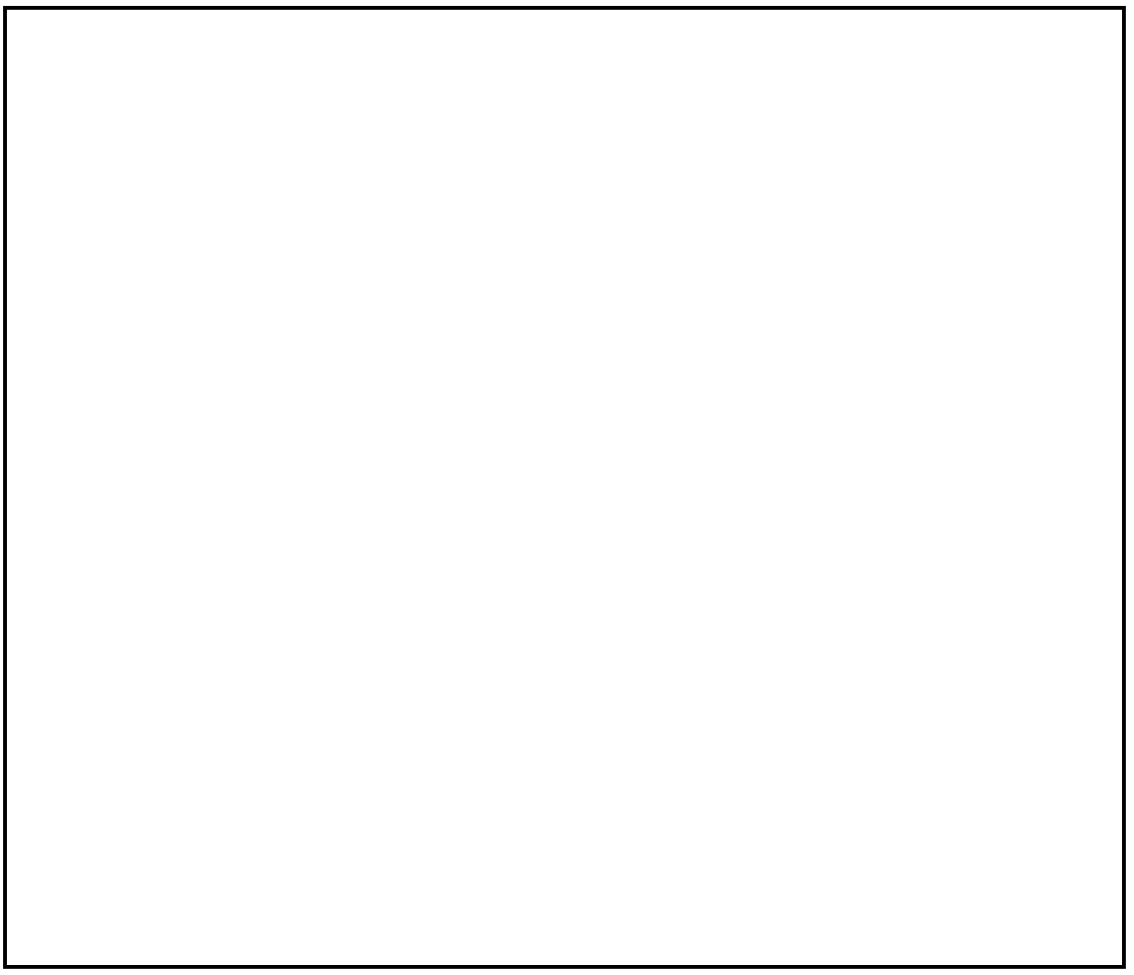

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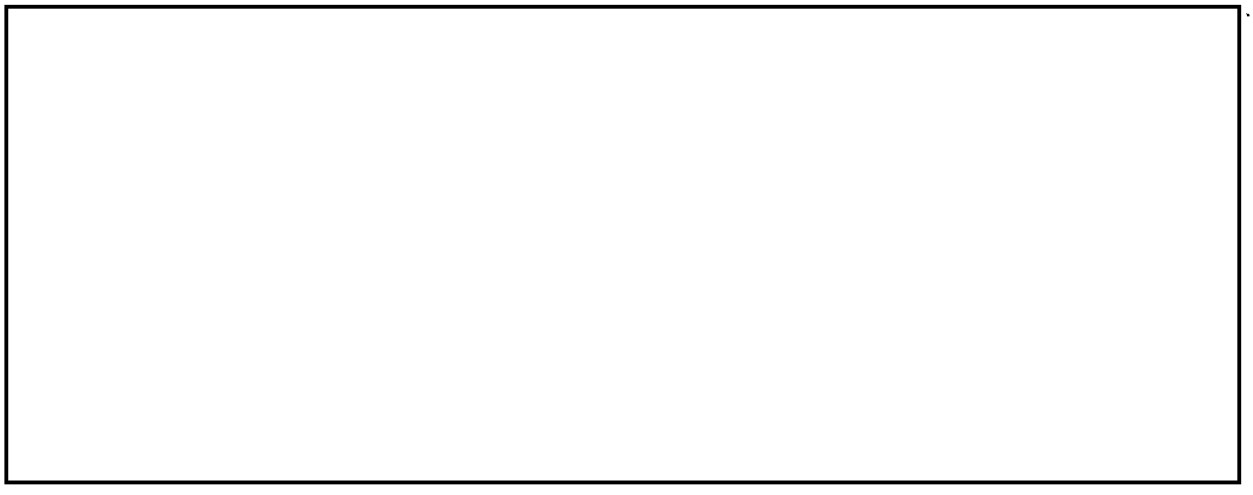
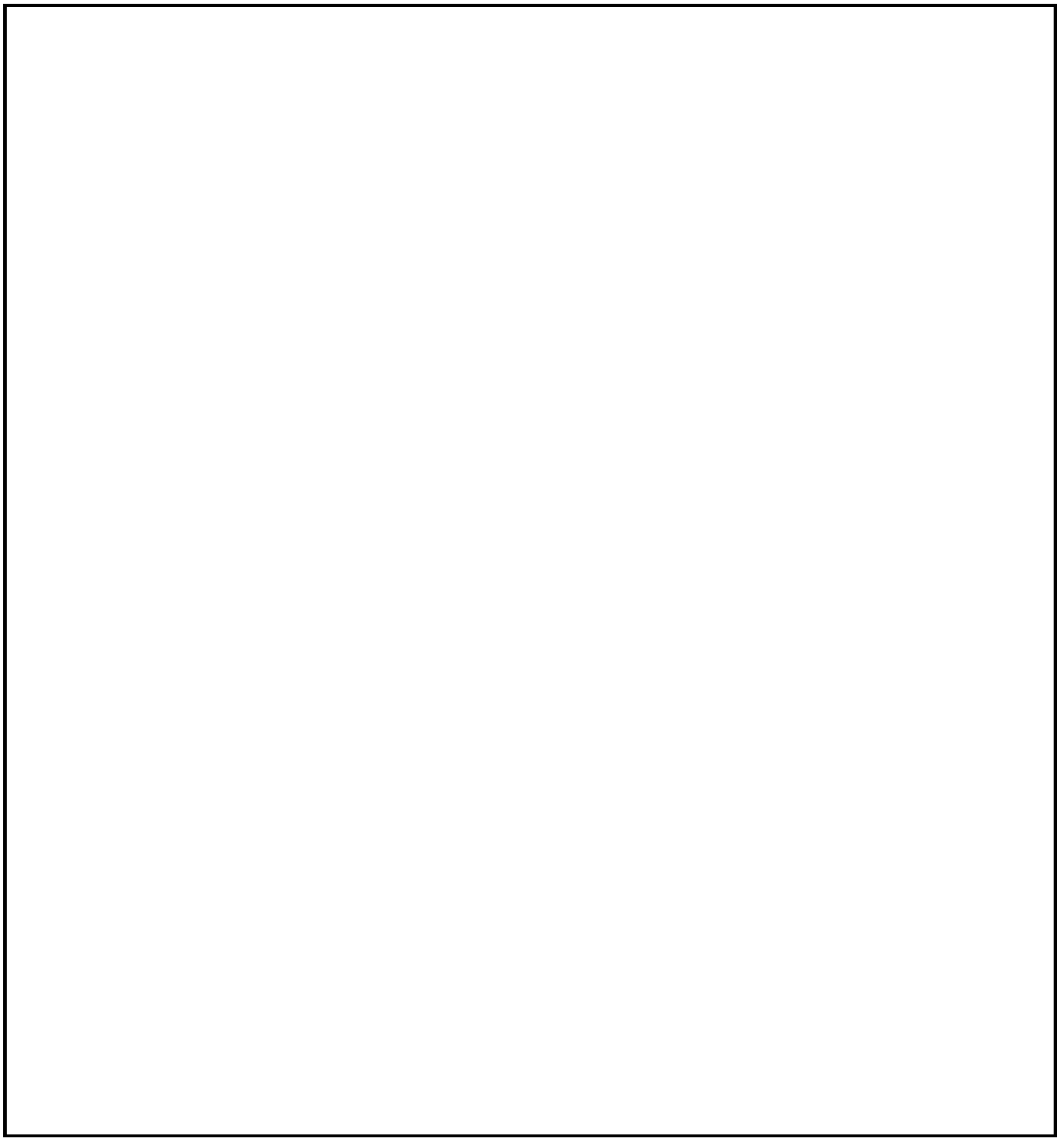
Figure 2: Hardware Connections





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TIPS and TRICKS

NOTE:

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CELL/OLD 008202

WITT

Wireless Intercept and Tracking Team

Cellular Tracking Legal Issues

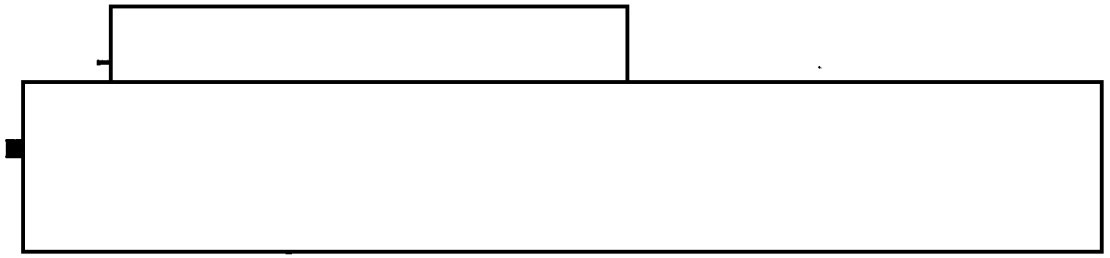
June 7, 2006

WITT
Wireless Intercept and Tracking Team

Overview

- DOJ's Policy on Cellsite Simulators: **Pen Register Device** (18 U.S.C. § 3127(3))
  - **LIABILITY RISKs & Best Practices**

b3
b7E



- Emergency Pen Register Authority
  - Federal v. State Orders
  - Voluntary Disclosures
- Loan of ELSUR Policy
  - **Liability**
- Protecting Sensitive Techniques
  - Use as evidence

CELL/OTD 008203

CELLSITE-11672

WITT
Wireless Intercept and Tracking Team

New DOJ Opinion:

b3
b5
b7E

DOJ/CCIPS: Pen/Trap **order** [redacted] a Pen Register Device) to obtain any "signaling information" transmitted from a cellular telephone to:

1) Identify a target phone **or**
2) Locate a phone

DOJ: **"signaling information"** is any non-content information "transmitted by" a telephone instrument

CELL/OTD 008206

CELLSITE-11675

WITT Pen Register— BEST PRACTICES

BEST PRACTICES:

Use PR/TT order to authorize use of WITT gear

- authorize installation & use
- Advise of potential
- Not retain records beyond use to locate target phone?

b3
b7E
b5

CELL/OTD 002209

WITT
Wireless Intercept and Tracking Team

What is Cell site location data

- is generated by the network for network purposes regardless of a LE order.
- is necessary to Provision of Service & a call cannot be processed without it.
- exists in the network as a **RECORD** prior to its being obtained by LE.
- has no relationship to the content of a communication.
- is delivered to LE under CALEA only at the beginning and end of calls.

CELL/OTD 000214

CELLSITE-11683

WITT
Wireless Intercept and Tracking Team

Cellsite Court Decisions

b3
b5
b7E

- CALEA prohibits collecting location information "solely pursuant" to a PR/TT
- 18 USC 2703(d) (stored communication act)

CELL/OTD 008218

CELLSITE-11687

WITT
Wireless Intercept and Tracking Team

CALEA Delivery of location data

- **Near Real-Time**: CALEA requires carriers to "expeditiously isolates"
  - "call-identifying information": includes cell site information utilized in processing calls
  - for government access "before, during, or immediately after the transmission of a [ ] communication" (i.e., in real-time or near real-time)
- CALEA Standard: location information is delivered after generation of data by the carrier's network and use in the provision of service (e.g., call origination, Answer, call release)

CELL/OTD 008219

CELLSITE-11688

WITT
Wireless Intercept and Tracking Team

Guidance

- [redacted]

b3
b5
b7E

- **AND Use a PR/TT order for WITT gear**
  - [redacted]
    - Advise of [redacted]
    - Not retain records

222000 010/7133

WITT
Wireless Intercept and Tracking Team

Alternative authority

b3
b5
b7E

Consent (18 USC 3121(b)(3))

Voluntary Disclosure by Provider under 18 USC 2702(c)(4) : if provider "reasonably believes that an emergency involving immediate danger of death or serious physical injury to any person justifies the disclosure of" "a record or other information pertaining to a subscriber or customer of such service."

CELL/OTD 008223

CELLSITE-11692

Emergency Provision

§ 3125(a)(1)

- [redacted]
  - DOJ command Center [redacted] or OEO (business hours)
    [redacted]
- Emergencies involving:
  - Immediate danger of death or serious injury

b3
b5
b7E

[redacted]

- [redacted]
- MIOG, Part 2, 10-10.7.1 [redacted]
- [redacted]

CELL/OTD 008224

WITT
Wireless Intercept and Tracking Team

Purge [redacted] Data

[redacted]

Amendment rights & Minimize [redacted] data

b3
b5
b7E

[redacted]

[redacted]

CELL/010 008226

CELLSITE-11695

WiTT
Wireless Intercept and Tracking Team

- Maintaining/Purging "Pen" data?

b3
b5
b7E

CELL/OTD 008227

CELLSITE-11696

WITT

Wireless Intercept and Tracking Team

[redacted]

[redacted]

[redacted]

[redacted]

b3
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[redacted] Therefore, pursuant to 18 U.S.C. § 3123(d), I request that this application and order be sealed until otherwise ordered by this court; and

[redacted]

CELL/OTD 008228

WITT
Wireless Intercept and Tracking Team

4th Amendment Privacy Interest

- [redacted] Smith v. Maryland, 442 U.S. 435, 744 (1979).
  - no legitimate expectation of privacy in information knowingly conveyed to a third party
  - In re Digital Analyzer found "[n]o logical distinction between telephone numbers called and a party's own telephone number (or ESN number), all of which are regularly voluntarily exposed and known to others. 885 F. Supp. at 199 (citing Smith v. Maryland, 442 U.S. 735, 742-45 (1979)).

b3
b5
b7E

[redacted]

CELL/OTD 008229

CELLSITE-11698

- *Qualified* Government Privilege in Non-disclosure based on ***Roviaro v. United States*, 353 U.S. 53 (1957):** disclosure of identity (and testimony) of informant.
  - Generally technique, type of device, location of install, etc. is protected b3 b5 b7E
    - unless Defense can establish disclosure is necessary to defense, I.e., no other/adequate means to cross-examine/test evidence; if so:
    - then Balancing of interests
  -
  - see also Jayme S. Walker "The qualified privilege to protect sensitive investigative techniques from disclosure," LEB Vol 69 NO.5 at 26 (May 2000).

CELLSITE-11702
CELL/OTD 008233

WITT
Wireless Intercept and Tracking Team

Qualified Privilege

- **Compare, United States v. Van Horn**, 789 F.2d 1492 (11th Cir.), cert. denied, 479 U.S. 854 (1986) (concealed microphone in office, defendant sought information about location of device claiming necessary to demonstrate that voices on tape could have been distorted by way mic was hidden and the distortion led to misidentification of the voice), recognized a qualified government privilege not to disclose sensitive investigative techniques. b3 b5 b7E

  -
  -

- **With United States v. Foster**, 986 F.2d 541, 543 (D.C. Cir. 1993) (defendant sought location of observation post: officer's observation of drug transaction was key evidence implicating defendant; surveillance not taped or photographed, so no alternative evidence for jury to examine to determine whether surveillance post provided clear view from which officer could make accurate identification of defendant).

CELLSITE-11703

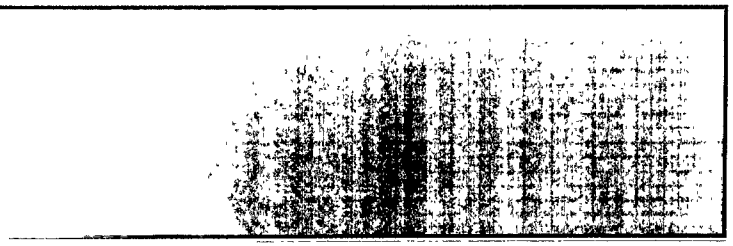
WITT
Wireless Intercept and Tracking Team

Qualified Privilege (cont).

- U.S. v. Garey, 2004 WL 2663023 (M.D.Ga. Nov. 15, 2004)
  - Defendant sought nature & details of pen register used to determine the geographical location of a cellular phone
  - Court found the information protected by qualified investigative techniques privilege & national security privilege
  - Balanced government's interest in maintaining privilege with Defendant's need for the information
- Defendant had the Product of the Surveillance: the cellphone used in making threatening calls was found in defendant's house during search of residence;
  - Defendant did not need to know how the technology traced the geographic location of the phone.
  - locating the phone in the residence confirmed the accuracy of the geographic surveillance;
  - Moreover,Defendant could challenge the technology used to establish that phone found in residence was the one that actually made the criminal calls.

CELL/OID 008235

CELLSITE-11704



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b6
b7C
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CELL/OTD 008239

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2006 Annual Conference

June 6, 2006

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CELL/OTD 002640

Agenda

b3
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CELL/OTD 00824

RESOURCE

- [redacted]
- - Recent Orders, commentary, and guidance regarding law enforcement's ability to obtain the [redacted]

b3
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b7E

CELL/OTD 008242

Court ISSUES:

1. CALEA prohibits collecting location information "solely pursuant" to a PR/TT
2. 18 USC 2703(d) (stored communications act)
3

b3
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CELL/OTD 008244

What is Cell site location data

- is generated by the network for network purposes regardless of a LE order.
- is necessary to Provision of Service & a call cannot be processed without it.
- exists in the network as a RECORD prior to its being obtained by LE.
- has no relationship to the content of a communication.
- is delivered to LE under CALEA only at the beginning and end of calls.

FBI

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CELL/OTD 000245

Carrier's use Location Data in Provision of Service

2 primary forms of location information are supported by wireless networks for various reasons:

1. Serving System: Information regarding the serving system/provider.
2. Tower/Sector information associated with the cell site tower supporting service to the user

CELL/OTD 000246

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Cell Site Data from Provider Pursuant to CALEA STD

- CALEA: technical standard for location parameters (J-STD-025) (http://www.tiaonline.org/standards/search_results2.cfm?document_no=J-STD-025-A www.tiaonline.org)
  - **Origination** (of an outgoing call from target phone)
  - **Answer** (at answer of a call terminating to the target phone)
  - **Release** (at the end of the call for both incoming and outgoing calls)

CELL/OTD 008249

FBI

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b7E

CALEA Delivery of location data

- **Near Real-Time**: CALEA requires carriers to "expeditiously isolates"
  - "call-identifying information": includes cell site information utilized in processing calls
  - for government access "before, during, or immediately after the transmission of a [ ] communication" (i.e., in real-time or near real-time)
- CALEA Standard: location information is delivered after generation of data by the carrier's network and use in the provision of service (e.g., call origination, Answer, call release)

CELL/OTD 008254

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b7E

Legislative Initiative

- DOJ/CCIPS: amend 2703 to ADD new (h)

[redacted]

- [redacted]

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b7E

CCLA/010 002690

Guidance (cont.)

Use PR/TT order for use of WITT gear

- authorize installation & use
- Advise of potentia
- Not retain records beyond use to locate target phone?

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SECRET/NOFORN 0082

Emergency Provision
18 U.S.C. § 3125(a)(1)

[redacted]

DOJ command Center [redacted] or OEO (business hours) [redacted]

- Emergencies involving:
  - Immediate danger of death or serious injury

[redacted]

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b7E

- [redacted]

[redacted]

CELL/OIO 008268

Alternative authority

Consent (18 USC 3121(b)(3) PR/TT)

Voluntary Disclosure by Provider under 18 USC 2702(c)(4)

: if provider "reasonably believes that an emergency involving immediate danger of death or serious physical injury to any person justifies the disclosure of" "a record or other information pertaining to a subscriber or customer of such service."

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CELLXOTD 008270

FBI

-11739

Contact Info:

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b6
b7C

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•DOJ (CCIPS): www.cybercrime.gov

FBI

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FILE/OIO 008271

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ON 04-03-2013

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WITT

Wireless Intercept and Tracking Team

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CELL/OTD 008943

WITT Overview

August 29, 2006

~~SECRET~~

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Cvm

From:
Sent:
To:
Cc:
Subject:

WIF
-b6
-b7(C)
-b5;
Anup
Dpp
-b7(E)

From:
Sent:
To:
Cc:
Subject:

1

Cvm
WIF
-b6
-b7(C)
-b5;
Anup
Dpp
-b7(E)

From: [redacted] [mailto [redacted] @ic.fbi.gov]
Sent: Tuesday, March 15, 2011 12:15 PM
To: [redacted]
Cc: [redacted] (FBI)
Subject: RE: go by

b6 per FBI
b7C

Prep to FBI
-b6
-b7(C)

[redacted]

b3 per FBI
b7E
b5

[redacted]

Any thoughts?

b5 per FBI
b7E

CELLSITE-13627

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

Total Deleted Page(s) = 6
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AFFIDAVIT OF SUPERVISORY SPECIAL AGENT BRADLEY S. MORRISON

1. I, Bradley S. Morrison, am a Supervisory Special Agent with the Federal Bureau of Investigation. I am assigned as the Unit Chief of the Tracking Technology Unit (TTU), Traditional Technology Section, Operational Technology Division in Quantico, Virginia. I have been an FBI Special Agent since 1996. As the Unit Chief of the TTU, I am responsible for the development, procurement and deployment of technical assets and capabilities to covertly locate, tag and track targets of interest in support of all FBI investigative, intelligence collection and operational programs. As part of these duties, I am responsible for overseeing deployment and monitoring policy compliance governing the FBI's use of equipment to locate cellular devices.

2. On July 16, 2008, FBI technical personnel used equipment to locate an aircard believed to be used by the defendant in this matter, and that equipment falls within the statutory definition of a pen register/trap and trace device. The actual make and model of the equipment used in any particular operation by the FBI is law enforcement sensitive, and pursuant to FBI policy, cannot be released to the general public.

3. As a pen register/trap and trace device, as defined in 18 U.S.C. §§ 3127(3) and (4), the equipment used in this case can only record, decode or capture electronic impulses which identify the originating number of a source of electronic communications, or other

CELLSITE-13634

dialing, routing, signaling and addressing information utilized in the processing and transmitting of electronic communications. To comply with the legal definition of a pen register/trap and trace device, the equipment used in this case is unable to upload, encode or write any information to a target device. If the equipment were capable of these functions, it would no longer be in compliance with the statutory definition of a pen register/trap and trace device. Therefore, the equipment used in this case is technologically unable to take any action to reprogram the hardware or software in the aircard or the defendant's laptop.

4. Further, 18 U.S.C. §§ 3127(3) and (4) specifically prohibit pen register or trap and trace devices from recording, decoding or capturing the substantive content of any communication. Were the equipment to do this, by statute, it would no longer be a pen register/trap and trace device. Instead, it would be an electronic intercept device regulated by Title III. To ensure that the content of communications is not intercepted, in accordance with 18 U.S.C. §3121(c), all pen register/trap and trace devices used by government agencies must be restricted from recording or decoding any data or impulses not strictly related to the dialing, routing, signaling or addressing information utilized in the processing or transmitting of wire or electronic communications. The equipment used in this case was in compliance with the requirements of the statutes cited above. Therefore, the pen register/trap and trace equipment used to locate the defendant's aircard did not capture, collect, decode, view, or otherwise obtain any content transmitted from

CELLSITE-13635

the aircard, and therefore was unable to pass any of this information from the aircard to Verizon Wireless.

5. FBI policy requires that at the conclusion of a location operation, FBI technical personnel are to purge all data stored in the pen register/trap and trace equipment. During a location operation, the electronic serial numbers (ESNs) (or their equivalent) from all wireless devices in the immediate area of the FBI device that subscribe to a particular provider may be incidentally recorded, including those of innocent, non-target devices. Purging is done by the FBI as an additional, internal procedural safeguard to ensure (1) that the privacy rights of those innocent third parties are maintained, (2) that the FBI does not store or maintain pen register/trap and trace data beyond the scope of its legal authorization, or (3) that the FBI does not collect information about individuals who are not the subject of criminal or national security investigations.

6. I declare under penalty of perjury that the foregoing facts are true and correct.

10/27/11
Date

Bradley S. Morrison
Supervisory Special Agent
FBI

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FEDERAL BUREAU OF INVESTIGATION
FOI/PA
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FOI/PA# 1212582-1

Total Deleted Page(s) = 55
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Page 3 ~ Duplicate - 1195589-Finance-10, p. 88;
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Page 32 ~ Duplicate - 1211586-NDA-1, p.2 & following;
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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[DATE], 2010

[NAME OF [TITLE] NAME]
[ADDRESS]
[CITY, STATE, ZIP CODE]

Re: and Non-Disclosure Obligations

Dear [NAME OF

b3
b7E

We have been advised by of the must advance coordinate with the Federal Bureau of Investigation (FBI) the

ALL INFORMATION CONTAINED
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DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Tuesday, May 31, 2011 2:58 PM
To: [redacted]
Subject: RE: NON-DISCLOSURE AGREEMENT [redacted] --- UNCLASSIFIED//FOUO

b6
b7C
b7E

Classification: UNCLASSIFIED//FOUO
==========

Sorry, Most of my message got cut off. Do you want to meet first to discuss this, BEFORE we set up a meet and greet with the [redacted]. I'm free all day tomorrow.

[redacted]

From: [redacted]
Sent: Tuesday, May 31, 2011 2:15 PM
To: [redacted]
Subject: RE: NON-DISCLOSURE AGREEMENT [redacted] -- UNCLASSIFIED//FOUO

Classification: UNCLASSIFIED//FOUO
==========

b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

[redacted]

Should we schedule a meeting with [redacted] (I think [redacted] has dealt with [redacted] in the past) to talk about this? It would be a good opportunity for a meet and greet.

Thanks,

[redacted]

UNCLASSIFIED
NON-RECORD

CELL/OTD 018606

From: [redacted] (OTD) (FBI)
Sent: Tuesday, May 31, 2011 11:45 AM
To: [redacted]
Cc: [redacted]
Subject: NON-DISCLOSURE AGREEMENT [redacted] -- UNCLASSIFIED//FOUO

Classification: UNCLASSIFIED//FOUO
==========

I am inquiring as to how you would like me to proceed. I have a request from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] can be made by [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted] have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted]/FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted]

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b7C
b7E

If I can answer any question feel free to contact me directly @ [redacted]

<< File: NDA [redacted] 20101123.doc >> << File: Document.pdf >>

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Classification: UNCLASSIFIED//FOUO

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Classification: UNCLASSIFIED//FOUO

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Classification: UNCLASSIFIED//FOUO

CELL/OTD 018608

Case ID Subfile Name Status Date Opened Last Date Reopened Date Closed

(U) 268-HQ-1068430-C (S) TRAINING P 12/23/2003

(U) 268-HQ-1068430-D (S) LIAISON P 06/14/2004

(U) 268-HQ-1068430-E (S) NON-DISCLOSURE AGREEMENTS P 05/17/2011

DECLASSIFIED BY NSICG F54M93K42
ON 04-08-2013

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HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY N3ICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] OTD) (FBI)
Sent: Friday, June 24, 2011 9:33 AM
To: [redacted]
Cc:
Subject: Non-Disclosure --- UNCLASSIFIED

Classification: UNCLASSIFIED
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b7E

GENTS:

I am inquiring as to how you would like me to proceed. I have a request from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] can be made by [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted] have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted] FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted]

If I can answer any question feel free to contact me directly @ [redacted]

NDA [redacted] WIT... Document.pdf

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted] **office**
cell
"Factum Non Verbum"

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Classification: UNCLASSIFIED

CELL/OTD 018601

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Friday, June 24, 2011 9:27 AM
To: [redacted]
Cc:
Subject: Non-Disclosure Agreement --- UNCLASSIFIED

Classification: UNCLASSIFIED
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GENTS:

I am inquiring as to how you would like me to proceed. I have a request from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] can be made by [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted] have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted]/FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted]

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b7C
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If I can answer any question feel free to contact me directly @ [redacted]

NDA [redacted] WIT...

Document.pdf

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted] **office**
cell
"Factum Non Verbum"

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Classification: UNCLASSIFIED

CELL/OTD 018602

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] OTD) (FBI)
Sent: Monday, June 20, 2011 1:24 PM
To: [redacted]
Cc:
Subject: [redacted] NDA --- UNCLASSIFIED//FOUO

Classification: UNCLASSIFIED//FOUO
==========

GENTS: HERE WE GO AGAIN..

I am inquiring as to how you would like me to proceed. I have a request from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] can be made by [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted] have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted] FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted]

b3
b6
b7C
b7E

If I can answer any question feel free to contact me directly @ [redacted]

NDA [redacted] WIT... Document.pdf

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted] **office**
cell
"Factum Non Verbum"

==========
Classification: UNCLASSIFIED//FOUO

CELL/OTD 018603

CELLSITE-20944

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] OTD) (FBI)
Sent: Tuesday, June 14, 2011 9:35 AM
To: [redacted]
Cc:
Subject: Execution of NDA --- UNCLASSIFIED//FOUO

Classification: UNCLASSIFIED//FOUO

NDA [redacted] WIT... Document.pdf

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I am inquiring as to how you would like me to proceed. I have a request from [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted] have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted] FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted]

If I can answer any question feel free to contact me directly @ [redacted]

Classification: UNCLASSIFIED//FOUO

CELL/OTD 018604

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] OTD) (FBI)
Sent: Tuesday, June 28, 2011 8:51 AM
To: [redacted]
Cc:
Subject: Non-Disclosure [redacted] -- UNCLASSIFIED//FOUO

Classification: UNCLASSIFIED//FOUO

Document.pdf

NDA [redacted] WIT...

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b7C
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GENTS:

I am inquiring as to how you would like me to proceed. I have a request from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted] have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted] FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted] Signed NDS return to TTU for action.

If I can answer any question feel free to contact me directly @ [redacted]

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted] **office**
cell
"Factum Non Verbum"

Classification: UNCLASSIFIED//FOUO

CELL/OTD 018597

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Tuesday, June 28, 2011 8:02 AM
To: [redacted]
Cc:
Subject: Non-Disclosure --- UNCLASSIFIED//FOUO

Classification: UNCLASSIFIED//FOUO
==========

GENTS: (another request) Not sure if I have the correct individuals:

I am inquiring as to how you would like me to proceed. I have a request from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted] have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted]/FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted]

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b7E

If I can answer any question feel free to contact me directly @ [redacted]

Document.pdf NDA [redacted] wit...

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted] **office**
cell
"Factum Non Verbum"

==========
Classification: UNCLASSIFIED//FOUO

CELL/OTD 018598

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Monday, June 27, 2011 12:54 PM
To: [redacted]
Cc:
Subject: FW: Execution of NDA --- UNCLASSIFIED//FOUO

Classification: UNCLASSIFIED//FOUO

[redacted]

[redacted] asked that I handle this matter for the [redacted] who supervises the WITT [redacted] regarding the NDA. He asked that we wait until after July 1 to execute the NDA as [redacted] I will work with [redacted] to complete all required paperwork. If there are any issues with [redacted] please let me know. Thanks. b3 b6 b7C b7E

[redacted]

From: [redacted]
Sent: Thursday, June 23, 2011 2:40 PM
To: [redacted]
Subject: FW: Execution of NDA --- UNCLASSIFIED//FOUO

Classification: UNCLASSIFIED//FOUO

See attached

From: [redacted] (OTD) (FBI)
Sent: Tuesday, June 14, 2011 9:35 AM
To: [redacted]
Cc:
Subject: Execution of NDA --- UNCLASSIFIED//FOUO b3 b6 b7C b7E

Classification: UNCLASSIFIED//FOUO

NDA [redacted] WIT...

Document.pdf

CELL/OTD 018599

I am inquiring as to how you would like me to proceed. I have a request from [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted] have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted] FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted]

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If I can answer any question feel free to contact me directly @[redacted]

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Classification: UNCLASSIFIED//FOUO

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Classification: UNCLASSIFIED//FOUO

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Classification: UNCLASSIFIED//FOUO

CELL/OTD 018600

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Friday, July 22, 2011 6:30 AM
To: [redacted]
Cc:
Subject: [redacted] Non-Disclosure Agreement --- UNCLASSIFIED

Classification: UNCLASSIFIED
==========

[redacted] I cannot locate your ASAC [redacted] in the address look up. Need your assistance.

I am inquiring as to how you would like me to proceed. I have a request from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted] have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted]/FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted]

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If I can answer any question feel free to contact me directly @ [redacted]

NDA [redacted] WIT...

Document.pdf

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted] **office**
cell
"Factum Non Verbum"

==========
Classification: UNCLASSIFIED

CELL/OTD 018589

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Tuesday, July 19, 2011 2:56 PM
To: [redacted]
Cc:
Subject: [redacted] Non-Disclosure --- UNCLASSIFIED

Classification: UNCLASSIFIED
==========

GENTS:

I am inquiring as to how you would like me to proceed. I have a request from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted] have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted]/FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted]

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If I can answer any question feel free to contact me directly @ [redacted]

Document.pdf NDA [redacted] WIT...

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted] **office**
cell
"Factum Non Verbum"

==========
Classification: UNCLASSIFIED

CELL/OTD 018590

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Tuesday, July 19, 2011 2:52 PM
To: [redacted]
Cc:
Subject: [redacted] Non-Disclosure Agreement --- UNCLASSIFIED

Classification: UNCLASSIFIED
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NDA_[redacted]WIT... Document.pdf

Gents: Here we go again.. Thanks for the CONTINUED support.

I am inquiring as to how you would like me to proceed. I have a request from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted] have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted]/FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted]

b3
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If I can answer any question feel free to contact me directly @ [redacted]

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted] **office**
cell
"Factum Non Verbum"

==========
Classification: UNCLASSIFIED

CELL/OTD 018591

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Tuesday, July 26, 2011 10:50 AM
To: [redacted]
Cc:
Subject: RE: Non-Disclosure [redacted] --- UNCLASSIFIED//FOUO

Classification: UNCLASSIFIED//FOUO
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b6
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Thanks. I just received another request from the [redacted] Do you desire OTD to handle this

Document.pdf

[redacted] As discussed you will need to handle the [redacted] and await word from ASAC [redacted] on the [redacted]

From: [redacted]
Sent: Wednesday, June 29, 2011 6:42 PM
To: [redacted]
Subject: RE: Non-Disclosure [redacted] --- UNCLASSIFIED//FOUO

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Classification: UNCLASSIFIED//FOUO
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[redacted]

I would appreciate you executing the NDA with the [redacted] it would be beneficial to have you as the WITT [redacted] manager and SME to address these issues directly.

Additionally, I would be proud to showcase the use of WITT [redacted] I'm sure SSA [redacted] along with [redacted] would welcome your visit and opportunities to discuss innovative ways to improve and expand our WITT deployment as well. For example, an opportunity exists in one of our RAs to utilize WITT [redacted] Please let me know if I can help facilitate this matter in any way.

Thanks,

[redacted]

From: [redacted](OTD) (FBI)
Sent: Tuesday, June 28, 2011 5:51 AM
To: [redacted]
Cc: [redacted](OTD) (FBI)
Subject: Non-Disclosure [redacted] --- UNCLASSIFIED//FOUO

Classification: UNCLASSIFIED//FOUO
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<< File: Document.pdf >> << File: [redacted] WITT 20101123.doc >>

GENTS:

I am inquiring as to how you would like me to proceed. I have a request from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted], have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted] FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted] Signed NDS return to TTU for action.

b3
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b7C
b7E

If I can answer any question feel free to contact me directly @ [redacted]

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted] **office**
cell
"Factum Non Verbum"

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Classification: UNCLASSIFIED//FOUO

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Classification: UNCLASSIFIED//FOUO

CELL/OTD 018587

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Classification: UNCLASSIFIED//FOUO

CELL/OTD 018588

CELLSITE-20955

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Thursday, October 13, 2011 1:33 PM
To: [redacted]
Cc:
Subject: RE: Coordination for [redacted] -- UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES
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[redacted], I'll have the NDA prepared for a [redacted] signature. Should it be yours or your SAC's signature?

[redacted]

From: [redacted]
Sent: Monday, September 26, 2011 3:24 PM
To: [redacted]
Cc:
Subject: RE: Coordination for [redacted] --- UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES
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Hi [redacted]

We would like to present the NDA to [redacted] WITT [redacted] We have a working relationship with him in the past. I will have [redacted] accompany me when we present the NDA that your unit will prepare. This will give us an opportunity to provide [redacted] with an established POC with our [redacted] Thanks [redacted]

From: [redacted] (OTD) (FBI)
Sent: Friday, September 23, 2011 5:49 PM
To: [redacted]
Cc: [redacted]
Subject: Coordination for [redacted] --- UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES
==========

(U//FOUO//LES) Good day. I was notified by [redacted] that [redacted] WITT [redacted] my unit manages the [redacted] sign a nondisclosure agreement (NDA) with the FBI. I can coordinate this requirement directly with [redacted] I can provide you with the NDA and background information should your division want to lead the task.

CELL-OTD 017826

(U//FOUO//LES [redacted] but is the result of several years effort [redacted] The underlying point of the NDA is that the [redacted] are Law Enforcement Sensitive, and we don't want such information released [redacted] absent specific approval by the AD OTD. [redacted] I've attached a copy of the NDA for your review, but it is not for dissemination outside the FBI.

<< File: NDA_[redacted]WITT 08282011.pdf >>

(U) As I said above, we can pursue this in one of two ways: 1) you or your SAC can submit the NDA, which my unit will prepare, to [redacted] and have them sign the NDA, or 2) I can communicate directly with [redacted] and perform same.

(U) Please advise how you would like me to proceed or, if I can answer any questions, please contact me.

Best regards,

[redacted]

SSA [redacted]
Chief, Tracking Technology Unit
[redacted]
Operational Technology Division
office: [redacted]
mobile
I-net email: [redacted]

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

CELL-OTD 01782P

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Thursday, October 13, 2011 1:24 PM
To: [redacted]
Cc:

Subject: RE: Coordination for [redacted] - UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

Thanks, [redacted], we'll get the NDA out directly.

From: [redacted]
Sent: Monday, September 26, 2011 9:50 AM
To: [redacted]
Cc: [redacted]
Subject: RE: Coordination for [redacted] --- UNCLASSIFIED//FOUO//LES

Classification: UNCLASSIFIED//FOUO//LES

b3
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[redacted] is good with having you (OTD) go direct with this.

Thanks!

[redacted]

From: [redacted]
Sent: Monday, September 26, 2011 8:21 AM
To: [redacted]
Cc: [redacted]
Subject: RE: Coordination for [redacted] --- UNCLASSIFIED//FOUO//LES

Classification: UNCLASSIFIED//FOUO//LES

Hi [redacted]: Let me run this by the SAC and I'll get back to you.

Thanks!

[redacted]

b6
b7C
b7E

From: [redacted] (OTD) (FBI)
Sent: Friday, September 23, 2011 6:56 PM
To: [redacted]
Cc: [redacted]
Subject: Coordination for [redacted] --- UNCLASSIFIED//FOUO//LES

Classification: UNCLASSIFIED//FOUO//LES
==========

(U//FOUO//LES) Good day. I was notified by the [redacted] that [redacted] WITT [redacted], my unit manages the [redacted] sign a nondisclosure agreement (NDA) with the FBI. I can coordinate this requirement directly with [redacted] I can provide you with the NDA and background information should your division want to lead the task.

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(U//FOUO//LES) [redacted] but is the result of several years effort [redacted] The underlying point of the NDA is that the [redacted] are Law Enforcement Sensitive, and we don't want such information released [redacted] absent specific approval by the AD OTD. [redacted] I've attached a copy of the NDA for your review, but it is not for dissemination outside the FBI.

<< File: NDA [redacted] WITT 08282011.pdf >>

(U) As I said above, we can pursue this in one of two ways: 1) you or your SAC can submit the NDA, which my unit will prepare, to [redacted] and have them sign the NDA, or 2) I can communicate directly with [redacted] and perform same.

(U) Please advise how you would like me to proceed or, if I can answer any questions, please contact me.

Best regards,

[redacted]

SSA [redacted]
Chief, Tracking Technology Unit
[redacted]
Operational Technology Division
office: [redacted]
mobile

CELL/OTD 87 017829

CELLSITE-20959

I-net email: [redacted]

b6
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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

CELL-OTD 017830

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Thursday, October 13, 2011 1:23 PM
To: [redacted]
Cc:
Subject: RE: Coordination for [redacted] - UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

Hi, [redacted] please pardon my tardy response. I only know through [redacted], that the [redacted]

[redacted]

From: [redacted]
Sent: Monday, September 26, 2011 11:01 AM
To: [redacted]
Cc:
Subject: RE: Coordination for [redacted] --- UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

Do you have any additional details regarding this? I'm more curious as to the [redacted] intent. As of last week, he has [redacted]

[redacted]

From: [redacted] (OTD) (FBI)
Sent: Friday, September 23, 2011 6:43 PM
To: [redacted]
Cc: [redacted]
Subject: Coordination for [redacted] --- UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

(U//FOUO//LES) Good day. I was notified by [redacted] that the [redacted] WITT [redacted] my unit manages the [redacted] sign a nondisclosure agreement (NDA) with the FBI. I can coordinate this requirement directly with [redacted] I can provide you with the NDA and background information should your division want to lead the task.

(U//FOUO//LES) [redacted] but is the result of several years effort [redacted]

[redacted] The underlying point of the NDA is that [redacted] are Law Enforcement Sensitive, and we don't want such information released [redacted] absent specific approval by the AD OTD. [redacted] I've attached a copy of the NDA for your review, but it is not for dissemination outside the FBI.

<< File: NDA [redacted] WITT 08282011.pdf >>

(U) As I said above, we can pursue this in one of two ways: 1) you or your SAC can submit the NDA, which my unit will prepare, to [redacted] and have them sign the NDA, or 2) I can communicate directly with [redacted] and perform same.

(U) Please advise how you would like me to proceed or, if I can answer any questions, please contact me.

b3
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Best regards,

[redacted]

SSA [redacted]
Chief, Tracking Technology Unit
[redacted]
Operational Technology Division
office: [redacted]
mobile
I-net email: [redacted]

==========
Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

CELL-OTD 07852

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Thursday, October 13, 2011 1:17 PM
To: [redacted]
Cc:
Subject: RE: Coordination for [redacted] -- UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES
==========

Sorry to take so long in reply – it's been one of those fiscal year transitions... I'll have the NDA drafted for an [redacted] signature. Should it be yours or your SAC?

[redacted]

From: [redacted]
Sent: Monday, September 26, 2011 11:17 AM
To: [redacted]
Cc: [redacted]
Subject: RE: Coordination for [redacted] -- UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES
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[redacted]

Hi, if you are good with it, we will handle this as we did the [redacted] Please send up the letter and we will coord with [redacted] thx, [redacted]

From: [redacted] (OTD) (FBI)
Sent: Friday, September 23, 2011 7:06 PM
To: [redacted]
Cc: [redacted]
Subject: Coordination for [redacted] -- UNCLASSIFIED//FOUO//LES

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b7E

Classification: UNCLASSIFIED//FOUO//LES
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(U//FOUO//LES) Good day. I was notified by the [redacted] that [redacted] WITT [redacted] my unit manages the [redacted] sign a nondisclosure agreement (NDA) with the FBI. I can coordinate this requirement directly with [redacted] I can provide you with the NDA and background information should your division want to lead the task.

CELL-OTD 01733

(U//FOUO//LES) [redacted] but is the result of several years effort [redacted] The underlying point of the NDA is that the [redacted] are Law Enforcement Sensitive, and we don't want such information released [redacted] absent specific approval by the AD OTD. [redacted] I've attached a copy of the NDA for your review, but it is not for dissemination outside the FBI.

<< File: NDA_[redacted]WITT 08282011.pdf >>

(U) As I said above, we can pursue this in one of two ways: 1) you or your SAC can submit the NDA, which my unit will prepare, to [redacted] and have them sign the NDA, or 2) I can communicate directly with [redacted] and perform same.

(U) Please advise how you would like me to proceed or, if I can answer any questions, please contact me.

Best regards,

[redacted]

SSA [redacted]
Chief, Tracking Technology Unit
[redacted]
Operational Technology Division
office: [redacted]
mobile [redacted]
I-net email: [redacted]

b3
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b7C
b7E

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

CELL-OTD 017834

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Monday, September 26, 2011 7:27 AM
To: [redacted]
Cc:

Subject: RE: Coordination for [redacted]
UNCLASSIFIED//FOUO//LES

Classification: UNCLASSIFIED//FOUO//LES
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[redacted]

I would assume you want to handle this as Acting SAC. If not, please let me know.

In addition, in light of [redacted] I think it would be prudent to emphasize the need for the NDA to further protect this technique.

[redacted]

From: [redacted] (OTD) (FBI)
Sent: Friday, September 23, 2011 6:43 PM
To: [redacted]
Cc: [redacted]
Subject: Coordination for [redacted] -- UNCLASSIFIED//FOUO//LES

Classification: UNCLASSIFIED//FOUO//LES
==========

(U//FOUO//LES) Good day. I was notified by [redacted] that [redacted] WITT [redacted] my unit manages the [redacted] sign a nondisclosure agreement (NDA) with the FBI. I can coordinate this requirement directly with [redacted] I can provide you with the NDA and background information should your division want to lead the task.

(U//FOUO//LES) [redacted], but is the result of several years effort [redacted] The underlying point of the NDA is that the [redacted] are Law Enforcement Sensitive, and we don't want such information released [redacted] absent specific approval by the AD OTD. [redacted] I've attached a copy of the NDA for your review, but it is not for dissemination outside the FBI.

<< File: NDA_[redacted] WITT 08282011.pdf >>

CELL-OTD 017835

(U) As I said above, we can pursue this in one of two ways: 1) you or your SAC can submit the NDA, which my unit will prepare, to [redacted] and have them sign the NDA, or 2) I can communicate directly with [redacted] and perform same.

(U) Please advise how you would like me to proceed or, if I can answer any questions, please contact me.

Best regards,

[redacted]

SSA [redacted]
Chief, Tracking Technology Unit
[redacted]
Operational Technology Division
office: [redacted]
mobil[redacted]
I-net email: [redacted]

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b7C
b7E

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Classification: UNCLASSIFIED//FOUO//LES

==========

Classification: UNCLASSIFIED//FOUO//LES

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Wednesday, November 03, 2010 5:13 PM
To: [redacted]
Cc:
Subject: [redacted]

[redacted] is the [redacted] WITT [redacted] is our Supervisor. Myself and [redacted] have had the [redacted] WITT training. We barely are getting by with our WITT responsibilities here now. Per [redacted] that works cases and can only work [redacted] matters and will not be allowed to support this in the [redacted] We [redacted] at [redacted] are not going to be able to support it either with the curren[redacted] personnel and workload that we have. One approach out would be to create a [redacted] position at [redacted] to support this and other [redacted] matters. Best of luck on this one!

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b7E

SA [redacted]
[redacted]
Desk:
Mobile:
Email:

From: [redacted]
Sent: Wednesday, November 03, 2010 2:13 PM
To: [redacted]
Cc:
Subject: RE: [redacted] for [redacted]

b3
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b7E

[redacted]

As of this morning [redacted] told me that [redacted] is not trained in this program. I am waiting calls from the [redacted] SSA and [redacted] to explain the program to them.

[redacted] –In short, the WITT program also supports the [redacted] This is completely different than the [redacted] The WITT program requires a [redacted] as this program is not operated by the [redacted] The only thing the [redacted] does is [redacted]. We would like to get that capability in the [redacted] so that we can incorporate the school into the program.

The [redacted] resides with [redacted] and is operated by the [redacted] is the program manager for that program.

Call me with questions or if you need anything.

[redacted]

[redacted]
FBI Program Administrator
[redacted]

CELL/OTD 017843

[redacted] desk
cell

From: [redacted] (OTD) (FBI)
Sent: Wednesday, November 03, 2010 12:58 PM
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted]

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

I think it is [redacted] He asked if we could support sending a [redacted] to [redacted] where he sits and runs his program . I advised that this was possible, however, I need to know who the [redacted] WITT [redacted] would be and how it would be coordinated with the WITT [redacted] Nothing has been sent and I was awaiting word on who the WITT [redacted] would be.. If it is you can you support this..

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted]

From: [redacted]
Sent: Wednesday, November 03, 2010 12:37 PM
To: [redacted]
Subject: RE: [redacted]

It may be equipment provided to the [redacted] instead of the [redacted] in [redacted] I will inquire and let you know.

From: [redacted] (OTD) (FBI)
Sent: Wednesday, November 03, 2010 11:18 AM
To: [redacted]
Subject: RE: [redacted]

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SENSITIVE BUT UNCLASSIFIED
NON-RECORD

[redacted] Can you check with your sources and find out if the [redacted] commonly referred to as [redacted] is one of those provided by [redacted] This way I can articulate to the [redacted] exactly what is ongoing between WITT [redacted]

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted]

CELL/OTD 017844

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: THOMAS, MARCUS C. (OTD) (FBI)
Sent: Wednesday, December 09, 2009 10:36 AM
To: [redacted] COOK, PATRICK B. (OTD) (FBI); DICLEMENTE, ANTHONY P. (OTD) (FBI); [redacted]
Subject: RE: Recap of 12/4/09 Meeting with [redacted] and Confirmation of Condition Language, Etc.

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b7C
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UNCLASSIFIED
NON-RECORD

[redacted]

I am in agreement with these statements.

Marcus

Marcus C. Thomas
Assistant Director
Operational Technology Division
[redacted]

From: [redacted] (OTD) (FBI)
Sent: Tuesday, December 08, 2009 2:33 PM
To: [redacted] THOMAS, MARCUS C. (OTD) (FBI); COOK, PATRICK B. (OTD) (FBI); DICLEMENTE, ANTHONY P. (OTD) (FBI); [redacted]
Subject: RE: Recap of 12/4/09 Meeting with [redacted] and Confirmation of Condition Language, Etc.

UNCLASSIFIED
NON-RECORD

I confirm and agree with the below. I would like AD Thomas to confirm also and would respectfully request that [redacted] formally document the below in writing to the FBI/OTD.. This formal documentation will provide clarity and a recourse if any of the terms agreed to are not met in view of no actual [redacted] exists to date nor is their any indication as to a time line when [redacted] will formally [redacted]

Marcus: Can you confirm or deny..

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b6
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b7E

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted]

From: [redacted] (OGC) (FBI)
Sent: Tuesday, December 08, 2009 2:19 PM
To: [redacted] (OTD) (FBI)
Subject: Recap of 12/4/09 Meeting with [redacted] and Confirmation of Condition Language, Etc.

UNCLASSIFIED
NON-RECORD

[redacted]

CELL/OTD 017845

[redacted] **Can you confirm that you agree with my thoughts about that, so I can reconfirm to** [redacted] **if she raises it again?**

[redacted]

Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
Direct Dial: [redacted]
Fax:

b5
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b7C
b7E

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UNCLASSIFIED

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 017847

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OGC) (FBI)
Sent: Tuesday, December 08, 2009 3:59 PM
To: [redacted] (OTD) (FBI)
Subject: RE: Recent [redacted]

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UNCLASSIFIED
NON-RECORD

[redacted]

From: [redacted] (OTD) (FBI)
Sent: Tuesday, December 08, 2009 3:54 PM
To: [redacted] (OGC) (FBI)
Subject: RE: Recent [redacted]

UNCLASSIFIED
NON-RECORD

b3
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b7E

Sweat. Maybe [redacted] needs to look at that one :)

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted]

From: [redacted] (OGC) (FBI)
Sent: Tuesday, December 08, 2009 3:44 PM
To: [redacted] (OTD) (FBI)
Subject: RE: Recent [redacted]

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UNCLASSIFIED
NON-RECORD

[redacted]

From: [redacted] (OTD) (FBI)
Sent: Tuesday, December 08, 2009 3:42 PM
To: [redacted] (OGC) (FBI)
Subject: RE: Recent [redacted]

CELL-OTD 017857

UNCLASSIFIED
NON-RECORD

[redacted]

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted]

From: [redacted] (OGC) (FBI)
Sent: Tuesday, December 08, 2009 3:27 PM
To: [redacted] (OTD) (FBI)
Subject: Recent [redacted]

b3
b5
b6
b7C
b7E

UNCLASSIFIED
NON-RECORD

[redacted]

I just sent this to you on [redacted] but then realized you would not be able to read due to [redacted]

[redacted]

[redacted]
Assistant General Counsel
Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation
Direct Dial: [redacted]
Fax:

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UNCLASSIFIED

UNCLASSIFIED

CELL-OTD 017858

CELLSITE-20982

UNCLASSIFIED

UNCLASSIFIED

CELL/OTD 017859

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Monday, October 31, 2011 2:41 PM
To: [redacted]
Cc:

Subject: Coordination for [redacted]
Attachments: NDA_[redacted]08282011.pdf

Classification: UNCLASSIFIED//FOUO//LES

(U//FOUO//LES) Good day, [redacted] I was notified by the [redacted] that the [redacted], my unit manages the [redacted] sign a nondisclosure agreement (NDA) with the FBI. I can coordinate this requirement directly with [redacted] I can provide you with the NDA and background information should your division want to lead the task.

(U//FOUO//LES) [redacted] but is the result of several years effort [redacted] The underlying point of the NDA is that the [redacted] are Law Enforcement Sensitive, and we don't want such information released [redacted] absent specific approval by the AD OTD. [redacted] I've attached a copy of the NDA for your information, but it is not for dissemination outside the FBI. b3 b6 b7C b7E

(U) As I said above, we can pursue this in one of two ways: 1) you or your SAC can submit the NDA, which my unit will prepare, to [redacted] (I have the names) for signature, or 2) I can communicate directly with [redacted] and perform same.

(U) Please advise how you would like me to proceed or, if I can answer any questions, please contact me.

Best regards,

[redacted]
SSA [redacted]
Chief, Tracking Technology Unit
[redacted]
Operational Technology Division
office: [redacted]
mobile
I-net email: [redacted]

Classification: UNCLASSIFIED//FOUO//LES

CELL/OTD 017814

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Monday, October 31, 2011 2:27 PM
To: [redacted]
Cc:
Subject: RE: Coordination for [redacted] -- UNCLASSIFIED//FOUO//LES

Classification: UNCLASSIFIED//FOUO//LES
==========

[redacted]: Yes. Please handle directly.

Thanks!

[redacted]

b3
b6
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From: [redacted] (OTD) (FBI)
Sent: Monday, October 31, 2011 2:24 PM
To: [redacted]
Cc: [redacted]
Subject: RE: Coordination for [redacted] -- UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES
==========

(U//FOUO//LES) Hi, [redacted], I've another one: [redacted] advised that the [redacted] is seeking to procure a [redacted] Shall I handle directly as before?

Thanks,

[redacted]

From: [redacted] OTD) (FBI)
Sent: Thursday, October 13, 2011 1:24 PM
To: [redacted]
Cc:
Subject: RE: Coordination for [redacted] -- UNCLASSIFIED//FOUO//LES

Classification: UNCLASSIFIED//FOUO//LES
==========

Thanks, [redacted], we'll get the NDA out directly.

From: [redacted]
Sent: Monday, September 26, 2011 9:50 AM
To: [redacted]
Cc: [redacted]
Subject: RE: Coordination for [redacted] --- UNCLASSIFIED//FOUO//LES

Classification: UNCLASSIFIED//FOUO//LES
==========

[redacted] is good with having you (OTD) go direct with this.

b3
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b7C
b7E

Thanks!

[redacted]

From: [redacted]
Sent: Monday, September 26, 2011 8:21 AM
To: [redacted]
Cc: [redacted]
Subject: RE: Coordination for [redacted] --- UNCLASSIFIED//FOUO//LES

Classification: UNCLASSIFIED//FOUO//LES
==========

Hi [redacted]; Let me run this by the SAC and I'll get back to you.

b3
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b7C
b7E

Thanks!

[redacted]

CELL/OTD 017816

From: [redacted] (OTD) (FBI)
Sent: Friday, September 23, 2011 6:56 PM
To: [redacted]
Cc: [redacted]
Subject: Coordination for [redacted] --- UNCLASSIFIED//FOUO//LES

Classification: UNCLASSIFIED//FOUO//LES
==========

(U//FOUO//LES) Good day. I was notified by the [redacted] that the [redacted] WITT [redacted] my unit manages the [redacted] The key component of the approval is that [redacted] sign a nondisclosure agreement (NDA) with the FBI. I can coordinate this requirement directly with [redacted] I can provide you with the NDA and background information should your division want to lead the task.

(U//FOUO//LES) [redacted] but is the result of several years effort [redacted] The underlying point of the NDA is that the [redacted] are Law Enforcement Sensitive, and we don't want such information released [redacted] absent specific approval by the AD OTD. [redacted] I've attached a copy of the NDA for your review, but it is not for dissemination outside the FBI. b3 b6 b7C b7E

<< File: NDA_[redacted]WITT 08282011.pdf >>

(U) As I said above, we can pursue this in one of two ways: 1) you or your SAC can submit the NDA, which my unit will prepare, to [redacted] and have them sign the NDA, or 2) I can communicate directly with [redacted] and perform same.

(U) Please advise how you would like me to proceed or, if I can answer any questions, please contact me.

Best regards,

[redacted]

SSA [redacted]
Chief, Tracking Technology Unit
[redacted]
Operational Technology Division
office: [redacted]
mobile
I-net email: [redacted]

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

CELL/OTD 017817

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

CELL/OTD 017818

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Monday, October 31, 2011 3:36 PM
To: [redacted]
Subject: RE: Coordination for [redacted]

Classification: UNCLASSIFIED//FOUO//LES

[redacted]

I will get back to you with how I want to handle this. Do you have a deadline?

b3
b6
b7C
b7E

[redacted]

"THE MAN WHO THINKS HE CAN LIVE WITHOUT OTHERS IS MISTAKEN; THE MAN WHO THINKS OTHERS CAN'T LIVE WITHOUT HIM IS EVEN MORE DELUDED" ~ ANONYMOUS

From: [redacted] (OTD) (FBI)
Sent: Monday, October 31, 2011 11:41 AM
To: [redacted]
Cc: [redacted]
Subject: Coordination for [redacted]

b3
b6
b7C
b7E

Classification: UNCLASSIFIED//FOUO//LES

(U//FOUO//LES) Good day, [redacted] I was notified by the [redacted] that the [redacted] my unit manages the [redacted] sign a nondisclosure agreement (NDA) with the FBI. I can coordinate this requirement directly with [redacted] I can provide you with the NDA and background information should your division want to lead the task.

(U//FOUO//LES) [redacted] but is the result of several years effort [redacted] The underlying point of the NDA is that the [redacted] are Law Enforcement Sensitive, and we don't want such information released [redacted] absent specific approval by the AD OTD. [redacted] I've attached a copy of the NDA for your information, but it is not for dissemination outside the FBI.

CELL/OTD 017808

(U) As I said above, we can pursue this in one of two ways: 1) you or your SAC can submit the NDA, which my unit will prepare, to [redacted] (I have the names) for signature, or 2) I can communicate directly with [redacted] and perform same.

(U) Please advise how you would like me to proceed or, if I can answer any questions, please contact me.

Best regards,

[redacted]

SSA [redacted]
Chief, Tracking Technology Unit
[redacted]
Operational Technology Division
office: [redacted]
mobile
I-net email: [redacted]

b6
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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

CELL-OTD 017809

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Monday, October 31, 2011 2:45 PM
To: [redacted]
Cc:
Subject: FW: Coordination for [redacted]
UNCLASSIFIED//FOUO//LES

Classification: UNCLASSIFIED//FOUO//LES
==========

[redacted], please prepare NDA for [redacted] signature. This is [redacted], so some words might need to be changed to make sense (i.e. they're not [redacted]

From [redacted]
Sent: Monday, October 31, 2011 2:27 PM
To: [redacted]
Cc: [redacted]
Subject: RE: Coordination for [redacted] -- UNCLASSIFIED//FOUO//LES

b3
b6
b7C
b7E

Classification: UNCLASSIFIED//FOUO//LES
==========

[redacted] Yes. Please handle directly.

Thanks!

[redacted]

From: [redacted] (OTD) (FBI)
Sent: Monday, October 31, 2011 2:24 PM
To: [redacted]
Cc: [redacted]
Subject: RE: Coordination for [redacted] -- UNCLASSIFIED//FOUO//LES

Classification: UNCLASSIFIED//FOUO//LES
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CELL/OTD 017810

(U//FOUO//LES) Hi, I've another one: advised that the is seeking to procure a Shall I handle directly as before?

Thanks,

From: (OTD) (FBI)
Sent: Thursday, October 13, 2011 1:24 PM
To:
Cc:
Subject: RE: Coordination for --- UNCLASSIFIED//FOUO//LES

b3
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b7E

Classification: UNCLASSIFIED//FOUO//LES

Thanks we'll get the NDA out directly.

From:
Sent: Monday, September 26, 2011 9:50 AM
To:
Cc:
Subject: RE: Coordination for -- UNCLASSIFIED//FOUO//LES

b3
b6
b7C
b7E

Classification: UNCLASSIFIED//FOUO//LES

is good with having you (OTD) go direct with this.

Thanks!

From:
Sent: Monday, September 26, 2011 8:21 AM
To:
Cc:
Subject: RE: Coordination for -- UNCLASSIFIED//FOUO//LES

CELL/OTD 017811

Classification: UNCLASSIFIED//FOUO//LES
==========

Hi [ ] Let me run this by the SAC and I'll get back to you.

Thanks!

[ ]

b6
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b7E

From: [ ] (OTD) (FBI)
Sent: Friday, September 23, 2011 6:56 PM
To: [ ]
Cc: [ ]
Subject: Coordination for [ ] --- UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES
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(U//FOUO//LES) Good day. I was notified by the [ ] that the [ ] WITT [ ] my unit manages the [ ] sign a nondisclosure agreement (NDA) with the FBI. I can coordinate this requirement directly with [ ] I can provide you with the NDA and background information should your division want to lead the task.

(U//FOUO//LES) [ ] but is the result of several years effort [ ] The underlying point of the NDA is that the [ ] are Law Enforcement Sensitive, and we don't want such information released [ ] absent specific approval by the AD OTD. [ ] I've attached a copy of the NDA for your review, but it is not for dissemination outside the FBI.

<< File: NDA_[ ]WITT 08282011.pdf >>

(U) As I said above, we can pursue this in one of two ways: 1) you or your SAC can submit the NDA, which my unit will prepare, to [ ] and have them sign the NDA, or 2) I can communicate directly with [ ] and perform same.

(U) Please advise how you would like me to proceed or, if I can answer any questions, please contact me.

Best regards,

[ ]

SSA [ ]

CELL-OTD 017812

Chief, Tracking Technology Unit
[redacted]
Operational Technology Division
office: [redacted]
mobile [redacted]
I-net email: [redacted]

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

CELL-OTD 017813

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Wednesday, November 23, 2011 1:57 PM
To: [redacted]
Cc:
Subject: FW: Coordination for [redacted]

Classification: UNCLASSIFIED//FOUO//LES
==========

[redacted] please prepare the NDA using the following updated template:

NDA [redacted] 112320...

Thanks.

From: [redacted]
Sent: Tuesday, November 22, 2011 2:12 PM
To: [redacted]
Subject: RE: Coordination for [redacted]

Classification: UNCLASSIFIED//FOUO//LES
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SSA [redacted]

First, to answer your original question, I will let you communicate directly with [redacted] re: the Non-Disclosure Agreement.

Second, I spoke to [redacted] this morning re: [redacted] He advised that they already have a [redacted] and they are very familiar with the non-disclosure issues. They are looking at [redacted] He advised that signing a new non-disclosure agreement form will not be a problem; he recalled that being part of the process the first time.

Even though we have a great relationship with [redacted] et al, I still prefer your unit deal directly with [redacted] re: the NDA.

Thank you very much for bringing this to our attention.

[redacted]

From: [redacted] (OTD) (FBI)
Sent: Tuesday, November 22, 2011 7:46 AM

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To: [redacted]
Subject: RE: Coordination for [redacted]

Classification: UNCLASSIFIED//FOUO//LES
==========

At your convenience. Thank you.

From: [redacted]
Sent: Monday, November 21, 2011 5:03 PM
To: [redacted]
Subject: RE: Coordination for [redacted]

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Classification: UNCLASSIFIED//FOUO//LES
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SSA [redacted]

I wanted to let you know that I was in receipt of your e-mail. I'm discussing our course of action with the CDC and SAC, and I will have an answer for you within the next few days. Thanks for your patience.

[redacted]

From: [redacted] (OTD) (FBI)
Sent: Monday, November 21, 2011 8:22 AM
To: [redacted]
Cc: [redacted]
(FBI)
Subject: Coordination for [redacted]

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Classification: UNCLASSIFIED//FOUO//LES
==========

(U//FOUO//LES) Good morning. I was notified by the [redacted] that the [redacted] my unit manages the [redacted] sign a nondisclosure agreement (NDA) with the FBI. I can coordinate this requirement directly with [redacted] I can provide you with the NDA and background information should your division want to lead the task.

(U//FOUO//LES) [redacted] but is the result of several years effort [redacted] The underlying point of the NDA is that the [redacted] are Law Enforcement Sensitive, and we don't want such information released [redacted] absent specific approval by the AD OTD. [redacted]

CELL/OTD 017791 CELLSITE-20996

[redacted]'ve attached a sample of the NDA for your information, but it is not for dissemination outside the FBI.

<< File: NDA [redacted] 08282011.pdf >>

(U) As I said above, we can pursue this in one of two ways: 1) you or your SAC can submit the NDA, which my unit will prepare for you, to [redacted](I have the names) for signature, or 2) I can communicate directly with the requesting agency and perform same.

(U) Please advise how you would like me to proceed or, if I can answer any questions, please contact me. For more background, I'm attaching an email in which I answer some questions from the [redacted] CDC on this topic:

<< Message: RE: [redacted] NDA >>

b3
b6
b7C
b7E

Best regards,

[redacted]

SSA [redacted]
Chief, Tracking Technology Unit
[redacted]
Operational Technology Division
office: [redacted]
mobile
I-net email: [redacted]

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

CELL-OTD 017792

CELLSITE-20997

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Wednesday, November 23, 2011 1:55 PM
To: [redacted]
Cc:
Subject: FW: Coordination for [redacted]

Classification: UNCLASSIFIED//FOUO//LES
==========

[redacted] please prepare the [redacted] NDA using the new, attached template:

NDA [redacted] 12320...

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b7C
b7E

From: [redacted]
Sent: Wednesday, November 23, 2011 8:53 AM
To: [redacted]
Cc: [redacted]
Subject: RE: Coordination for [redacted]

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b7E

Classification: UNCLASSIFIED//FOUO//LES
==========

Hi [redacted] thanks for your email. I've conferred with our SAC and we would prefer if OTD just go direct with [redacted] to secure the Non-disclosure and complete the deal.

Thanks for asking,
[redacted]

Thank you,
[redacted]

From: [redacted] (OTD) (FBI)
Sent: Monday, November 21, 2011 9:49 AM
To: [redacted]
Cc: [redacted]
Subject: Coordination for [redacted]

Classification: UNCLASSIFIED//FOUO//LES
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(U//FOUO//LES) Good morning. I was notified by the [redacted] that the [redacted] my unit manages the [redacted] sign a nondisclosure agreement (NDA) with the FBI. I can coordinate this requirement directly with [redacted] I can provide you with the NDA and background information should your division want to lead the task.

<< File: [redacted] pdf >>
(U//FOUO//LES) [redacted] but is the result of several years effort [redacted] The underlying point of the NDA is that the [redacted] are Law Enforcement Sensitive, and we don't want such information released [redacted] absent specific approval by the AD OTD. [redacted] I've attached a sample of the NDA for your information, but it is not for dissemination outside the FBI.

<< File: NDA_[redacted]08282011.pdf >>

(U) As I said above, we can pursue this in one of two ways: 1) you or your SAC can submit the NDA, which my unit will prepare for you, to [redacted] for signature, or 2) I can communicate directly with [redacted] and perform same.

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(U) Please advise how you would like me to proceed or, if I can answer any questions, please contact me. For more background, I'm attaching an email in which I answer some questions from the [redacted] CDC on this topic:

<< Message: RE: [redacted] NDA >>

Best regards,

[redacted]

SSA [redacted]
Chief, Tracking Technology Unit
[redacted]
Operational Technology Division
office: [redacted]
mobile
I-net email: [redacted]

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Wednesday, November 23, 2011 2:04 PM
To: [redacted]
Cc:
Subject: RE: Coordination for [redacted]

Classification: UNCLASSIFIED//FOUO//LES
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By the way, this letter should be addressed to [redacted] but actually FedExed to:

[redacted]

(his telephone is [redacted]

From: [redacted] OTD) (FBI)
Sent: Wednesday, November 23, 2011 1:55 PM
To: [redacted]
Cc:
Subject: FW: Coordination for [redacted]

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Classification: UNCLASSIFIED//FOUO//LES
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[redacted], please prepare the [redacted] NDA using the new, attached template:

<< File: NDA_[redacted]11232011 DRAFT - LES.doc >>

From: [redacted]
Sent: Wednesday, November 23, 2011 8:53 AM
To: [redacted]
Cc: [redacted]
Subject: RE: Coordination for [redacted]

Classification: UNCLASSIFIED//FOUO//LES
==========

Hi [redacted] thanks for your email. I've conferred with our SAC and we would prefer if OTD just go direct with [redacted] to secure the Non-disclosure and complete the deal.

Thanks for asking,

[redacted]

CELL/OTD 017785

Thank you,

[redacted]

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From: [redacted] OTD) (FBI)
Sent: Monday, November 21, 2011 9:49 AM
To: [redacted]
Cc: [redacted]
Subject: Coordination for [redacted]

Classification: UNCLASSIFIED//FOUO//LES
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(U//FOUO//LES) Good morning. I was notified by the [redacted] that the [redacted] my unit manages the [redacted] sign a nondisclosure agreement (NDA) with the FBI. I can coordinate this requirement directly with [redacted] I can provide you with the NDA and background information should your division want to lead the task.

<< File: [redacted] pdf >>
(U//FOUO//LES [redacted] but is the result of several years effort [redacted] The underlying point of the NDA is that the [redacted] are Law Enforcement Sensitive, and we don't want such information released [redacted] absent specific approval by the AD OTD. [redacted] I've attached a sample of the NDA for your information, but it is not for dissemination outside the FBI.

<< File: NDA_[redacted] 08282011.pdf >>

(U) As I said above, we can pursue this in one of two ways: 1) you or your SAC can submit the NDA, which my unit will prepare for you, to [redacted] for signature, or 2) I can communicate directly with the requesting agency and perform same.

(U) Please advise how you would like me to proceed or, if I can answer any questions, please contact me. For more background, I'm attaching an email in which I answer some questions from the [redacted] CDC on this topic:

<< Message: RE: [redacted] NDA >>

Best regards,

[redacted]

SSA [redacted]
Chief, Tracking Technology Unit
[redacted]
Operational Technology Division

office:
mobile
I-net email:

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b7C

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Wednesday, November 23, 2011 1:59 PM
To: [redacted]
Cc:
Subject: FW: Coordination for [redacted]

Classification: UNCLASSIFIED//FOUO//LES
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Another NDA for preparation using:

NDA [redacted] 112320...

Thanks.

From: [redacted]
Sent: Wednesday, November 23, 2011 11:08 AM
To: [redacted]
Cc: [redacted]
Subject: RE: Coordination for [redacted]

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[redacted]

Based on our previous conversation please proceed with option #2 listed below [redacted] will continue to communicate with the [redacted]

Thanks,

[redacted]

From: [redacted] (OTD) (FBI)
Sent: Monday, November 21, 2011 8:43 AM
To: [redacted]
Cc: [redacted]
Subject: Coordination for [redacted]

Classification: UNCLASSIFIED//FOUO//LES
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(U//FOUO//LES) Good morning. I was notified by the [redacted] that the [redacted] my unit manages the [redacted] sign a nondisclosure agreement (NDA) with the FBI. I can coordinate this requirement directly with [redacted] I can provide you with the NDA and background information should your division want to lead the task.

<< File: [redacted] pdf >>

(U//FOUO//LES) [redacted] but is the result of several years effort [redacted] The underlying point of the NDA is that the [redacted] are Law Enforcement Sensitive, and we don't want such information released [redacted] absent specific approval by the AD OTD. [redacted] I've attached a sample of the NDA for your information, but it is not for dissemination outside the FBI.

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<< File: NDA [redacted] 08282011.pdf >>

(U) As I said above, we can pursue this in one of two ways: 1) you or your SAC can submit the NDA, which my unit will prepare for you, to [redacted] for signature, or 2) I can communicate directly with [redacted] and perform same.

(U) Please advise how you would like me to proceed or, if I can answer any questions, please contact me. For more background, I'm attaching an email in which I answer some questions from the [redacted] CDC on this topic:

<< Message: RE: [redacted] NDA >>

Best regards,

[redacted]

SSA [redacted]
Chief, Tracking Technology Unit
[redacted]
Operational Technology Division
office: [redacted]
mobile
I-net email: [redacted]

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Monday, December 12, 2011 10:10 AM
To: [redacted]
Subject: FW: Coordination for [redacted] -- UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

Wow, this one's really tardy. [redacted] please draft the NDA (using our new template) for [redacted] We'll just go direct since so much time's past.

From: [redacted] (OTD) (FBI)
Sent: Friday, September 23, 2011 6:30 PM
To: [redacted]
Cc: [redacted]
(FBI)
Subject: Coordination for [redacted] --- UNCLASSIFIED//FOUO//LES

Classification: UNCLASSIFIED//FOUO//LES

(U//FOUO//LES) Good day. I was notified by [redacted] that the [redacted] WITT [redacted] my unit manages the [redacted] sign a nondisclosure agreement (NDA) with the FBI. I can coordinate this requirement directly with [redacted] I can provide you with the NDA and background information should your division want to lead the task.

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(U//FOUO//LES) [redacted] but is the result of several years effort [redacted] The underlying point of the NDA is that the [redacted] are Law Enforcement Sensitive, and we don't want such information released [redacted] absent specific approval by the AD OTD. [redacted] I've attached a copy of the NDA for your review, but it is not for dissemination outside the FBI.

NDA [redacted] WIT...

(U) As I said above, we can pursue this in one of two ways: 1) you or your SAC can submit the NDA, which my unit will prepare, to [redacted] and have them sign the NDA, or 2) I can communicate directly with [redacted] and perform same.

(U) Please advise how you would like me to proceed or, if I can answer any questions, please contact me.

Best regards,

[redacted]

SSA [redacted]
Chief, Tracking Technology Unit
[redacted]
Operational Technology Division
office: [redacted]
mobile
I-net email [redacted]

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

(OTD) (FBI)

From:
Sent: Friday, December 09, 2011 9:40 AM
To:
Subject: RE: Coordination for

Classification: UNCLASSIFIED//FOUO//LES

Yes, they are having difficulty. I have requested a contact at several times and they say they are working on it, but then I never hear from Last I heard was:

"...We are waiting to get the attorneys to see what they are going to work out. Thanks for your assistance. Hopefully once the attorneys talk and agree on language we will get this through."

It appears to me, that is interested in getting the NDA taken care of so they can , but the are not as anxious.

SA

From: (OTD) (FBI)
Sent: Friday, December 09, 2011 4:51 AM
To:
Subject: RE: Coordination for

Classification: UNCLASSIFIED//FOUO//LES

Perhaps it would be a good time to discuss the NDA program with Wasn't having difficulty?

From:
Sent: Thursday, December 08, 2011 6:44 PM
To: (OTD) (FBI)
Subject: RE: Coordination for

Classification: UNCLASSIFIED//FOUO//LES

If you get a chance to come to during this trip, that would be great. I would love the opportunity to meet you in person and to show you what has done with the . I am pretty proud of what we have accomplished, but would also relish any insights or suggestions you might have to offer. Is there anything in particular I could be prepared for during your visit? Any face-to-face meetings with locals or such?

SA

From: (OTD) (FBI)
Sent: Thursday, December 08, 2011 9:57 AM
To:
Cc:
Subject: RE: Coordination for

Classification: UNCLASSIFIED//FOUO//LES
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[redacted] I'll be in [redacted] around January 9 and 10 touring [redacted], so can swing down to [redacted] on that Wednesday or Thursday (11th or 12th).

[redacted] would you want me to drop in [redacted] for similar [redacted] discussions with [redacted] that week?

[redacted], are you available that week?

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From: [redacted]
Sent: Tuesday, December 06, 2011 7:07 PM
To: [redacted]
Cc: [redacted]
Subject: FW: Coordination for [redacted]

Classification: UNCLASSIFIED//FOUO//LES
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[redacted]

After discussing it with some of the [redacted] and follow on discussions with my ASAC we've decided to ask you to do a briefing similar to how you handled the matter in [redacted]

Last we spoke you said that you would be available after the holidays. [redacted] (my WITT [redacted] and I will do any coordination you require.

Thanks for your help.

[redacted]

From: [redacted]
Sent: Wednesday, November 23, 2011 8:14 AM
To: [redacted]
Subject: FW: Coordination for [redacted]

Classification: UNCLASSIFIED//FOUO//LES
==========

[redacted]

How were these matters handled in the past?

From: [redacted] (OTD) (FBI)
Sent: Monday, October 31, 2011 11:41 AM
To: [redacted]
Cc: [redacted]

Subject: Coordination for

Classification: UNCLASSIFIED//FOUO//LES

(U//FOUO//LES) Good day I was notified by the that the my unit manages the sign a nondisclosure agreement (NDA) with the FBI. I can coordinate this requirement directly with I can provide you with the NDA and background information should your division want to lead the task.

(U//FOUO//LES) , but is the result of several years effort The underlying point of the NDA is that the are Law Enforcement Sensitive, and we don't want such information released absent specific approval by the AD OTD. I've attached a copy of the NDA for your information, but it is not for dissemination outside the FBI.

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(U) As I said above, we can pursue this in one of two ways: 1) you or your SAC can submit the NDA, which my unit will prepare, to (I have the names) for signature, or 2) I can communicate directly with and perform same.

(U) Please advise how you would like me to proceed or, if I can answer any questions, please contact me.

Best regards,

SSA
Chief, Tracking Technology Unit
Operational Technology Division
office:
mobile
I-net email:

Classification: UNCLASSIFIED//FOUO//LES

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CELL/OTD 017783

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

CELL/OTD 017784

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Monday, December 12, 2011 10:44 AM
To: [redacted]
Cc:
Subject: RE: Coordination for [redacted]

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Classification: UNCLASSIFIED//FOUO//LES
==========

[redacted] my office is receiving inquiries from [redacted] on behalf of [redacted] re their NDA. Can you contact them and let them know what we're planning?

Thanks and happy holidays,

[redacted]

From: [redacted] (OTD) (FBI)
Sent: Thursday, December 08, 2011 12:57 PM
To: [redacted]
Cc:
Subject: RE: Coordination for [redacted]

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Classification: UNCLASSIFIED//FOUO//LES
==========

[redacted] I'll be in [redacted] around January 9 and 10 touring [redacted] so can swing down to [redacted] on that Wednesday or Thursday (11th or 12th).

[redacted] would you want me to drop in [redacted] for similar [redacted] discussions with [redacted] that week?

[redacted] are you available that week?

From: [redacted]
Sent: Tuesday, December 06, 2011 7:07 PM
To: [redacted]
Cc:
Subject: FW: Coordination for [redacted]

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Classification: UNCLASSIFIED//FOUO//LES
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[redacted]

After discussing it with some of the [redacted] and follow on discussions with my ASAC we've decided to ask you to do a briefing similar to how you handled the matter in [redacted]

Last we spoke you said that you would be available after the holidays. [redacted] (my WITT [redacted] and I will do any coordination you require.

Thanks for your help.

[redacted]

From: [redacted]
Sent: Wednesday, November 23, 2011 8:14 AM
To: [redacted]
Subject: FW: Coordination for [redacted]

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Classification: UNCLASSIFIED//FOUO//LES
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[redacted]

How were these matters handled in the past?

From: [redacted] (OTD) (FBI)
Sent: Monday, October 31, 2011 11:41 AM
To: [redacted]
Cc: [redacted]
Subject: Coordination for [redacted]

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Classification: UNCLASSIFIED//FOUO//LES
==========

(U//FOUO//LES) Good day, [redacted] I was notified by the [redacted] that the [redacted] my unit manages the [redacted] sign a nondisclosure agreement (NDA) with the FBI. I can coordinate this requirement directly with [redacted] I can provide you with the NDA and background information should your division want to lead the task.

(U//FOUO//LES) [redacted] but is the result of several years effort [redacted] The underlying point of the NDA is that the [redacted] are Law Enforcement Sensitive, and we don't want such information released [redacted] absent specific approval by the AD OTD. [redacted] I've attached a copy of the NDA for your information, but it is not for dissemination outside the FBI.

(U) As I said above, we can pursue this in one of two ways: 1) you or your SAC can submit the NDA, which my unit will prepare, to [redacted] (I have the names) for signature, or 2) I can communicate directly with [redacted] and perform same.

(U) Please advise how you would like me to proceed or, if I can answer any questions, please contact me.

Best regards,

CELL/OTD 017777

[redacted]

SSA [redacted]
Chief, Tracking Technology Unit
[redacted]
Operational Technology Division
office: [redacted]
mobile
I-net email: [redacted]

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

CELL/OTD 01775

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Wednesday, March 21, 2012 4:13 PM
To: [redacted]
Cc:
Subject: NDA for [redacted]

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Classification: UNCLASSIFIED//LES/FOUO

==========

(U//FOUO//LES) Good afternoon. I'm contacting you today on behalf of my unit chief, [redacted], from the OTD Tracking Technology Unit. We have been notified by the [redacted] that the [redacted] the TTU manages the [redacted] signs a nondisclosure agreement (NDA) with the FBI. This coordination requirement can be done from here directly with [redacted] TTU can provide you with the NDA and background information should your division want to lead the task.

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[redacted]df

(U//FOUO//LES) [redacted] but is the result of several years' effort [redacted] The underlying point of the NDA is that the [redacted] are Law Enforcement Sensitive; as such TTU does not want certain information released [redacted] absent specific approval by the AD OTD. [redacted] Attached is a sample of the NDA for your information, but it is not for dissemination outside the FBI.

PDF_NDA_Agreement.pdf

[redacted]

(U) As alluded to above, this can be pursued in one of two ways: 1) you or your SAC can submit the NDA, which TTU will prepare for you, to [redacted] or 2) TTU can communicate directly with [redacted] and perform the same.

(U) Please advise how you would like me to proceed or, if I can answer any questions, please contact me. For more background, I'm attaching an email in which questions from the [redacted] CDC on this topic are addressed:

CELL/OTD 017760

RE: [redacted]
NDA

Thank you,

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b7E

[redacted]

Blackberry: [redacted]

==========

Classification: UNCLASSIFIED//LES/FOUO

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Wednesday, December 14, 2011 2:33 AM
To: [redacted]
Cc:
Subject: RE: Coordination for [redacted] - UNCLASSIFIED//FOUO//LES

Classification: UNCLASSIFIED//FOUO//LES

I will defer to ASAC [redacted] on this matter.

From [redacted]
Sent: Monday, December 12, 2011 10:17 AM
To: [redacted]
Cc:
Subject: RE: Coordination for [redacted] --- UNCLASSIFIED//FOUO//LES
Importance: High

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Classification: UNCLASSIFIED//FOUO//LES

Gentlemen, my office is receiving inquiries from [redacted] about their NDA. I know you've higher priority matters to contend with, so I'll be pleased to contact them directly UACB next Monday, 12/19.

Happy holidays,

[redacted]

From: [redacted] (OTD) (FBI)
Sent: Thursday, October 13, 2011 1:23 PM
To: [redacted]
Cc:
Subject: RE: Coordination for [redacted] --- UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

Hi, [redacted] please pardon my tardy response. I only know through [redacted] that [redacted]

[redacted]

From: [redacted]
Sent: Monday, September 26, 2011 11:01 AM
To: [redacted]

CELL/OTD 017762

Cc:
Subject: RE: Coordination for -- UNCLASSIFIED//FOUO//LES

Classification: UNCLASSIFIED//FOUO//LES

Do you have any additional details regarding this? I'm more curious as to the intent. As of last week, he has

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From: (OTD) (FBI)
Sent: Friday, September 23, 2011 6:43 PM
To:
Cc:
Subject: Coordination for -- UNCLASSIFIED//FOUO//LES

Classification: UNCLASSIFIED//FOUO//LES

(U//FOUO//LES) Good day. I was notified by that the WITT my unit manages the sign a nondisclosure agreement (NDA) with the FBI. I can coordinate this requirement directly with I can provide you with the NDA and background information should your division want to lead the task.

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(U//FOUO//LES but is the result of several years effort The underlying point of the NDA is that the are Law Enforcement Sensitive, and we don't want such information released absent specific approval by the AD OTD. I've attached a copy of the NDA for your review, but it is not for dissemination outside the FBI.

<< File: NDA_WITT 08282011.pdf >>

(U) As I said above, we can pursue this in one of two ways: 1) you or your SAC can submit the NDA, which my unit will prepare, to and have them sign the NDA, or 2) I can communicate directly with and perform same.

(U) Please advise how you would like me to proceed or, if I can answer any questions, please contact me.

Best regards,

SSA
Chief, Tracking Technology Unit
Operational Technology Division
office:

CELL/OTD 017763

mobile: [redacted]
I-net email: [redacted]

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b7C

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

CELL/OTD 017764

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OTD)(FBI)
Sent: Monday, December 12, 2011 3:29 PM
To: [redacted]
Cc:
Subject: RE: Coordination for [redacted]

Classification: UNCLASSIFIED//FOUO//LES
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Wonderful. I will send out via Fedex tomorrow directly to you.

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b7E

From: [redacted]
Sent: Monday, December 12, 2011 3:12 PM
To: [redacted]
Subject: RE: Coordination for [redacted]

Classification: UNCLASSIFIED//FOUO//LES
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We would like to sign. ASAC [redacted] will sign it.

[redacted]

"We are judged by what we finish, not what we start."

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b7E

From: [redacted]
Sent: Monday, December 12, 2011 2:19 PM
To: [redacted]
Cc: [redacted]
Subject: RE: Coordination for [redacted]

Classification: UNCLASSIFIED//FOUO//LES
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SSA [redacted]
Yes we could coordinate/handle the paperwork—we would just need to know if your SAC or ASAC (please specify) would prefer to sign the agreement or if we should proceed directly between our office and [redacted]

CELL-OTD 017765 CELLSITE-21019

[redacted] We normally leave this option to the [redacted]
[redacted] Look forward to your direction.

Thank you

[redacted]
MPA for TTU

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From: [redacted]
Sent: Monday, December 12, 2011 12:26 PM
To: [redacted]
Cc: [redacted]
Subject: RE: Coordination for [redacted]

Classification: UNCLASSIFIED//FOUO//LES
==========

I have check with my front office and we support this. Would you coordinate it?

[redacted]

"We are judged by what we finish, not what we start."

From: [redacted] (OTD) (FBI)
Sent: Monday, December 12, 2011 10:31 AM
To: [redacted]
(FBI)
Cc: [redacted]
Subject: RE: Coordination for [redacted]
Importance: High

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Classification: UNCLASSIFIED//FOUO//LES
==========

Gentlemen, my office is receiving inquiries from [redacted] about the NDA. I recognize you have higher priorities to contend with, so I'll be pleased to coordinate directly UACB December 27.

Happy holidays and best regards,

[redacted]

From: [redacted] (OTD) (FBI)
Sent: Monday, November 21, 2011 9:14 AM
To: [redacted]
Cc: [redacted]
(OTD) (FBI)
Subject: Coordination for [redacted]

Classification: UNCLASSIFIED//FOUO//LES
==========

(U//FOUO//LES) Good day, gentlemen. I was notified by the [redacted] that the [redacted] my unit manages the [redacted] sign a nondisclosure agreement (NDA) with the FBI. I can coordinate this requirement directly with [redacted] I can provide you with the NDA and background information should your division want to lead the task.

(U//FOUO//LES) [redacted] but is the result of several years effort [redacted] The underlying point of the NDA is that the [redacted] are Law Enforcement Sensitive, and we don't want such information released [redacted] absent specific approval by the AD OTD. [redacted] I've attached a sample of the NDA for your information, but it is not for dissemination outside the FBI.

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<< File: NDA_[redacted]08282011.pdf >>

(U) As I said above, we can pursue this in one of two ways: 1) you or your SAC can submit the NDA, which my unit will prepare for you, to [redacted] (I have the names) for signature, or 2) I can communicate directly with [redacted] and perform same.

(U) Please advise how you would like me to proceed or, if I can answer any questions, please contact me. For more background, I'm attaching an email in which I answer some questions from the [redacted] CDC on this topic:

<< Message: RE: [redacted] NDA >>

Best regards,

[redacted]

SSA [redacted]
Chief, Tracking Technology Unit
[redacted]
Operational Technology Division
office: [redacted]
mobile
I-net email: [redacted]

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Classification: UNCLASSIFIED//FOUO//LES

CELL/OTD 017767

CELLSITE-21021

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Monday, December 12, 2011 11:44 AM
To: [redacted]
Cc:
Subject: RE: Coordination for [redacted]

Classification: UNCLASSIFIED//FOUO//LES
==========

Oh, upon review of my original message, I realize I included the [redacted] Please disregard, that should have gone to the [redacted] I apologize for any confusion that might have caused you.

[redacted]

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From: [redacted] (OTD) (FBI)
Sent: Monday, December 12, 2011 10:52 AM
To: [redacted]
Cc:
Subject: RE: Coordination for [redacted]

Classification: UNCLASSIFIED//FOUO//LES
==========

(U//FOUO) Gentlemen, my office is receiving inquiries from [redacted] about their NDA. I realize you have higher priorities to contend with, so I'd be pleased to coordinate directly UACB December 27.

Happy holidays,

[redacted]

From: [redacted]
Sent: Monday, November 21, 2011 2:19 PM
To: [redacted]
Subject: RE: Coordination for [redacted]

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Classification: UNCLASSIFIED//FOUO//LES
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[redacted]

Can you fill me in on this request when you get a chance? It can be after you get back unless there is a time constraint.

Thanks,

[redacted]

ASAC [redacted]
Federal Bureau of Investigation

CELL-OTD 017769

[redacted]

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From: [redacted] OTD) (FBI)
Sent: Monday, November 21, 2011 9:35 AM
To: [redacted]
Cc: [redacted]
Subject: Coordination for [redacted]

Classification: UNCLASSIFIED//FOUO//LES
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(U//FOUO//LES) Good morning. I was notified by the [redacted] that [redacted]

(U//FOUO//LES) [redacted] my unit manages the [redacted] sign a nondisclosure agreement (NDA) with the FBI. I can coordinate this requirement directly with [redacted] I can provide you with the NDA and background information should your division want to lead the task.

(U//FOUO//LES) [redacted] but is the result of several years effort [redacted] The underlying point of the NDA is that the [redacted] are Law Enforcement Sensitive, and we don't want such information released [redacted] absent specific approval by the AD OTD. [redacted] I've attached a sample of the NDA for your information, but it is not for dissemination outside the FBI.

<< File: NDA_[redacted].pdf >>

(U) As I said above, we can pursue this in one of two ways: 1) you or your SAC can submit the NDA, which my unit will prepare for you, to [redacted] (I have the names) for signature, or 2) I can communicate directly with [redacted] and perform same.

(U) Please advise how you would like me to proceed or, if I can answer any questions, please contact me. For more background, I'm attaching an email in which I answer some questions from the [redacted] CDC on this topic:

<< Message: RE: [redacted] NDA >>

Best regards,

[redacted]

SSA [redacted]
Chief, Tracking Technology Unit
[redacted]
Operational Technology Division

CELL/OTD 017770

office: [redacted]
mobile
I-net email: [redacted]

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

CELL-OTD 017771

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Monday, December 12, 2011 10:47 AM
To: [redacted]
Cc:
Subject: RE: Coordination for [redacted]

Classification: UNCLASSIFIED//FOUO//LES
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[redacted]

I'll call [redacted] today. Thanks.

[redacted]

From: [redacted] (OTD) (FBI)
Sent: Monday, December 12, 2011 7:44 AM
To: [redacted]
Cc: [redacted]
(OTD)(FBI)
Subject: RE: Coordination for [redacted]

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Classification: UNCLASSIFIED//FOUO//LES
==========

[redacted], my office is receiving inquiries from [redacted] re their NDA. Can you contact them and let them know what we're planning?

Thanks and happy holidays,

[redacted]

From: [redacted] (OTD) (FBI)
Sent: Thursday, December 08, 2011 12:57 PM
To: [redacted]
Cc: [redacted]
Subject: RE: Coordination for [redacted]

Classification: UNCLASSIFIED//FOUO//LES
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[redacted] I'll be in [redacted] around January 9 and 10 touring our back-up site, so can swing down to [redacted] on that Wednesday or Thursday (11th or 12th).

[redacted] would you want me to drop in [redacted] for similar [redacted] discussions with [redacted] that week?

[redacted] are you available that week?

From: [redacted]
Sent: Tuesday, December 06, 2011 7:07 PM
To: [redacted]
Cc: [redacted]
Subject: FW: Coordination for [redacted]

Classification: UNCLASSIFIED//FOUO//LES
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[redacted]

After discussing it with some of the [redacted] and follow on discussions with my ASAC we've decided to ask you to do a briefing similar to how you handled the matter in [redacted]

Last we spoke you said that you would be available after the holidays. [redacted] (my WITT [redacted] and I will do any coordination you require.

Thanks for your help.

[redacted]

From: [redacted]
Sent: Wednesday, November 23, 2011 8:14 AM
To: [redacted]
Subject: FW: Coordination for [redacted]

Classification: UNCLASSIFIED//FOUO//LES
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[redacted]

How were these matters handled in the past?

From: [redacted] (OTD) (FBI)
Sent: Monday, October 31, 2011 11:41 AM
To: [redacted]
Cc: [redacted]
Subject: Coordination for [redacted]

Classification: UNCLASSIFIED//FOUO//LES
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(U//FOUO//LES) Good day, [redacted] I was notified by the [redacted] that the [redacted] my unit manages the

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[redacted] sign a nondisclosure agreement (NDA) with the FBI. I can coordinate this requirement directly with [redacted]. I can provide you with the NDA and background information should your division want to lead the task.

(U//FOUO//LES) [redacted] but is the result of several years effort [redacted] The underlying point of the NDA is that the [redacted] are Law Enforcement Sensitive, and we don't want such information released [redacted] absent specific approval by the AD OTD. [redacted] I've attached a copy of the NDA for your information, but it is not for dissemination outside the FBI.

(U) As I said above, we can pursue this in one of two ways: 1) you or your SAC can submit the NDA, which my unit will prepare, to [redacted] (I have the names) for signature, or 2) I can communicate directly with [redacted] and perform same.

(U) Please advise how you would like me to proceed or, if I can answer any questions, please contact me.

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Best regards,

[redacted]

SSA [redacted]
Chief, Tracking Technology Unit
[redacted]
Operational Technology Division
office: [redacted]
mobile: [redacted]
I-net email: [redacted]

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

CELL/OTD 017774

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Classification: UNCLASSIFIED//FOUO//LES

CELL/OTD 017775

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

(OTD) (FBI)

From: (OTD) (FBI)
Sent: Thursday, March 22, 2012 12:56 PM
To:
Cc:

Classification: UNCLASSIFIED//LES/FOUO

(U//FOUO//LES) Good afternoon. I'm contacting you today on behalf of my unit chief, from the OTD Tracking Technology Unit. We have been notified by the that the TTU manages the signs a nondisclosure agreement (NDA) with the FBI. This coordination requirement can be done from here directly with TTU can provide you with the NDA and background information should your division want to lead the task.

pdf

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(U//FOUO//LES) , but is the result of several years' effort The underlying point of the NDA is that the are Law Enforcement Sensitive; as such TTU does not want certain information released absent specific approval by the AD OTD. Attached is a sample of the NDA for your information, but it is not for dissemination outside the FBI.

PDF_NDA_Agreement.pdf

(U) As alluded to above, this can be pursued in one of two ways: 1) you or your SAC can submit the NDA, which TTU will prepare for you, to for signature, or 2) TTU can communicate directly with and perform the same.

(U) Please advise how you would like me to proceed or, if I can answer any questions, please contact me. For more background, I'm attaching an email in which questions from the CDC on this topic are addressed:

RE NDA

CELL/OTD 017752

Thank you,

[redacted]

Blackberry: [redacted]

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Classification: UNCLASSIFIED//LES/FOUO

CELL-OTD 01753

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Thursday, March 22, 2012 10:45 AM
To: [redacted]
Cc: [redacted]

Subject: [redacted]

Classification: UNCLASSIFIED//LES/FOUO
==========

(U//FOUO//LES) Good morning. I'm contacting you today on behalf of my unit chief, [redacted] from the OTD Tracking Technology Unit. We have been notified by the [redacted] that the [redacted] the TTU manages the [redacted] signs a nondisclosure agreement (NDA) with the FBI. This coordination requirement can be done from here directly with [redacted] TTU can provide you with the NDA and background information should your division want to lead the task.

[redacted]

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(U//FOUO//LES) [redacted] but is the result of several years' effort [redacted] The underlying point of the NDA is that the [redacted] are Law Enforcement Sensitive; as such TTU does not want certain information released [redacted] absent specific approval by the AD OTD. [redacted] Attached is a sample of the NDA for your information, but it is not for dissemination outside the FBI.

PDF_NDA_Agreement.pdf [redacted]

(U) As alluded to above, this can be pursued in one of two ways: 1) you or your SAC can submit the NDA, which TTU will prepare for you, to [redacted] for signature, or 2) TTU can communicate directly with [redacted] and perform the same.

(U) Please advise how you would like me to proceed or, if I can answer any questions, please contact me. For more background, I'm attaching an email in which questions from the [redacted] CDC on this topic are addressed:

CELL/OTD 017754

RE: [redacted]
NDA

Thank you,

[redacted]

Blackberry: [redacted]

==========

Classification: UNCLASSIFIED//LES/FOUO

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CELL-OTD 017755

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

Re: and Non-Disclosure Obligations

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Dear

We have been advised by of the must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement.

CELL/OTD 01TPOS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

b7E

Assistant Director
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod A
Quantico, Virginia 22135

and

Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, Virginia 22135

The acceptance of the above conditions shall be evidenced by the signature below of an authorized representative of the

Sincerely,

Marcus C. Thomas
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

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b7E

Acknowledged and agreed to this

cc: Unit Chief, FBI Tracking Technology Unit
, FBI Office of the General Counsel
FBI Office of the General Counsel

CELL/OTD 017703

[redacted] P.05

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

Re: [redacted] and Non-Disclosure Obligations

Dear [redacted]

We have been advised by [redacted] of the [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

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[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-08-2013 BY NSICG F54M93K42

CELL/OTD 017710

CELLSITE-21042

Assistant Director
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod A
Quantico, Virginia 22135

and

Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, Virginia 22135

The acceptance of the above conditions shall be evidenced by the signature below of an authorized representative of the

Sincerely,

Marcus C. Thomas
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this

cc: Unit Chief, FBI Tracking Technology Unit
FBI Office of the General Counsel
FBI Office of the General Counsel

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CELL/OTD 017713

CELLSITE-21045

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
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Page 238 ~ Duplicate - 1211586-NDA-1, p. 38;
Page 239 ~ Duplicate - 1211586-NDA-2, p. 205 & following;
Page 240 ~ Duplicate - 1211586-NDA-2, p. 205 & following;
Page 241 ~ Duplicate - 1211586-NDA-2, p. 205 & following;
Page 242 ~ Duplicate - 1211586-NDA-2, p. 205 & following;
Page 243 ~ Duplicate - 1211586-NDA-2, p. 205 & following;
Page 244 ~ b3; b6; b7C; b7E;
Page 245 ~ b3; b6; b7C; b7E;
Page 246 ~ Duplicate - 1211586-NDA-1, p. 37;
Page 247 ~ Duplicate - 1211586-NDA-2, p. 205 & following;
Page 248 ~ Duplicate - 1211586-NDA-2, p. 205 & following;
Page 249 ~ Duplicate - 1211586-NDA-2, p. 205 & following;
Page 250 ~ Duplicate - 1211586-NDA-2, p. 205 & following;
Page 251 ~ Duplicate - 1211586-NDA-2, p. 205 & following;
Page 252 ~ b3; b6; b7C; b7E;
Page 253 ~ b3; b6; b7C; b7E;
Page 256 ~ Duplicate - 1211586-NDA-1, p. 43 & following;
Page 257 ~ Duplicate - 1211586-NDA-1, p. 43 & following;
Page 258 ~ Duplicate - 1211586-NDA-2, p. 205 & following;
Page 259 ~ Duplicate - 1211586-NDA-2, p. 205 & following;
Page 260 ~ Duplicate - 1211586-NDA-2, p. 205 & following;
Page 261 ~ Duplicate - 1211586-NDA-2, p. 205 & following;
Page 262 ~ Duplicate - 1211586-NDA-2, p. 205 & following;
Page 263 ~ b3; b6; b7C; b7E;
Page 264 ~ b3; b6; b7C; b7E;
Page 265 ~ b3; b6; b7C; b7E;
Page 266 ~ b3; b6; b7C; b7E;
Page 267 ~ b3; b6; b7C; b7E;
Page 268 ~ b3; b6; b7C; b7E;
Page 269 ~ Duplicate - 1211586-NDA-1, p. 42;
Page 270 ~ Duplicate - 1211586-NDA-2, p. 265 & following;
Page 271 ~ Duplicate - 1211586-NDA-2, p. 265 & following;
Page 272 ~ Duplicate - 1211586-NDA-2, p. 205 & following;
Page 273 ~ Duplicate - 1211586-NDA-2, p. 205 & following;
Page 274 ~ Duplicate - 1211586-NDA-2, p. 205 & following;
Page 275 ~ Duplicate - 1211586-NDA-2, p. 205 & following;
Page 276 ~ Duplicate - 1211586-NDA-2, p. 205 & following;
Page 277 ~ Duplicate - 1211586-NDA-1, p. 41;
Page 278 ~ Duplicate - 1211586-NDA-2, p. 267 & following;
Page 279 ~ Duplicate - 1211586-NDA-2, p. 267 & following;
Page 280 ~ Duplicate - 1211586-NDA-2, p. 205 & following;
Page 281 ~ Duplicate - 1211586-NDA-2, p. 205 & following;
Page 282 ~ Duplicate - 1211586-NDA-2, p. 205 & following;
Page 283 ~ Duplicate - 1211586-NDA-2, p. 205 & following;
Page 284 ~ Duplicate - 1211586-NDA-2, p. 205 & following;
Page 289 ~ Duplicate - 1211586-NDA-2, p. 137 & following;
Page 290 ~ Duplicate - 1211586-NDA-2, p. 137 & following;
Page 291 ~ Duplicate - 1211586-NDA-2, p. 137 & following;
Page 292 ~ Duplicate - 1211586-NDA-2, p. 137 & following;
Page 293 ~ Duplicate - 1211586-NDA-2, p. 137 & following;
Page 294 ~ b3; b6; b7C; b7E;

Page 295 ~ Duplicate - 1211586-NDA-1, p. 150 & following;
Page 296 ~ Duplicate - 1211586-NDA-1, p. 150 & following;
Page 297 ~ Duplicate - 1211586-NDA-1, p. 150 & following;
Page 298 ~ Duplicate - 1211586-NDA-1, p. 150 & following;
Page 299 ~ Duplicate - 1211586-NDA-1, p. 150 & following;
Page 300 ~ Duplicate - 1211586-NDA-1, p. 150 & following;
Page 301 ~ Duplicate - 1211586-NDA-1, p. 150 & following;
Page 302 ~ Duplicate - 1211586-NDA-1, p. 150 & following;
Page 305 ~ Duplicate - 1211586-NDA-1, p. 150 & following;
Page 306 ~ Duplicate - 1211586-NDA-1, p. 150 & following;
Page 307 ~ Duplicate - 1211586-NDA-1, p. 150 & following;
Page 308 ~ Duplicate - 1211586-NDA-1, p. 150 & following;
Page 309 ~ Duplicate - 1211586-NDA-1, p. 150 & following;
Page 310 ~ Duplicate - 1211586-NDA-1, p. 150 & following;
Page 311 ~ Duplicate - 1211586-NDA-1, p. 150 & following;
Page 312 ~ Duplicate - 1211586-NDA-1, p. 150 & following;
Page 314 ~ Duplicate - 1211586-NDA-2, p. 24 & following;
Page 315 ~ Duplicate - 1211586-NDA-2, p. 24 & following;
Page 316 ~ Duplicate - 1211586-NDA-2, p. 24 & following;
Page 317 ~ Duplicate - 1211586-NDA-2, p. 24 & following;
Page 318 ~ Duplicate - 1211586-NDA-2, p. 24 & following;
Page 319 ~ Duplicate - 1211586-NDA-2, p. 24 & following;
Page 320 ~ Duplicate - 1211586-NDA-2, p. 24 & following;
Page 321 ~ Duplicate - 1211586-NDA-2, p. 24 & following;
Page 332 ~ Duplicate - 1211586-NDA-1, p. 2 & following;
Page 333 ~ Duplicate - 1211586-NDA-1, p. 2 & following;
Page 334 ~ Duplicate - 1211586-NDA-1, p. 2 & following;
Page 335 ~ b3; b6; b7C; b7E;
Page 336 ~ b3; b6; b7C; b7E;
Page 337 ~ b3; b6; b7C; b7E;
Page 338 ~ b3; b6; b7C; b7E;
Page 339 ~ b3; b6; b7C; b7E;
Page 340 ~ b3; b6; b7C; b7E;
Page 341 ~ b3; b6; b7C; b7E;
Page 342 ~ b3; b6; b7C; b7E;
Page 343 ~ b3; b6; b7C; b7E;
Page 344 ~ b3; b6; b7C; b7E;
Page 345 ~ b3; b6; b7C; b7E;
Page 346 ~ b3; b6; b7C; b7E;
Page 347 ~ b3; b6; b7C; b7E;
Page 348 ~ b3; b6; b7C; b7E;
Page 349 ~ b3; b6; b7C; b7E;
Page 350 ~ b3; b6; b7C; b7E;
Page 351 ~ b3; b6; b7C; b7E;
Page 352 ~ b3; b6; b7C; b7E;
Page 353 ~ b3; b6; b7C; b7E;
Page 354 ~ b3; b6; b7C; b7E;
Page 355 ~ b3; b6; b7C; b7E;
Page 356 ~ b3; b6; b7C; b7E;
Page 357 ~ b3; b6; b7C; b7E;
Page 358 ~ b3; b6; b7C; b7E;
Page 359 ~ Duplicate - 1211586-NDA-2, p. 335 & following;
Page 360 ~ Duplicate - 1211586-NDA-2, p. 335 & following;
Page 361 ~ b3; b6; b7C; b7E;

Page 362 ~ b3; b6; b7C; b7E;
Page 363 ~ b3; b6; b7C; b7E;
Page 364 ~ b3; b6; b7C; b7E;
Page 365 ~ b3; b6; b7C; b7E;
Page 366 ~ b3; b6; b7C; b7E;
Page 367 ~ Duplicate - 1211586-NDA-2, p. 265 & following;
Page 368 ~ Duplicate - 1211586-NDA-2, p. 265 & following;
Page 369 ~ Duplicate - 1211586-NDA-2, p. 265 & following;
Page 370 ~ Duplicate - 1211586-NDA-2, p. 265 & following;
Page 371 ~ Duplicate - 1211586-NDA-2, p. 195 & following;
Page 372 ~ Duplicate - 1211586-NDA-2, p. 195 & following;
Page 373 ~ Duplicate - 1211586-NDA-2, p. 195 & following;
Page 374 ~ Duplicate - 1211586-NDA-2, p. 195 & following;
Page 375 ~ Duplicate - 1211586-NDA-2, p. 195 & following;
Page 376 ~ b3; b6; b7C; b7E;
Page 377 ~ b3; b6; b7C; b7E;
Page 378 ~ b3; b4; b7E;
Page 379 ~ b3; b4; b7E;
Page 380 ~ b3; b4; b7E;
Page 381 ~ b3; b4; b7E;
Page 382 ~ b3; b4; b7E;
Page 384 ~ Duplicate - 1211586-NDA-1, p. 2 & following;
Page 387 ~ b3; b6; b7C; b7E;
Page 388 ~ b3; b6; b7C; b7E;
Page 390 ~ b3; b4; b7E;
Page 391 ~ b3; b4; b6; b7C; b7E;
Page 392 ~ b3; b6; b7C; b7E;

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X For this Page X
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HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F54M93K42

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

Re: [redacted] and Non-Disclosure Obligations

b3
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b7E

Dear [redacted]

We have been advised by [redacted] of the [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

265-HQ-1068430

CELL/OTD 015264

CRRESITE-21075

[redacted]

Assistant Director
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod A
Quantico, Virginia 22135
[redacted]

b3
b7E

and

Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, Virginia 22135
[redacted]

The [redacted] acceptance of the above conditions shall be evidenced by the signature below of an authorized representative of the [redacted]

Sincerely,

Marcus C. Thomas
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this [redacted]

[redacted]

b6
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cc: [redacted] Unit Chief, FBI Tracking Technology Unit
FBI Office of the General Counsel
[redacted] FBI Office of the General Counsel

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HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F54M93K42

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

Re: [redacted] and Non-Disclosure Obligations

Dear [redacted]

We have been advised by [redacted] of the [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

b3
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[redacted]

265-HQ-1065430

[redacted]

Assistant Director
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod A
Quantico, Virginia 22135
[redacted]

b3
b7E

and

Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, Virginia 22135
[redacted]

The [redacted] acceptance of the above conditions shall be evidenced by the signature below of an authorized representative of the [redacted]

Sincerely,

Marcus C. Thomas
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this [redacted]

[redacted]

b6
b7C
b7E

cc: [redacted] Unit Chief, FBI Tracking Technology Unit
FBI Office of the General Counsel
[redacted] FBI Office of the General Counsel

CELL/OTD 015271

CELLSITE-21082

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Monday, May 23, 2011 10:12 AM
To: [redacted] (OTD) (FBI)
Subject: [redacted] - NDA

[redacted] - I was advised this morning by [redacted] that [redacted] has declined to sign the Non-Disclosure Agreement (NDA) regarding the use of [redacted] acknowledged that the [redacted] understood that [redacted] to agree to the terms of the NDA.

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[redacted]

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DATE 04-10-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Monday, May 23, 2011 8:44 AM
To: [redacted]
Cc:
Subject: RE:

Gentlemen,

[redacted] has advised we can proceed with the NDA for [redacted] with your approvals.

Thanks,
[redacted]

b6
b7C
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I have no issue with that but insure your management chain approves.. Thanks

Once completed mail me the signed copies..

-----Original Message-----
From: [redacted]
Sent: Thursday, May 19, 2011 9:27 PM
To: [redacted]
Subject: RE:

[redacted]

I can execute the NDA with [redacted] if you would like me to. Let me know.

Thanks,
[redacted]

-----Original Message-----
From: [redacted] (OTD) (FBI)
Sent: Thursday, May 19, 2011 11:22 AM
To: [redacted]
Cc: [redacted]
Subject: FW:

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I am inquiring as to how you would like me to proceed. I have a request from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted] have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted] FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted]

CELL/OTD 1017114

If I can answer any question feel free to contact me directly @ [redacted]

b6
b7C

-----Original Message-----
From: [redacted] (OTD) (FBI)
Sent: Thursday, May 19, 2011 9:59 AM
To: [redacted] (OTD) (FBI)
Subject:

CELL-OTD 017115

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DATE 04-10-2013 BY NSICG F54M93K42

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

Re: [redacted] and Non-Disclosure Obligations

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Dear [redacted]

We have been advised by [redacted] of the [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

CELL/OTD 016940

[redacted]

Assistant Director
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod A
Quantico, Virginia 22135
[redacted]

b3
b6
b7C
b7E

and

Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, Virginia 22135
[redacted]

The [redacted] acceptance of the above conditions shall be evidenced by the signature below of an authorized representative of the [redacted]

Sincerely,

_____
Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this _____ day of _____, [redacted]

b3
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b7E

[redacted]

cc: [redacted] Unit Chief, FBI Tracking Technology Unit
[redacted] FBI Office of the General Counsel
[redacted] FBI Office of the General Counsel

CELL/OTD 4 016943

CELLSITE-21118

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DATE 04-10-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Thursday, May 19, 2011 2:33 PM
To: [redacted]
Subject: RE: NDA

[redacted],

[redacted] will get them signed and forward to you- thanks

-----Original Message-----
From: [redacted] (OTD) (FBI)
Sent: Thursday, May 19, 2011 11:11 AM
To: [redacted]
Cc: [redacted]
Subject: FW: NDA

[redacted] I am once again inquiring as to how you would like me to proceed. I have requests from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted], have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted]/FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted]

b3
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If I can answer any question feel free to contact me directly @ [redacted]

-----Original Message-----
From: [redacted] (OTD) (FBI)
Sent: Thursday, May 19, 2011 9:58 AM
To: [redacted] (OTD) (FBI)
Subject:

CELL/OTD 017116

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Thursday, May 19, 2011 1:49 PM
To: [redacted]
Subject: RE: NDA --- UNCLASSIFIED

Classification: UNCLASSIFIED
==========

[redacted]

We'll let you know ASAP.

[redacted]

Let's discuss when [redacted] gets back in town.

Thanks
[redacted]

-----Original Message-----
From: [redacted] (OTD) (FBI)
Sent: Thursday, May 19, 2011 10:25 AM
To: [redacted]
Cc: [redacted]
Subject: FW: NDA

I am inquiring as to how you would like me to proceed. I have a request from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted] have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted]/FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted]

If I can answer any question feel free to contact me directly @ [redacted]

-----Original Message-----
From: [redacted] (OTD) (FBI)
Sent: Thursday, May 19, 2011 9:59 AM
To: [redacted] (OTD) (FBI)
Subject:

CELL/OTD 017117

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Classification: UNCLASSIFIED

CELL/OTD 017118

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Wednesday, May 25, 2011 8:27 AM
To: [redacted]
Subject: RE: NDA --- UNCLASSIFIED

Classification: UNCLASSIFIED
==========

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Hey [redacted]

Thanks for the information. We will contact the [redacted] to make arrangements and have this attached document signed. I will contact you as soon as we get it signed and/or if there are any questions.

Have a great weekend.

[redacted]

b3
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-----Original Message-----
From: [redacted] (OTD) (FBI)
Sent: Thursday, May 19, 2011 11:19 AM
To: [redacted]
Cc: [redacted]
Subject: FW: NDA

I am inquiring as to how you would like me to proceed. I have a request from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted] have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted] FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted]

If I can answer any question feel free to contact me directly @ [redacted]

-----Original Message-----
From: [redacted] (OTD) (FBI)
Sent: Thursday, May 19, 2011 9:59 AM
To: [redacted] (OTD) (FBI)
Subject:

==========
Classification: UNCLASSIFIED

CELL/OTD 017112

CELLSITE-21123

ALL INFORMATION CONTAINED
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DATE 04-10-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Friday, May 27, 2011 4:53 PM
To: [redacted]
Cc: [redacted]
Subject: RE: NDA --- UNCLASSIFIED

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Classification: UNCLASSIFIED
==========

Please forward me a copy of the NDA and we will handle it.

Thank you.

-----Original Message-----
From: [redacted] (OTD) (FBI)
Sent: Thursday, May 19, 2011 10:25 AM
To: [redacted]
Cc: [redacted]
Subject: FW: NDA

b3
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b7C
b7E

I am inquiring as to how you would like me to proceed. I have a request from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted], have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted] FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted]

If I can answer any question feel free to contact me directly @ [redacted]

-----Original Message-----
From: [redacted] (OTD) (FBI)
Sent: Thursday, May 19, 2011 9:59 AM
To: [redacted] (OTD) (FBI)
Subject:

==========
Classification: UNCLASSIFIED

CELL/OTD 017110

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DATE 04-10-2013 BY NSICG F54M93K42

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

Re: [redacted] and Non-Disclosure Obligations

Dear [redacted]

We have been advised by [redacted] of the [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement. [redacted]

b3
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[redacted]

CELL/OTD 016944

[redacted]

b3
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b7E

Assistant Director
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod A
Quantico, Virginia 22135
[redacted]

and

Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, Virginia 22135
[redacted]

The [redacted] acceptance of the above conditions shall be evidenced by the signature below of an authorized representative of the [redacted]

Sincerely,

_____
Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this _____ day of _____, [redacted]

[redacted]

b3
b6
b7C
b7E

cc: [redacted] Unit Chief, FBI Tracking Technology Unit
[redacted] FBI Office of the General Counsel
[redacted] FBI Office of the General Counsel

CELL/OTD 016947

CELLSITE-21131

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

Re: [redacted] and Non-Disclosure Obligations

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b3
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b7C
b7E

Dear [redacted]

We have been advised by [redacted] of [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

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DATE 04-10-2013 BY NSICG F54M93K42

Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, Virginia 22135
[redacted]

b7E

CELL/OTD 016954

CELL/OTD 016

CELLSITE-21138

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative and [redacted]

Sincerely,

_____
Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this _____ day of _____, [redacted]

b3
b6
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b7E

[redacted]

[redacted]

[redacted]

[redacted]

CELL/OTD 016955

CELLSITE-21139

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

Re: [redacted] and Non- Disclosure Obligations

b3
b6
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LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

Dear [redacted]

We have been advised by [redacted] of the [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F54M93K42

8. [redacted]

Assistant Director
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod A
Quantico, Virginia 22135
[redacted]

b3
b7E

and

Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, Virginia 22135
[redacted]

CELL/OTD 016563

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative and [redacted]

Sincerely,

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[redacted]
Federal Bureau of Investigation

Acknowledged and agreed to this _____ day of _____ [redacted]

[redacted]

b6
b7C
b7E

[redacted]

[redacted]

[redacted]

[redacted]

CELL/OTD 01 6964

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DATE 04-10-2013 BY NSICG F54M93K42

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

Attention: [redacted]

Re: Contract [redacted] Request
Approval – [redacted]

Dear [redacted]

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The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) in place with the [redacted] and our execution of the NDA, meets the FBI's advance coordination requirement. Therefore, [redacted] is permitted to [redacted]

If there are any questions, please contact me.

Sincerely,

[redacted]
Chief, Tracking Technology Unit
Operational Technology Division
Telephone [redacted]

Cc: [redacted]

CELL/OTD 016965

CELLSITE-21149

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U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

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[redacted]

Attention: [redacted]

Re: Contrac[redacted]Request
Approval – [redacted]

Dear [redacted]

The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) in place with the [redacted] and our execution of the NDA, meets the FBI's advance coordination requirement. Therefore, the [redacted] is permitted to [redacted]

If there are any questions, please contact me.

Sincerely,

[redacted]

Chief, Tracking Technology Unit
Operational Technology Division
Telephone [redacted]

Cc: [redacted]

ILL/OTD 016969

CELLSITE-21152

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DATE 04-10-2013 BY NSICG F54M93K42

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

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Re: [redacted] and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

Dear [redacted]

We have been advised by [redacted] of the [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative and [redacted]

Sincerely,

b3
b7E

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this _____ day of _____ [redacted]

[redacted]

[redacted] _____

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[redacted] _____

[redacted] _____

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U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

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[redacted]

[redacted]

Attention: [redacted]

Re: Contract [redacted] Request Approval – [redacted]

Dear [redacted]

The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) in place with the [redacted], and our execution of the NDA, meets the FBI's advance coordination requirement. Therefore, the [redacted] is permitted to [redacted]

If there are any questions, please contact me.

Sincerely,

[redacted]
Chief, Tracking Technology Unit
Operational Technology Division
Telephone [redacted]

Cc: [redacted]

CELLSITE-21160

OIL/OTD 016978

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U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

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Re: [redacted] and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

Dear [redacted]

We have been advised by [redacted] of the [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, Virginia 22135

[redacted] b7E

CELL/OTD 016986

CELLSITE-21167

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative and [redacted]

Sincerely,

b3
b7E

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this _____ day of _____ [redacted]

[redacted]

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b7C
b7E

[redacted]

[redacted]

CELL/OTD 016987
CELLSITE-21168

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DATE 04-10-2013 BY NSICG F54M93K42

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

Attention: [redacted]

Re: Contract [redacted] Request
Approval – [redacted]

b3
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Dear [redacted]

The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) in place with the [redacted] and our execution of the NDA, meets the FBI's advance coordination requirement. Therefore, the [redacted] is permitted to [redacted]

If there are any questions, please contact me.

Sincerely,

[redacted]
Chief, Tracking Technology Unit
Operational Technology Division
Telephone [redacted]

Cc: [redacted]

CELLSITE-21171

CELL/OTD 016990

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U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

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Re: [redacted] and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

Dear [redacted]

We have been advised by [redacted] of the [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

CELL/OTD 01691

CELLSITE-21172

and

Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, Virginia 22135

[redacted] b7E

CELL/OTD 016995

CELLSITE-21176

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative and [redacted]

Sincerely,

b3
b7E

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this _____ day of _____ [redacted]

[redacted]

[redacted]

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[redacted]

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DATE 04-10-2013 BY NSICG F54M93K42

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

Contract:
Subject: [redacted] NDA

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Dear [redacted]

The Federal Bureau of Investigation has an approved Non-Disclosure Agreement (NDA) that is [redacted] shall coordinate in advance authorization from the FBI for the [redacted]

The NDA is entitled [redacted] and Non-Disclosure Obligations" dated [redacted]

Accordingly, the [redacted] agrees to the following conditions in connection with its [redacted]

1. [redacted]

If there are any questions, please do not hesitate to contact my office.

Sincerely,

[redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, VA 22135

CELL/OTD 016997

CELLSITE-21178

[ ] acknowledgement of and compliance with the above stated policy: [ ]

[ ] Date

b3
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cc: [ ]

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DATE 04-10-2013 BY NSICG F54M93K42

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

Contract:
Subject: [redacted] NDA

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Dear [redacted]

The Federal Bureau of Investigation has an approved Non-Disclosure Agreement (NDA) that is [redacted] shall coordinate in advance authorization from the FBI for the [redacted] The NDA is entitled [redacted] and Non-Disclosure Obligations" dated [redacted]

Accordingly, the [redacted] agrees to the following conditions in connection with its [redacted]

1. [redacted]

If there are any questions, please do not hesitate to contact my office.

Sincerely,

[redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, VA 22135

CELL/OTD 01959

[ ] acknowledgement of and compliance with the above stated policy:

[ ]

[ ]
Date

cc: [ ]

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DATE 04-10-2013 BY NSICG F54M93K42

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

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Contract:
Subject: [redacted] NDA

Dear [redacted]

The Federal Bureau of Investigation has an approved Non-Disclosure Agreement (NDA) that is [redacted] shall coordinate in advance authorization from the FBI for the [redacted]

The NDA is entitled [redacted] and Non-Disclosure Obligations" dated [redacted]

Accordingly, the [redacted] agrees to the following conditions in connection with its [redacted]

1. [redacted]

If there are any questions, please do not hesitate to contact my office.

Sincerely,

[redacted]

Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, VA 22135

CELL/OTD 017001

[ ] acknowledgement of and compliance with the above stated policy:

[ ]

[ ]
Date

cc: [ ]

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DATE 04-10-2013 BY NSICG F54M93K42

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[DATE], [redacted]

[NAME OF [redacted]
[TITLE] [redacted] NAME]
[ADDRESS]
[CITY, STATE, ZIP CODE]

Re: [redacted] and Non-Disclosure Obligations

Dear [NAME OF [redacted]

We have been advised by [redacted] of the [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

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[redacted]

[redacted]

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Assistant Director
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod A
Quantico, Virginia 22135
[redacted]

and

Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, Virginia 22135
[redacted]

b3
b7E

The [redacted]'s acceptance of the above conditions shall be evidenced by the signature below of an authorized representative of the [redacted]

Sincerely,

_____

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this _____ day of ____ [redacted]

CELL/OTD 017006

CELLSITE-21187

[NAME OF [redacted]
[TITLE]
[redacted] NAME]
[ADDRESS]
[CITY, STATE, ZIP CODE]

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cc: [redacted] Unit Chief, FBI Tracking Technology Unit
[redacted], FBI Office of the General Counsel
[redacted] FBI Office of the General Counsel

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

[redacted]

[redacted]

Attention: [redacted]

Re: Contract [redacted]

[redacted]

Dear [redacted]

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The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) in place with [redacted] and our execution of the NDA, meets the FBI's advance coordination requirement. Therefore, the [redacted] is permitted to [redacted]

If there are any questions, please contact me.

Sincerely,

[redacted]

Chief, Tracking Technology Unit
Operational Technology Division
telephone [redacted]

cc: [redacted]

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HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F54M93K42

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

[redacted]

[redacted]

Attention: [redacted]

Re: Contract [redacted]

[redacted]

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Dear [redacted]

The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) in place with [redacted] and our execution of the NDA, meets the FBI's advance coordination requirement. Therefore, the [redacted] is permitted to [redacted]

If there are any questions, please contact me.

Sincerely,

[redacted]

Chief, Tracking Technology Unit
Operational Technology Division
telephone [redacted]

cc: [redacted]

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HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F54M93K42

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HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F54M93K42

From: [redacted] (OTD) (FBI)
Sent: Monday, October 03, 2011 12:43 PM
To: [redacted]
Cc:
Subject: RE: Coordination for [redacted]
--- UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES
==========

Hi, [redacted] I received your voice message and understand your position. I will contact [redacted] directly.

Thank you,
[redacted]

From: [redacted] (OTD) (FBI)
Sent: Friday, September 23, 2011 6:21 PM
To: [redacted]
Cc: [redacted]
Subject: Coordination for [redacted] ---
UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES
==========

(U//FOUO//LES) Good day. I was notified by [redacted] that the [redacted] WITT [redacted], my unit manages the [redacted] sign a nondisclosure agreement with the FBI. I can coordinate this requirement directly with [redacted] I can provide you with the NDA and background information should your division want to lead the task.

(U//FOUO//LES) [redacted] but is the result of several years effort [redacted] The underlying point of the NDA is that the [redacted] are Law Enforcement Sensitive, and we don't want such information released [redacted] absent specific approval by the AD OTD. [redacted] I've attached a copy of the NDA for your review, but it is not for dissemination outside the FBI.

<< File: NDA_[redacted] WITT 08282011.pdf >>

(U) As I said above, we can pursue this in one of two ways: 1) you or your SAC can submit the NDA, which my unit will prepare, to [redacted] and have them sign the NDA, or 2) I can communicate directly with [redacted] and perform same.

(U) Please advise how you would like me to proceed or, if I can answer any questions, please contact me.

Best regards,

[redacted]

SSA [redacted]
Chief, Tracking Technology Unit
Traditional Technology Section
Operational Technology Division
office: [redacted]
mobile [redacted]
I-net email: [redacted]

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Classification: UNCLASSIFIED//FOUO//LES

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Classification: UNCLASSIFIED//FOUO//LES

CELL/OTD 015309

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HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Thursday, August 18, 2011 3:53 PM
To: [redacted]
Cc:
Subject: RE [redacted] Non-Disclosure Agreement --- UNCLASSIFIED//LES

Classification: UNCLASSIFIED//LES
==========

Hi, [redacted] I recently succeeded [redacted] at TTU and am now administering the NDA process he described previously. While he indicated [redacted] on his original email, we actually have the request for the [redacted] from the [redacted] Would your office like to work with [redacted] to accomplish the NDA as part of [redacted] (I will prepare the NDA for you), or may I contact them directly?

Please contact me if you've any questions.

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[redacted]

SSA [redacted]
Chief, Tracking Technology Unit
Traditional Technology Section
Operational Technology Division
office: [redacted]
mobile
I-net email: [redacted]

From: [redacted] (OTD) (FBI)
Sent: Friday, July 22, 2011 6:30 AM
To: [redacted]
Cc:
Subject: [redacted] Non-Disclosure Agreement --- UNCLASSIFIED

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Classification: UNCLASSIFIED
==========

[redacted] I cannot locate your ASAC [redacted] in the address look up. Need your assistance.

I am inquiring as to how you would like me to proceed. I have a request from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted], have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted]/FBI approved NDA.. The requestors are required to each sign an NDA and are

CELL-OTD 017324

CELLSITE-21205

specifically identified in the attached pdf file. [redacted]

If I can answer any question feel free to contact me directly @ [redacted]

<< File: NDA_[redacted]WITT Master.doc >> << File: Document.pdf >>

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SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted] **office**
cell
"Factum Non Verbum"

==========
Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED//LES

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F54M93K42

[redacted] OTD) (FBI)

From: [redacted] OTD) (FBI)
Sent: Thursday, August 18, 2011 2:40 PM
To: [redacted]
Cc:
Subject: RE: Non-Disclosure [redacted] -- UNCLASSIFIED//FOUO

Classification: UNCLASSIFIED//FOUO
==========

Hello, [redacted] I recently succeeded [redacted] at the TTU and, dare I say, am just beginning to get a handle on this NDA process. As we did with [redacted] may I directly contact [redacted] to begin their agreement?

I noted your invitation for a visit to discuss WITT. If you'll permit me a few months to settle into this role, I would be pleased to make the trip out your way.

Best regards,
[redacted]

SSA [redacted]
Chief, Tracking Technology Unit
Traditional Technology Section
Operational Technology Division
office: [redacted]
mobile
I-net email: [redacted]

From: [redacted] (OTD) (FBI)
Sent: Tuesday, July 26, 2011 10:50 AM
To: [redacted]
Cc:
Subject: RE: Non-Disclosure [redacted] - UNCLASSIFIED//FOUO

Classification: UNCLASSIFIED//FOUO
==========

Thanks. I just received another request from the [redacted]. Do you desire OTD to handle this
<< File: Document.pdf >> [redacted] As discussed you will need to handle the [redacted] and await word from ASAC [redacted] on the [redacted]

From: [redacted]
Sent: Wednesday, June 29, 2011 6:42 PM
To [redacted]
Subject: RE: Non-Disclosure [redacted] --- UNCLASSIFIED//FOUO

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CELL-OTD 017326

Classification: UNCLASSIFIED//FOUO
==========

I would appreciate you executing the NDA with the [redacted] it would be beneficial to have you as the WITT [redacted] manager and SME to address these issues directly.

Additionally, I would be proud to showcase the use of WITT [redacted] I'm sure SSA [redacted] along with [redacted] would welcome your visit and opportunities to discuss innovative ways to improve and expand our WITT deployment as well. For example, an opportunity exists in one of our RAs to utilize WITT [redacted] in a [redacted] environment. Please let me know if I can help facilitate this matter in any way.

Thanks,

[redacted]

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From: [redacted] (OTD) (FBI)
Sent: Tuesday, June 28, 2011 5:51 AM
To: [redacted]
Cc: [redacted] (OTD) (FBI)
Subject: Non-Disclosure [redacted] --- UNCLASSIFIED//FOUO

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Classification: UNCLASSIFIED//FOUO
==========

<< File: Document.pdf >> << File: NDA_[redacted] WITT 20101123.doc >>

GENTS:

I am inquiring as to how you would like me to proceed. I have a request from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted] have

them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. The attached documents are the requesting letter from and the actual FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. Signed NDS return to TTU for action.

If I can answer any question feel free to contact me directly @

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SSA
Unit Chief
Tracking Technology Unit
Operational Technology Division
office
cell
"Factum Non Verbum"

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Classification: UNCLASSIFIED//FOUO

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Classification: UNCLASSIFIED//FOUO

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Classification: UNCLASSIFIED//FOUO

CELL-OTD 017328

CELLSITE-21209

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DATE 04-10-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Tuesday, July 19, 2011 2:52 PM
To: [redacted]
Cc:
Subject: [redacted] Non-Disclosure Agreement --- UNCLASSIFIED

Classification: UNCLASSIFIED
==========

NDA [redacted] Document.pdf
[redacted] WIT...

Gents: Here we go again.. Thanks for the CONTINUED support.

I am inquiring as to how you would like me to proceed. I have a request from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted] have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted] FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted]

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If I can answer any question feel free to contact me directly @ [redacted]

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted] **office**
cell
"Factum Non Verbum"

==========
Classification: UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OGC)(FBI)
Sent: Wednesday, July 13, 2011 11:07 AM
To: [redacted]
Cc:
Subject: RE: [redacted] NDA --- UNCLASSIFIED//FOUO

Classification: UNCLASSIFIED//FOUO
ATTORNEY-CLIENT PRIVILEGED INFORMATION
==========

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[redacted]

Here is the letter, ready for signature by the A/AD and [redacted] Once the A/AD signs, [redacted] said to e-mail it to her at [redacted], and she will get it to the [redacted] for signature. She also asked for us to provide, with the NDA, a letter from you clarifying that [redacted] As discussed, she originally recommended that the [redacted]

Let me know if you have any questions.

[redacted]
Assistant General Counsel
Science & Technology Law Unit
FBI Office of the General Counsel
O: [redacted]
BB [redacted]
E-Mail (U): [redacted]
E-Mail (S): [redacted]

THIS MAY BE A PRIVILEGED ATTORNEY CLIENT ATTORNEY WORK PRODUCT COMMUNICATION AND SHOULD NOT BE DISCLOSED OUTSIDE THE FBI WITHOUT OGC'S PRIOR PERMISSION.

[redacted]

From: [redacted] (OTD) (FBI)
Sent: Monday, June 20, 2011 11:09 AM
To: [redacted] (OGC)(FBI)
Subject: RE: [redacted] NDA --- UNCLASSIFIED

CELL/OTD 017358

Classification: UNCLASSIFIED
==========

Some wording issues w NDA.. call me

From: [redacted] (OGC)(FBI)
Sent: Monday, June 20, 2011 11:08 AM
To: [redacted] (OTD) (FBI)
Subject: RE: [redacted] NDA --- UNCLASSIFIED

Classification: UNCLASSIFIED
==========

Sure. Any idea what the issue is? I have a 1PM meeting that will likely take an hour, other than that, I'm open.

b3
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b7E

[redacted]
Assistant General Counsel
Science & Technology Law Unit
FBI Office of the General Counsel
O: [redacted]
BB [redacted]
E-Mail (U): [redacted]
E-Mail (S): [redacted]

THIS MAY BE A PRIVILEGED ATTORNEY CLIENT ATTORNEY WORK PRODUCT COMMUNICATION AND SHOULD NOT BE DISCLOSED OUTSIDE THE FBI WITHOUT OGC'S PRIOR PERMISSION.

From: [redacted] (OTD) (FBI)
Sent: Monday, June 20, 2011 10:52 AM
To: [redacted] (OGC)(FBI)
Subject: [redacted] NDA --- UNCLASSIFIED

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Classification: UNCLASSIFIED
==========

Can we coordinate a call to [redacted] has some questions concerning the NDA to [redacted]

<< File: NDA_[redacted]WITT 20101123.doc >>

SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted]

CELL/OTD 017359

[redacted]cell
"Factum Non Verbum"

b6
b7C

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED//FOUO

CELL/OTD 017360

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F54M93K42

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

Re: [redacted] and Non-Disclosure Obligations

Dear [redacted]

We have been advised by the [redacted] of the [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

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b7E

[redacted]

CELL/OTD 01T561

CELLSITE-21242

[redacted]

Assistant Director
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod A
Quantico, Virginia 22135
[redacted]

b3
b7E

and

Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, Virginia 22135
[redacted]

The [redacted] acceptance of the above conditions shall be evidenced by the signature below of an authorized representative of the [redacted]

Sincerely,

[redacted]

b6
b7C

Acting Assistant Director
Operational Technology Division
Federal Bureau of Investigation

CELL/OTD 017364

CELLSITE-21245

Acknowledged and agreed to this _____ day of _____, [redacted]

[redacted]

Acknowledged and agreed to this _____ day of _____, [redacted]

b3
b6
b7C
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[redacted]

cc: [redacted] Unit Chief, FBI Tracking Technology Unit
[redacted], FBI Office of the General Counsel
[redacted] FBI Office of the General Counsel
[redacted]

CELL/OTD 017365

CELLSITE-21246

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Tuesday, May 31, 2011 10:15 AM
To: [redacted]
Cc:
Subject: RE: --- UNCLASSIFIED

Classification: UNCLASSIFIED
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b6
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[redacted], will handle submission and obtaining the signatures. I assume we will confirm the handling via EC and the original document w/signatures goes to you, with [redacted] keeping a copy. If that is correct, please send a file number to direct the EC and document. Thanks.

[redacted]

-----Original Message-----
From: [redacted] (OTD) (FBI)
Sent: Thursday, May 19, 2011 11:02 AM
To: [redacted]
(FBI)
Cc: [redacted] (OTD) (FBI)
Subject: FW:

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I am inquiring as to how you would like me to proceed. I have requests from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted] have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted] FBI approved NDA... The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted].

If I can answer any question feel free to contact me directly @ [redacted]

-----Original Message-----
From: [redacted] (OTD) (FBI)
Sent: Thursday, May 19, 2011 9:58 AM
To: [redacted] (OTD) (FBI)

CELL/OTD 017322

Subject:

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Classification: UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Tuesday, May 31, 2011 2:58 PM
To: [redacted]
Subject: RE: NON-DISCLOSURE AGREEMENT [redacted] --- UNCLASSIFIED//FOUO

b6
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Classification: UNCLASSIFIED//FOUO
==========

Sorry, Most of my message got cut off. Do you want to meet first to discuss this, BEFORE we set up a meet and greet with the [redacted] I'm free all day tomorrow.

[redacted]

From: [redacted]
Sent: Tuesday, May 31, 2011 2:15 PM
To: [redacted]
Subject: RE: NON-DISCLOSURE AGREEMENT [redacted] -- UNCLASSIFIED//FOUO

Classification: UNCLASSIFIED//FOUO
==========

UNCLASSIFIED
NON-RECORD

b3
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b7E

[redacted]

Should we schedule a meeting with [redacted] (I think [redacted] has dealt with [redacted] in the past) to talk about this? It would be a good opportunity for a meet and greet.

Thanks,

[redacted]

UNCLASSIFIED
NON-RECORD

CELL/OTD 017312

From: [redacted] (OTD) (FBI)
Sent: Tuesday, May 31, 2011 11:45 AM
To: [redacted]
Cc: [redacted]
Subject: NON-DISCLOSURE AGREEMENT [redacted] -- UNCLASSIFIED//FOUO

Classification: UNCLASSIFIED//FOUO
==========

I am inquiring as to how you would like me to proceed. I have a request from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted] have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted] FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted]

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If I can answer any question feel free to contact me directly @ [redacted]

<< File: NDA_[redacted]WITT 20101123.doc >> << File: Document.pdf >>

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Classification: UNCLASSIFIED//FOUO

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Classification: UNCLASSIFIED//FOUO

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Classification: UNCLASSIFIED//FOUO

CELL/OTD 017313

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted] (OTD) (FBI)
Sent: Tuesday, May 31, 2011 11:45 AM
To: [redacted]
Cc:
Subject: NON-DISCLOSURE AGREEMENT [redacted] -- UNCLASSIFIED//FOUO

Classification: UNCLASSIFIED//FOUO
==========

I am inquiring as to how you would like me to proceed. I have a request from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted] have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted] /FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted]

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If I can answer any question feel free to contact me directly @ [redacted]

NDA [redacted] WIT...

Document.pdf

==========
Classification: UNCLASSIFIED//FOUO

CELL-OTD 07754

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F54M93K42

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[DATE], [redacted]

[NAME OF [redacted]
[TITLE]
[redacted] NAME]
[ADDRESS]
[CITY, STATE, ZIP CODE]

Re: [redacted] and Non-Disclosure Obligations

Dear [NAME OF [redacted]

We have been advised by [redacted] of the [redacted]

[redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

b3
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[redacted]

CELL-OTD 017315

CELLSITE-21252

[redacted]

b3
b7E

Assistant Director
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod A
Quantico, Virginia 22135
[redacted]

and

Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, Virginia 22135
[redacted]

b3
b7E

The [redacted] acceptance of the above conditions shall be evidenced by the signature below of an authorized representative of the [redacted]

Sincerely,

_____

Marcus C. Thomas
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this _____ day of _____ [redacted]

CELL/OTD 017318

CELLSITE-21255

[NAME OF [redacted]
[TITLE]
[redacted]NAME]
[ADDRESS]
[CITY, STATE, ZIP CODE]

b6
b7C
b7E

cc: [redacted] Unit Chief, FBI Tracking Technology Unit
[redacted], FBI Office of the General Counsel
[redacted] FBI Office of the General Counsel

CELLSITE-21256

CELL/OTD 017319

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F54M93K42

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

b3
b6
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b7E

Re: [redacted] and Non-Disclosure Obligations

Dear [redacted]

We have been advised by [redacted] of the [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

CELL/OTD 017307

CELLSITE-21259

[redacted]

Assistant Director
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod A
Quantico, Virginia 22135
[redacted]

b3
b7E

and

Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, Virginia 22135
[redacted]

The [redacted] acceptance of the above conditions shall be evidenced by the signature below of an authorized representative of the [redacted]

Sincerely,

_____
Marcus C. Thomas
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this _____ day of _____, [redacted]

b3
b6
b7C
b7E

[redacted]

CELL/OTD 017310 CELLSITE-21262

cc: [redacted] Unit Chief, FBI Tracking Technology Unit
[redacted] FBI Office of the General Counsel
[redacted] FBI Office of the General Counsel

b6
b7C

CELL/OTD 017311

CELLSITE-21263

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Friday, June 24, 2011 10:52 AM
To: [redacted]
Cc:
Subject: RE: Non-Disclosure --- UNCLASSIFIED

Classification: UNCLASSIFIED
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[redacted]

We have a good relationship with [redacted] so no issues there. I don't mind pushing the forms to [redacted] and his folks. If you think it's beneficial to travel to [redacted] I also have no objections. Pending ASAC [redacted] concurrence with either scenario, what would you prefer?

[redacted]

From: [redacted] (OTD) (FBI)
Sent: Friday, June 24, 2011 9:33 AM
To: [redacted]
Cc:
Subject: Non-Disclosure --- UNCLASSIFIED

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Classification: UNCLASSIFIED
==========

GENTS:

I am inquiring as to how you would like me to proceed. I have a request from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted] have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted] FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted]

If I can answer any question feel free to contact me directly @ [redacted]

<< File: NDA [redacted] WITT 20101123.doc >> << File: Document.pdf >>

CELL/OTD d17268

SSA
Unit Chief
Tracking Technology Unit
Operational Technology Division
office
cell
"Factum Non Verbum"

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b7C

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Wednesday, June 29, 2011 6:42 PM
To: [redacted]
Subject: RE: Non-Disclosure [redacted] --- UNCLASSIFIED//FOUO

Classification: UNCLASSIFIED//FOUO
==========

[redacted]

I would appreciate you executing the NDA with the [redacted], it would be beneficial to have you as the WITT [redacted] manager and SME to address these issues directly.

Additionally, I would be proud to showcase the use of WITT [redacted] I'm sure SSA [redacted] along with [redacted] would welcome your visit and opportunities to discuss innovative ways to improve and expand our WITT deployment as well. For example, an opportunity exists in one of our RAs to utilize WITT [redacted] in a [redacted] environment. Please let me know if I can help facilitate this matter in any way.

Thanks,

[redacted]

From: [redacted] (OTD) (FBI)
Sent: Tuesday, June 28, 2011 5:51 AM
To: [redacted]
Cc: [redacted]
Subject: Non-Disclosure [redacted] --- UNCLASSIFIED//FOUO

Classification: UNCLASSIFIED//FOUO
==========

<< File: Document.pdf >> << File: NDA [redacted] WITT 20101123.doc >>

CELL/OTD 017229

GENTS:

I am inquiring as to how you would like me to proceed. I have a request from the [redacted] OTD has worked for several years to [redacted], upon acceptance of the attached NDA. Before [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted] have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted]/FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted] Signed NDS return to TTU for action.

If I can answer any question feel free to contact me directly @ [redacted]

b3
b6
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SSA [redacted]
Unit Chief
Tracking Technology Unit
Operational Technology Division
[redacted] **office**
cell
"Factum Non Verbum"

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Classification: UNCLASSIFIED//FOUO

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Classification: UNCLASSIFIED//FOUO

CELL/OTD 017230

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F54M93K42

[redacted] (OTD) (FBI)

From: [redacted]
Sent: Thursday, February 17, 2011 4:59 PM
To: [redacted]
Subject: RE: NON-DISCLOSURE ASSISTANCE

[redacted]

b6
b7C
b7E

Could you give me a call tomorrow or at your convenience and we can discuss. Thanks

[redacted]

From: [redacted] (OTD) (FBI)
Sent: Wednesday, February 16, 2011 1:32 PM
To: [redacted]
Subject: NON-DISCLOSURE ASSISTANCE

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Gentlemen: I am inquiring as to how you would like me to proceed. I have requests from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] an **NDA must be signed**. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted] sign the enclosed NDA or I can travel and perform the same. Wanted to run this by each of you since [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted]/FBI approved NDA..

<< File: Document.pdf >> << File: NDA_[redacted]WITT 20101123.doc >>

CELL-OTD 017012

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-18-2013 BY NSICG F54M93K42

Request for Confidentiality

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FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1212582-1

Total Deleted Page(s) = 257
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Page 3 ~ Duplicate;
Page 4 ~ Duplicate;
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Page 8 ~ b3; b7E;
Page 20 ~ b3; b4; b6; b7C; b7E;
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Page 27 ~ b3; b7E;
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Page 64 ~ b3; b7E;
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Page 255 ~ b3; b7E;
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Page 261 ~ b3; b7E;
Page 262 ~ b3; b7E;
Page 263 ~ b3; b7E;
Page 265 ~ Duplicate;
Page 266 ~ b3; b4; b6; b7C; b7E;
Page 267 ~ b3; b4; b6; b7C; b7E;
Page 268 ~ b3; b6; b7C; b7E;
Page 270 ~ b3; b4; b6; b7C; b7E;
Page 271 ~ b3; b4; b6; b7C; b7E;
Page 272 ~ Duplicate;
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Page 276 ~ Duplicate;
Page 278 ~ b3; b4; b6; b7C; b7E;
Page 279 ~ b3; b4; b6; b7C; b7E;
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Page 286 ~ b3; b4; b6; b7C; b7E;
Page 287 ~ b3; b4; b6; b7C; b7E;
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Page 294 ~ b3; b4; b6; b7C; b7E;
Page 295 ~ b3; b4; b6; b7C; b7E;
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Page 302 ~ b3; b4; b6; b7C; b7E;
Page 303 ~ b3; b4; b6; b7C; b7E;
Page 304 ~ b3; b5; b6; b7C; b7E;
Page 305 ~ b1; b3; b5; b6; b7C; b7E;
Page 306 ~ b1; b3; b5; b6; b7C; b7E;
Page 309 ~ Duplicate;
Page 310 ~ b3; b7E;
Page 311 ~ b3; b7E;
Page 315 ~ Duplicate;
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Page 335 ~ b3; b4; b6; b7C; b7E;
Page 336 ~ b3; b4; b6; b7C; b7E;
Page 342 ~ b3; b4; b6; b7C; b7E;
Page 343 ~ b3; b4; b6; b7C; b7E;
Page 344 ~ b3; b4; b6; b7C; b7E;
Page 345 ~ b3; b4; b6; b7C; b7E;
Page 346 ~ b3; b4; b6; b7C; b7E;
Page 347 ~ b3; b4; b6; b7C; b7E;
Page 348 ~ b3; b4; b6; b7C; b7E;
Page 349 ~ b3; b4; b6; b7C; b7E;
Page 350 ~ b3; b4; b6; b7C; b7E;
Page 351 ~ b3; b4; b6; b7C; b7E;
Page 353 ~ b3; b5; b6; b7C; b7E;
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HEREIN IS UNCLASSIFIED
DATE 04-09-2013 BY NSICG F85M26K45

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

Re: Purchase of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

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Dear [redacted]

We have been advised by [redacted] of the [redacted]

[redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

CELL/OTD 014939 CELLSITE-20559

The [redacted] acceptance of the above conditions shall be evidenced by the signature below of an authorized representative of the [redacted]

Sincerely,

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

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b7E

Acknowledged and agreed to this [redacted]

[redacted]

CELL/OTD 014943

CELLSITE-20563

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DATE 04-09-2013 BY NSICG F85M26K45

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

Re: Purchase of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

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Dear [redacted]

We have been advised by [redacted] of the [redacted]

[redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

CELL/OTD 014929 CELLSITE-20564

The [redacted] acceptance of the above conditions shall be evidenced by the signature below of an authorized representative of the [redacted]

Sincerely,

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

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[redacted]

CELL/OTD 014975
CELLSITE-20565

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DATE 04-09-2013 BY NSICG F85M26K45

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

Re: Purchase of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

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Dear [redacted]

We have been advised by [redacted] of the [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

CELLSITE-20566

The [redacted] acceptance of the above conditions shall be evidenced by the signature below of an authorized representative of the [redacted]

Sincerely,

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

b3
b6
b7C
b7E

Acknowledged and agreed to this [redacted]

[redacted]

CELL/OTD 014938

CELLSITE-20567

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

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HEREIN IS UNCLASSIFIED
DATE 04-09-2013 BY NSICG F85M26K45

[redacted]

Attention: [redacted]

Re: Contract [redacted] Request
Approval - [redacted]

Dear [redacted] b6 b7C

The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) in place with the [redacted] and our execution of the NDA, meets the FBI's advance coordination requirement. Therefore, [redacted] b3 b6 b7C b7E

If there are any questions, please contact me.

Sincerely,

[redacted]

Operational Technology Division
Telephone [redacted]

Cc: [redacted]

CELLSITE-20570

CELL/OTD 014920

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HEREIN IS UNCLASSIFIED
DATE 04-09-2013 BY NSICG F85M26K45

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

Re: Purchase of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

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Dear [redacted]

We have been advised by [redacted] of the [redacted]

[redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

CELL/OTD 014921 CELLSITE-20571

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative [redacted]

Sincerely,

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this [redacted]

[redacted]

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b6
b7C
b7E

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

CELL/OTD 014926

CELLSITE-20576

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

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HEREIN IS UNCLASSIFIED
DATE 04-09-2013 BY NSICG F85M26K45

[redacted]

Re: Purchase of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

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Dear [redacted]

We have been advised by [redacted] of the [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

CELL/OTD 014912 CELLSITE-20579

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative and [redacted] the [redacted]

Sincerely,

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this [redacted]

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[redacted]

[redacted]

[redacted]

[redacted]

CELL/OTD 014917
CELLSITE-20584

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DATE 04-09-2013 BY NSICG F85M26K45

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

Attention: [redacted]

Re: Contract [redacted] Request
Approval - [redacted]

Dear [redacted]

The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) in place with the [redacted] and our execution of the NDA meets the FBI's advance coordination requirement. Therefore, the [redacted]

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If there are any questions, please contact me.

Sincerely,

[redacted]

Operational Technology Division
Telephone [redacted]

Cc: [redacted]

CELLSITE-20587

CELL/OTD 014910

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

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HEREIN IS UNCLASSIFIED
DATE 04-09-2013 BY NSICG F85M26K45

[redacted]

Re: Purchase of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

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Dear [redacted]

We have been advised by [redacted] of the [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative and [redacted]

Sincerely,

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this [redacted]

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[redacted]

[redacted]

[redacted]

CELL/OTD 014907
CELLSITE-20593

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

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DATE 04-09-2013 BY NSICG F85M26K45

[redacted]

Re: Purchase of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

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Dear [redacted]

We have been advised by [redacted] of the [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

CELLSITE-20600
CELL/OTD 014890

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative and [redacted]

Sincerely,

[redacted]
Federal Bureau of Investigation

Acknowledged and agreed to this [redacted]

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[redacted]

[redacted]

[redacted]

[redacted]

CELL/OTD 014895
CELLSITE-20605

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DATE 04-09-2013 BY NSICG F85M26K45

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

Attention: [redacted]

Re: Contract [redacted] Request
Approval - [redacted]

Dear [redacted]

The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) in place with the [redacted] and our execution of the NDA, meets the FBI's advance coordination requirement. Therefore, [redacted]

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If there are any questions, please contact me.

Sincerely,

[redacted]

Operational Technology Division
Telephone [redacted]

Cc: [redacted]

CELL/OTD 014889
CELLSITE-20606

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

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HEREIN IS UNCLASSIFIED
DATE 04-09-2013 BY NSICG F85M26K45

[redacted]

Re: Acquisition of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

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Dear [redacted]

We have been advised by [redacted] of the [redacted]

[redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

CELLSITE-20609

CELL/OTD 014881

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative and [redacted]

Sincerely,

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

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CELL/OTD 014886

CELLSITE-20614

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

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HEREIN IS UNCLASSIFIED
DATE 04-09-2013 BY NSICG F85M26K45

[redacted]

Attention: [redacted]

Re: Contract [redacted] Request
Approval - [redacted]

Dear [redacted]

The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) in place with the [redacted] and our execution of the NDA, meets the FBI's advance coordination requirement. Therefore, [redacted]

b3
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If there are any questions, please contact me.

Sincerely,

[redacted]

Operational Technology Division
Telephone [redacted]

Cc: [redacted]

CELL/OTD 015144

CELLSITE-20615

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-09-2013 BY NSICG F85M26K45

[redacted]

Re: Acquisition of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

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Dear [redacted]

We have been advised by [redacted] of the [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative and [redacted]

Sincerely,

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

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HEREIN IS UNCLASSIFIED
DATE 04-09-2013 BY NSICG F85M26K45

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

Contract:
Subject: NDA

Dear

The Federal Bureau of Investigation has an approved Non-Disclosure Agreement (NDA) that is shall coordinate in advance authorization from the FBI for the The NDA is entitled and Non-Disclosure Obligations" dated

b3
b6
b7C
b7E

Accordingly, the agrees to the following conditions in connection with its

1.

If there are any questions, please do not hesitate to contact my office.

Sincerely,

Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, VA 22135

CELL/OTD 015135

CELLSITE-20624

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-09-2013 BY NSICG F85M26K45

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

Contract:
Subject: NDA

Dear

The Federal Bureau of Investigation has an approved Non-Disclosure Agreement (NDA) that is shall coordinate in advance authorization from the FBI for the The NDA is entitled and Non-Disclosure Obligations" dated

b3
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b7E

Accordingly, the agrees to the following conditions in connection with its

1.

If there are any questions, please do not hesitate to contact my office.

Sincerely,

Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, VA 22135

CELL/OTD 015134

CELLSITE-20625

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HEREIN IS UNCLASSIFIED
DATE 04-09-2013 BY NSICG F85M26K45

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

[redacted]

[redacted]

Contract: [redacted]
Subject: [redacted] NDA

Dear [redacted]

The Federal Bureau of Investigation has an approved Non-Disclosure Agreement (NDA) that is [redacted] shall coordinate in advance authorization from the FBI for the [redacted] The NDA is entitled [redacted] and Non-Disclosure Obligations" dated [redacted]

b3
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Accordingly, the [redacted] agrees to the following conditions in connection with its [redacted]

1. [redacted]

If there are any questions, please do not hesitate to contact my office.

Sincerely,

[redacted]

Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, VA 22135

cc: [redacted]

b6
b7C

CELLSITE-20626
CELL/OTD 015133

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-09-2013 BY NSICG F85M26K45

[NAME OF [redacted]
[TITLE]
[redacted] NAME]
[ADDRESS]
[CITY, STATE, ZIP CODE]

Re: Purchase of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

Dear [NAME OF [redacted]

We have been advised by [redacted] of the [redacted] b3 b7E

[redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-09-2013 BY NSICG F85M26K45

[redacted]

Attention: [redacted]

Re: Contract [redacted] Request
Approval – [redacted]

Dear [redacted]

The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) in place with the [redacted] and our execution of the NDA, meets the FBI's advance coordination requirement. Therefore, [redacted]

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If there are any questions, please contact me.

Sincerely,

[redacted]

Operational Technology Division
Telephone [redacted]

b6
b7C

Cc: [redacted]

CELLSITE-20634

CELL/OTD 014880

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HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

Re: Purchase of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

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Dear [redacted]

We have been advised by [redacted] of the [redacted]

[redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

CELL/OTD 014944
CELLSITE-20635

The [redacted] acceptance of the above conditions shall be evidenced by the signature below of an authorized representative of the [redacted]

Sincerely,

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

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Acknowledged and agreed to thi[redacted]

[redacted]

CELL/OTD 014948

CELLSITE-20639

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

Attention: [redacted]

Re: Contract [redacted]
Approval – [redacted]

Dear [redacted]

The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) [redacted] and our execution of the NDA, meets the FBI's advance coordination requirement. Therefore, [redacted]

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If there are any questions, please contact me.

Sincerely,

[redacted]

Operational Technology Division
Telephone [redacted]

Cc: [redacted]

CELL/OTD 014949

CELLSITE-20642

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

[redacted]

Re: Purchase of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

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Dear [redacted]

We have been advised by [redacted] of the [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative and [redacted]

Sincerely,

_____

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

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CELL/OTD 014957
CELLSITE-20648

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

Attention: [redacted]

Re: Contract [redacted] Request
Approval - [redacted]

Dear [redacted]

The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) in place [redacted] and our execution of the NDA, meets the FBI's advance coordination requirement. Therefore [redacted]

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If there are any questions, please contact me.

Sincerely,

[redacted]

Operational Technology Division
Telephone [redacted]

Cc: [redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

Attention: [redacted]

Re: Contract [redacted] Request
Approval [redacted]

Dear [redacted]

The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) in place [redacted] and our execution of the NDA, meets the FBI's advance coordination requirement. Therefore [redacted]

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If there are any questions, please contact me.

Sincerely,

[redacted]

Operational Technology Division
Telephone [redacted]

Cc: [redacted]

CELL/OTD 014959

CELLSITE-20650

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

[redacted]

Re: Acquisition of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

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Dear [redacted]

We have been advised by [redacted] of the [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative and [redacted]

Sincerely,

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

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CELL/OTD 014966

CELLSITE-20656

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
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DATE 04-10-2013 BY NSICG F85M26K45

[redacted]

Re: Acquisition of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

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Dear [redacted]

We have been advised by [redacted] of the [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative and [redacted]

Sincerely,

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

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CELL/OTD 014978
CELLSITE-20662

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F65M26K45

[redacted]

Attention: [redacted]

Re: Contract [redacted] Request
Approval - [redacted]

Dear [redacted] b6 b7C

The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) in place [redacted] and our execution of the NDA, meets the FBI's advance coordination requirement. Therefore, [redacted] b3 b6 b7C b7E

If there are any questions, please contact me.

Sincerely,

[redacted]

Operational Technology Division
Telephone [redacted]

Cc: [redacted]

CELL/OTD 014979 CELLSITE-20669

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

[redacted]

Attention: [redacted]

Re: Contrac[redacted]Request
Approval -[redacted]

Dear [redacted]

The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) in place [redacted] and our execution of the NDA, meets the FBI's advance coordination requirement. Therefore, [redacted]

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If there are any questions, please contact me.

Sincerely,

[redacted]

Operational Technology Division
Telephone [redacted]

Cc: [redacted]

CELLSITE-20672

CELL/OTD 014984

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

[redacted]

Re: Purchase of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

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Dear [redacted]

We have been advised by [redacted] of the [redacted]

[redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

CELL/OTD 014985

CELLSITE-20673

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative and [redacted]

Sincerely,

[redacted]

Acknowledged and agreed to this [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

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CELL/OTD 014990

CELLSITE-20678

ALL INFORMATION CONTAINED
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DATE 04-10-2013 BY NSICG F85M26K45

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

Attention: [redacted]

Re: Contrac[redacted]Request
Approval – [redacted]

Dear [redacted]

The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) in place with the [redacted] and our execution of the NDA meets the FBI's advance coordination requirement. Therefore, [redacted]

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If there are any questions, please contact me.

Sincerely,

[redacted]

Operational Technology Division
Telephone [redacted]

Cc: [redacted]

CELL/OTD 014993 CELLSITE-20681

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

[redacted]

Re: Purchase of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

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Dear [redacted]

We have been advised by [redacted] of the [redacted]

[redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative and [redacted]

Sincerely,

[redacted]

Acknowledged and agreed to this [redacted]

[redacted]

b3
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[redacted]

[redacted]

[redacted]

[redacted]

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

[redacted]

Attention: [redacted]

Re: Contract [redacted] Request
Approval - [redacted]

Dear [redacted]

The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) in place with the [redacted] and our execution of the NDA, meets the FBI's advance coordination requirement. Therefore, [redacted]

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If there are any questions, please contact me.

Sincerely,

[redacted]

Operational Technology Division
Telephone [redacted]

Cc: [redacted]

CELL/OTD 015000 CELLSITE-20688

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

[redacted]

Attention: [redacted]

Re: Contract [redacted]
[redacted] Request Approval - [redacted]

Dear [redacted]

The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) in place with the [redacted] and our execution of the NDA, meets the FBI's advance coordination requirement. Therefore, the [redacted]

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If there are any questions, please contact me.

Sincerely,

[redacted]
Operational Technology Division
Telephone [redacted]

cc: [redacted]

CELL/OTD 015007

CELLSITE-20694

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

Attention: [redacted]

Re: Contract [redacted] Request
Approval - [redacted]

Dear [redacted]

The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) in place with the [redacted] and our execution of the NDA, meets the FBI's advance coordination requirement. Therefore [redacted]

b3
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If there are any questions, please contact me.

Sincerely,

[redacted]

Operational Technology Division
Telephone [redacted]

Cc: [redacted]

CELL/OTD 015012

CELLSITE-20695

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

[redacted]

Re: Purchase of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

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Dear [redacted]

We have been advised by [redacted] of the [redacted]

[redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

CELL/OTD 015013

CELLSITE-20696

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative and [redacted]

Sincerely,

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this [redacted]

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[redacted]

[redacted]

[redacted]

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

[redacted]

Re: Purchase Wireless Collection Equipment/Technology and Non-Disclosure Obligations

Dear [redacted]

We have been advised by [redacted] of the [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

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[redacted]

[redacted]

Assistant Director
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod A
Quantico, Virginia 22135
[redacted]

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and

Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, Virginia 22135
[redacted]

The [redacted] acceptance of the above conditions shall be evidenced by the signature below of an authorized representative of the [redacted]

Sincerely,

_____
Ernest Reith
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this [redacted]

[NAME OF [redacted]
[TITLE]
[redacted] NAME]
[ADDRESS]
[CITY, STATE, ZIP CODE]

cc: [redacted] Unit Chief, FBI Tracking Technology Unit
[redacted] FBI Office of the General Counsel
[redacted] FBI Office of the General Counsel

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U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

[redacted]

[redacted]

Attention: [redacted]

Re: Contract [redacted]
Request Approval - [redacted]

Dear [redacted]

The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) in place with the [redacted] and our execution of the NDA, meets the FBI's advance coordination requirement. Therefore, the [redacted]

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If there are any questions, please contact me.

Sincerely,

[redacted]
Operational Technology Division
Telephone [redacted]

cc: [redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

Attention: [redacted]

Re: Contract [redacted] Request
Approval - [redacted]

Dear [redacted]

The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) in place with the [redacted] and our execution of the NDA, meets the FBI's advance coordination requirement. Therefore, [redacted]

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If there are any questions, please contact me.

Sincerely,

[redacted]

Operational Technology Division
Telephone [redacted]

Cc: [redacted]

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

[redacted]

Re: Acquisition of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

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Dear [redacted]

We have been advised by [redacted] of the [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative and [redacted]

Sincerely,

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

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Acknowledged and agreed to this [redacted]

[redacted]

[redacted]

CELL/OTD 015037

CELLSITE-20719

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

[redacted]

Re: Purchase of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

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Dear [redacted]

We have been advised by [redacted] of the [redacted]

[redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

CELL/OTD 015040 CELLSITE-20722

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative and [redacted]

Sincerely,

[redacted]

Acknowledged and agreed to this [redacted]

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[redacted]

[redacted]

[redacted]

[redacted]

CELLSITE-20727
CELL/OTD 015045

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

[redacted]

Re: Purchase of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

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Dear [redacted]

We have been advised by [redacted] of the [redacted]

[redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative and [redacted]

Sincerely,

D. Keith Bryars
Acting Deputy Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this [redacted]

[redacted]

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[redacted]

[redacted]

[redacted]

[redacted]

CELL/OTD 015057
CELLSITE-20733

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F65M26K45

[redacted]

Attention: [redacted]

Re: Contract [redacted] Request
Approval – [redacted]

Dear [redacted]

The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) in place with the [redacted] and our execution of the NDA, meets the FBI's advance coordination requirement. Therefore [redacted]

If there are any questions, please contact me.

Sincerely,

[redacted]

Operational Technology Division
Telephone [redacted]

Cc: [redacted]

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CELLSITE-20735

CELL/OTD 015059

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

[redacted]

Re: Purchase of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

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Dear [redacted]

We have been advised by [redacted] of the [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

The [redacted] acceptance of the above conditions shall be evidenced by the signature below of an authorized representative of the [redacted]

Sincerely,

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

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Acknowledged and agreed to this [redacted]

[redacted]

CELL/OTD 015125
CELLSITE-20740

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

[redacted]

Re: Purchase of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

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Dear [redacted]

We have been advised by [redacted] of the [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

CELL/OTD 015106

CELLSITE-20751

The [redacted] acceptance of the above conditions shall be evidenced by the signature below of an authorized representative of the [redacted]

Sincerely,

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

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b7E

Acknowledged and agreed to this [redacted]

[redacted]

CELL/OTD 015110
CELLSITE-20755

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

[redacted]

Attention: [redacted]

Re: Contract [redacted] Request
Approval – [redacted]

Dear [redacted]

The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) in place with the [redacted] and our execution of the NDA, meets the FBI's advance coordination requirement. Therefore, the [redacted]

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If there are any questions, please contact me.

Sincerely,

[redacted]

Operational Technology Division
Telephone [redacted]

Cc: [redacted]

CELLSITE-20756

CELL/OTD 015104

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

[redacted]

Re: Purchase of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

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Dear [redacted]

We have been advised by [redacted] of the [redacted]

[redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

CELL/OTD 015098

CELLSITE-20757

The [redacted] acceptance of the above conditions shall be evidenced by the signature below of an authorized representative.

Sincerely,

[redacted]

b3
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b7C
b7E

Acknowledged and agreed to this [redacted]

[redacted]

CELL/OTD 015103
CELLSITE-20762

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

Re: Purchase of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

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Dear [redacted]

We have been advised by [redacted] of the [redacted]

[redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

CELL/OTD 015090

CELLSITE-20765

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative and [redacted]

Sincerely,

[redacted]

Acknowledged and agreed to this [redacted]

[redacted]

b3
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[redacted]

[redacted]

[redacted]

[redacted]

CELL/OTD 015095
CELLSITE-20770

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

[redacted]

Attention: [redacted]

Re: Contract [redacted] Request
Approval - [redacted]

Dear [redacted]

The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) in place with the [redacted] and our execution of the NDA, meets the FBI's advance coordination requirement. Therefore, the [redacted]

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If there are any questions, please contact me.

Sincerely,

[redacted]

Operational Technology Division
Telephone [redacted]

Cc: [redacted]

CELL/OTD 015089

CELLSITE-20771

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

[redacted]

Re: Purchase of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

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Dear [redacted]

We have been advised by [redacted] of the [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

CELLSITE-20775
CELL/OTD 015079

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative and [redacted]

Sincerely,

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

b3
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b7E

CELL/OTD 015084
CELLSITE-20780

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

[redacted]

Attention: [redacted]

Re: Contract [redacted] Request
Approval – [redacted]

Dear [redacted]

The Federal Bureau of Investigation (FBI) has an approved non-disclosure agreement (NDA) in place with the [redacted] and our execution of the NDA, meets the FBI's advance coordination requirement. Therefore, the [redacted]

b3
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If there are any questions, please contact me.

Sincerely,

[redacted]

Operational Technology Division
Telephone [redacted]

Cc: [redacted]

CELL/OTD 015076

CELLSITE-20783

U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

[redacted]

Re: Acquisition of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

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Dear [redacted]

We have been advised by [redacted] of the [redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

CELL/OTD 015070

CELLSITE-20784

The [redacted] acceptance of the above conditions shall be evidenced by the signatures below of an authorized representative and [redacted]

Sincerely,

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

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U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

[redacted]

Re: Purchase of Wireless Collection Equipment/Technology and Non-Disclosure Obligations

LAW ENFORCEMENT SENSITIVE (LES): The information in this document is the property of the Federal Bureau of Investigation (FBI) and may be distributed within the Federal Government (and its contractors), U.S. intelligence, law enforcement, public safety or protection officials and individuals with a need to know. Distribution beyond these entities without FBI Operational Technology Division authorization is prohibited. Precautions should be taken to ensure this information is stored and/or destroyed in a manner that precludes unauthorized access. Information bearing the LES caveat may not be used in legal proceedings without first receiving authorization from the originating agency. Recipients are prohibited from subsequently posting the information marked LES on a website on an unclassified network.

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Dear [redacted]

We have been advised by [redacted] of the [redacted]

[redacted] must coordinate with the Federal Bureau of Investigation (FBI) to complete this non-disclosure agreement [redacted]

[redacted]

CELL/OTD 015063

CELLSITE-20791

The [redacted] acceptance of the above conditions shall be evidenced by the signature below of an authorized representative.

Sincerely,

_____

Amy S. Hess
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

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Acknowledged and agreed to this [redacted]

[redacted]

CELL/OTD 015068

CELLSITE-20796

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

[redacted]

From: [redacted]
Sent: Thursday, May 19, 2011 11:02 AM
To: [redacted]
Cc:
Subject: FW:
Attachments: Document.pdf; NDA [redacted]

I am inquiring as to how you would like me to proceed. I have requests from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted], have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted] FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted]

b3
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If I can answer any question feel free to contact me directly [redacted]

-----Original Message-----
From: [redacted]
Sent: Thursday, May 19, 2011 9:58 AM
To: [redacted]
Subject:

CELL/OTD 017158

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

From:
Sent: Thursday, May 19, 2011 10:42 AM
To:

Subject: FW: NDA
Attachments: Document.pdf;

I am inquiring as to how you would like me to proceed. I have requests from the OTD has worked for several years to upon acceptance of the attached NDA. Before an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. The attached documents are the requesting letter from and the actual FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file.

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If I can answer any question feel free to contact me directly

---

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

[redacted]

From: [redacted]
Sent: Thursday, May 19, 2011 11:11 AM
To: [redacted]
Cc:
Subject: FW: NDA
Attachments: Document.pdf; NDA [redacted]

[redacted] I am once again inquiring as to how you would like me to proceed. I have requests from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted] have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted] FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted]

b3
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If I can answer any question feel free to contact me directly [redacted]

-----Original Message-----
From: [redacted]
Sent: Thursday, May 19, 2011 9:58 AM
To: [redacted]
Subject:

CELL-OTD 017150

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

From:
Sent: Thursday, May 19, 2011 11:19 AM
To:
Cc:
Subject: FW: NDA
Attachments: Document.pdf; NDA_

I am inquiring as to how you would like me to proceed. I have a request from the

OTD has worked for several years to

upon acceptance of the attached NDA. Before an NDA must be signed. we can pursue this in two ways: 1. You or your SAC can submit the NDA to have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you.

The attached documents are the requesting letter from and the actual /FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file.

If I can answer any question feel free to contact me directly

b3
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-----Original Message-----
From:
Sent: Thursday, May 19, 2011 9:59 AM
To:
Subject:

CELL/OTD 017142

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

[redacted]

From: [redacted]
Sent: Thursday, May 19, 2011 11:22 AM
To: [redacted]
Cc:
Subject: FW:
Attachments: Document.pdf; NDA_[redacted]

I am inquiring as to how you would like me to proceed. I have a request from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted] have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted]/FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted]

If I can answer any question feel free to contact me directly [redacted]

b3
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-----Original Message-----
From: [redacted]
Sent: Thursday, May 19, 2011 9:59 AM
To: [redacted]
Subject:

CELL/OTD 017133

CELLSITE-20833

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 017066

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

[redacted]

From: [redacted]
Sent: Tuesday, November 23, 2010 11:28 AM
To: [redacted]
Subject: [redacted] NDA

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

NDA [redacted]

b3
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b7E

From: [redacted]
Sent: Monday, November 22, 2010 2:45 PM
To: [redacted]
Subject: [redacted] NDA
Importance: High

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Please disregard the prior NDA. Use the attached updated version..

<< File: [redacted] >>

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 017052

[redacted]

Assistant Director
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod A
Quantico, Virginia 22135
[redacted]

and

Unit Chief
Tracking Technology Unit
Operational Technology Division
Federal Bureau of Investigation
Engineering Research Facility
Building 27958A, Pod B
Quantico, Virginia 22135
[redacted]

The [redacted] acceptance of the above conditions shall be evidenced by the signature below of an authorized representative of the [redacted]

b3
b6
b7C
b7E

Sincerely,

_____
Marcus C. Thomas
Assistant Director
Operational Technology Division
Federal Bureau of Investigation

Acknowledged and agreed to this [redacted]

_____
[NAME OF [redacted]
[TITLE]
[redacted]
[ADDRESS]
[CITY, STATE, ZIP CODE]

cc: [redacted] Unit Chief, FBI Tracking Technology Unit
[redacted] FBI Office of the General Counsel
[redacted] FBI Office of the General Counsel

CELL/OTD 014056

CELLSITE-20844

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-10-2013 BY NSICG F85M26K45

[redacted]

From: [redacted]
Sent: Wednesday, November 24, 2010 3:08 PM
To: [redacted]
Subject: RE: [redacted] NDA

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

NDA [redacted]

[redacted]

This is it, unless you want [redacted] to look at it, though you don't need another set of legal eyes to review it.

[redacted]

From: [redacted]
Sent: Tuesday, November 23, 2010 12:34 PM
To: [redacted]
Subject: RE: [redacted] NDA

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

b3
b6
b7C
b7E

Is this the one you want me to use??

[redacted]

From: [redacted]
Sent: Tuesday, November 23, 2010 11:28 AM
To: [redacted]
Subject: RE: [redacted] NDA

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

<< File: NDA [redacted]

From: [redacted]
Sent: Monday, November 22, 2010 2:45 PM
To: [redacted]
Subject: [redacted] NDA
Importance: High

SENSITIVE BUT UNCLASSIFIED
NON-RECORD

Please disregard the prior NDA. Use the attached updated version..

<< File: [redacted] b3 b7E

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

SENSITIVE BUT UNCLASSIFIED

CELL/OTD 017047

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-16-2013 BY NSICG F85M26K45

[redacted]

From: [redacted]
Sent: Thursday, May 19, 2011 11:25 AM
To: [redacted]
Cc:
Subject: FW: NDA
Attachments: Document.pdf; NDA_[redacted]

I am inquiring as to how you would like me to proceed. I have a request from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted] have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted] FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted]

b3
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b7E

If I can answer any question feel free to contact me directly [redacted]

-----Original Message-----
From: [redacted]
Sent: Thursday, May 19, 2011 9:59 AM
To: [redacted]
Subject:

CELL/OTD 017125

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-16-2013 BY NSICG F85M26K45

From:
Sent: Thursday, May 19, 2011 12:00 PM
To:
Cc:
Subject: RE: NDA --- UNCLASSIFIED

Classification: UNCLASSIFIED
==========

I will handle this.

-----Original Message-----
From:
Sent: Thursday, May 19, 2011 9:45 AM
To:
Subject: FW: NDA --- UNCLASSIFIED

Classification: UNCLASSIFIED
==========

Can you please respond to on this? Thanks!

b3
b6
b7C
b7E

-----Original Message-----
From:
Sent: Thursday, May 19, 2011 9:42 AM
To:
Subject: FW: NDA

I am inquiring as to how you would like me to proceed. I have requests from the OTD has worked for several years to upon acceptance of the attached NDA. Before an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. The attached documents are the requesting letter from and the actual FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file.

If I can answer any question feel free to contact me directly

---

CELL/OTD 017123

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Classification: UNCLASSIFIED

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Classification: UNCLASSIFIED

CELL/OTD 017124

[redacted]

From: [redacted]
Sent: Thursday, May 19, 2011 1:49 PM
To: [redacted]
Subject: RE: NDA --- UNCLASSIFIED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-16-2013 BY NSICG F85M26K45

Classification: UNCLASSIFIED
==========

[redacted]

We'll let you know ASAP.

[redacted]

Let's discuss when [redacted] gets back in town.

Thanks

[redacted]

-----Original Message-----
From: [redacted]
Sent: Thursday, May 19, 2011 10:25 AM
To: [redacted]
Cc: [redacted]
Subject: FW: NDA

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I am inquiring as to how you would like me to proceed. I have a request from the [redacted] OTD has worked for several years to [redacted] upon acceptance of the attached NDA. Before [redacted] an NDA must be signed. We can pursue this in two ways: 1. You or your SAC can submit the NDA to [redacted] have them sign the enclosed NDA, one per individual, or I can travel and perform same. Wanted to run this by each of you. [redacted] The attached documents are the requesting letter from [redacted] and the actual [redacted] FBI approved NDA.. The requestors are required to each sign an NDA and are specifically identified in the attached pdf file. [redacted]

If I can answer any question feel free to contact me directly [redacted]

-----Original Message-----
From: [redacted]
Sent: Thursday, May 19, 2011 9:59 AM
To: [redacted]
Subject:

==========

Classification: UNCLASSIFIED

CELL/OTD 017122

(1) I would like to know what the FBI's guidelines are regarding what orders are required for the use of a stingray, particularly as it pertains to location information. Do they require a search warrant or a different type of order? Are agents instructed to try to get a warrant if possible but a lesser order if not? What is the legal analysis that supports this policy?

The specific equipment used by law enforcement agencies to obtain location information and the capabilities of that equipment are considered Law Enforcement Sensitive, since its public release could harm law enforcement efforts by compromising future use of the equipment. As a general matter, the type of information obtained with location identifying techniques is dialing, routing, addressing or signaling information that has historically been obtained pursuant to the Pen Register Statute (18 USC section 2131 et seq). That being said, Federal Courts are split on what legal authority is required to obtain location information on a prospective basis. Because of a prohibition against obtaining this information solely pursuant to a Pen Register/Trap and Trace order set forth in the Communications Assistance to Law Enforcement Act (CALEA, see 47 USC 1002), some District Courts require what has come to be known as a "hybrid" approach whereby a court order issued pursuant to the Pen Register Statute (18 USC section 3121 et seq) is combined with what is known as a "2703(d) order" (reference to 18 USC 2703(d), part of the Stored Communications Act). Other District Courts have held a search warrant based upon probable cause is necessary to obtain location information on a prospective basis.

In utilizing this equipment and data, the FBI conducts all investigations in accordance with the Attorney General Guidelines and the FBI's Domestic Investigations and Operations Guide.

(2) Do the instructions vary by region?

Generally speaking, the FBI advises our field offices to work closely with the relevant U.S. Attorney's Office to adhere to the legal requirements of their respective District as set forth in case law or court decisions/precedent. If the FBI believes the use of any technology or technique may provide information on an individual while that person is in a location where he or she would have a reasonable expectation of privacy, it is FBI policy to obtain a search warrant.

(3) I would like to know what the FBI policy is regarding data from stingrays being expunged. In the case I'm covering, the Agent, in the application for the use of device, requested that data obtained by the court order be expunged at the end of the mission to locate the cellular device. This request was granted, and that data was expunged.

With regard to the expungement of location information obtained through use of this type of equipment by the FBI, our policy since the 1990's has been to purge or "expunge" all information obtained during a location operation.

(4) USAGE INFORMATION -- I would like any information that the FBI might be able to provide on how helpful these "stingray" type devices are, how frequently they are used and whether their use has increased or decreased in the past couple of years.

Location information continues to be a vital component in law enforcement investigations at the federal, state and local levels. All levels of law enforcement need to maintain the ability to utilize location information pursuant to lawful authority.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-01-2012 BY 65179 DMH/MJS

[redacted]

TECHNOLOGY | SEPTEMBER 22, 2011

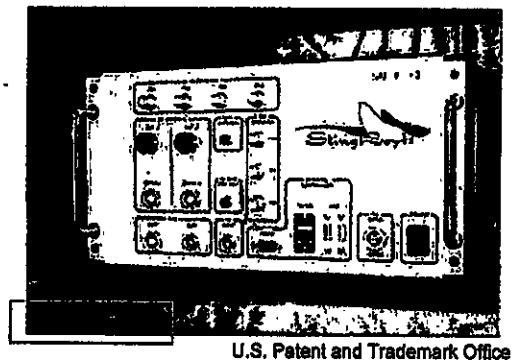
'Stingray' Phone Tracker Fuels Constitutional Clash

SUBSCRIBER CONTENT PREVIEW

FOR FULL ACCESS LOG IN OR SUBSCRIBE NOW - GET 2 WEEKS FREE

By JENNIFER VALENTINO-DEVRIES

For more than a year, federal authorities pursued a man they called simply "the Hacker." Only after using a little known cellphone-tracking device—a stingray—were they able to zero in on a California home and make the arrest.



U.S. Patent and Trademark Office

A Harris StingRay II, one of several devices dubbed 'stingrays.'

Stingrays are designed to locate a mobile phone even when it's not being used to make a call. The Federal Bureau of Investigation considers the devices to be so critical that it has a policy of deleting the data gathered in their use, mainly to keep suspects in the dark about their capabilities, an FBI official told The Wall Street Journal in response to inquiries.

A stingray's role in nabbing the alleged "Hacker"—Daniel David Rigmaiden—is shaping up as a possible test of the legal standards for using these devices in investigations. The FBI says it obtains appropriate court approval to use the device.

CELLSITE-13145
9/26/2011

Stingrays are one of several new technologies used by law enforcement to track people's locations, often without a search warrant. These techniques are driving a constitutional debate about whether the Fourth Amendment, which prohibits unreasonable searches and seizures, but which was written before the digital age, is keeping pace with the times.

On Nov. 8, the Supreme Court will hear arguments over whether or not police need a warrant before secretly installing a GPS device on a suspect's car and tracking him for an extended period. In both the Senate and House, new bills would require a warrant before tracking a cellphone's location.

More

Key Documents in 'Stingray' Case

Digits: How 'Stingray' Devices Work

Digits: How Technology Is Testing the Fourth Amendment

And on Thursday in U.S. District Court of Arizona, Judge David G. Campbell is set to hear a request by Mr. Rigmaiden, who is facing fraud charges, to have information about the government's secret techniques disclosed to him so he can use it in his defense. Mr. Rigmaiden maintains his innocence and says that using stingrays to locate devices in homes without a valid warrant "disregards the United States Constitution" and is illegal.

His argument has caught the judge's attention. In a February hearing, according to a transcript, Judge Campbell asked the prosecutor, "Were there warrants obtained in connection with the use of this device?"

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The prosecutor, Frederick A. Battista, said the government obtained a "court order that satisfied [the] language" in the federal law on warrants. The judge then asked how an order or warrant could have been obtained without telling the judge what technology was being used. Mr. Battista said: "It was a standard practice, your honor."

Judge Campbell responded that it "can be litigated whether those orders were appropriate."

On Thursday the government will argue it should be able to withhold details about the tool used to locate Mr. Rigmaiden, according to documents filed by the prosecution. In a statement to the Journal, Sherry Sabol, Chief of the Science & Technology Office for the FBI's Office of General Counsel, says that information about stingrays and related technology is "considered Law Enforcement Sensitive, since its public release could harm law enforcement efforts by compromising future use of the equipment."

Availabl

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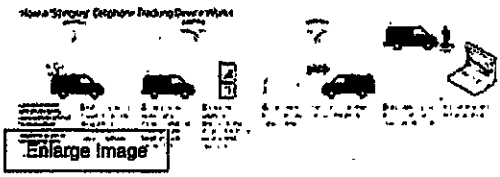
CELLSITE-13146



The prosecutor, Mr. Battista, told the judge that the government worries that disclosure would make the gear "subject to being defeated or avoided or detected."

A stingray works by mimicking a cellphone tower, getting a phone to connect to it and measuring signals from the phone. It lets the stingray operator "ping," or send a signal to, a phone and locate it as long as it is powered on, according to documents reviewed by the Journal. The device has various uses, including helping police locate suspects and aiding search-and-rescue teams in finding people lost in remote areas or buried in rubble after an accident.

The government says "stingray" is a generic term. In Mr. Rigmaiden's case it remains unclear which device or devices were actually used.

The best known stingray maker is Florida-based defense contractor Harris Corp. A spokesman for Harris declined to comment.

Harris holds trademarks registered between 2002 and 2008 on several devices, including the StingRay, StingRay II, AmberJack, KingFish, TriggerFish and LoggerHead. Similar devices are available from other manufacturers. According to a Harris document, its devices are sold only to law-enforcement and government agencies.

Some of the gadgets look surprisingly old-fashioned, with a smattering of switches and lights scattered across a panel roughly the size of a shoebox, according to photos of a Harris-made StingRay reviewed by the Journal. The devices can be carried by hand or mounted in cars, allowing investigators to move around quickly.

A rare public reference to this type of technology appeared this summer in the television crime drama "The Closer." In the episode, law-enforcement officers use a gadget they called a "catfish" to track cellphones without a court order.

The U.S. armed forces also use stingrays or similar devices, according to public contract notices. Local law enforcement in Minnesota, Arizona, Miami and Durham, N.C., also either possess the devices or have considered buying them, according to interviews and published requests for funding.

The sheriff's department in Maricopa County, Ariz., uses the equipment "about on a monthly basis," says Sgt. Jesse Spurgin. "This is for location only. We can't listen in on conversations," he says.

Sgt. Spurgin says officers often obtain court orders, but not necessarily search warrants, when using the device. To obtain a search warrant from a court, officers as a rule need to show "probable cause," which is generally defined as a reasonable belief, based on factual evidence, that a crime was committed. Lesser standards apply to other court orders.

A spokeswoman with the Bureau of Criminal Apprehension in Minnesota says officers don't need to seek search warrants in that state to use a mobile tracking device because it "does not intercept communication, so no wiretap laws would apply."

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CELLSITE-13147

FBI and Department of Justice officials have also said that investigators don't need search warrants. Associate Deputy Attorney General James A. Baker and FBI General Counsel Valerie E. Caproni both said at a panel at the Brookings Institution in May that devices like these fall into a category of tools called "pen registers," which require a lesser order than a warrant. Pen registers gather signals from phones, such as phone numbers dialed, but don't receive the content of the communications.

To get a pen-register order, investigators don't have to show probable cause. The Supreme Court has ruled that use of a pen register doesn't require a search warrant because it doesn't involve interception of conversations.

But with cellphones, data sent includes location information, making the situation more complicated because some judges have found that location information is more intrusive than details about phone numbers dialed. Some courts have required a slightly higher standard for location information, but not a warrant, while others have held that a search warrant is necessary.

The prosecution in the Rigmaiden case says in court documents that the "decisions are made on a case-by-case basis" by magistrate and district judges. Court records in other cases indicate that decisions are mixed, and cases are only now moving through appellate courts.

The FBI advises agents to work with federal prosecutors locally to meet the requirements of their particular district or judge, the FBI's Ms. Sabol says. She also says it is FBI policy to obtain a search warrant if the FBI believes the technology "may provide information on an individual while that person is in a location where he or she would have a reasonable expectation of privacy."

Experts say lawmakers and the courts haven't yet settled under what circumstances locating a person or device constitutes a search requiring a warrant. Tracking people when they are home is particularly sensitive because the Fourth Amendment specifies that people have a right to be secure against unreasonable searches in their "houses."

"The law is uncertain," says Orin Kerr, a professor at George Washington University Law School and former computer-crime attorney at the Department of Justice. Mr. Kerr, who has argued that warrants should be required for some, but not all, types of location data, says that the legality "should depend on the technology."

In the case of Mr. Rigmaiden, the government alleges that as early as 2005, he began filing fraudulent tax returns online. Overall, investigators say, Mr. Rigmaiden electronically filed more than 1,900 fraudulent tax returns as part of a $4 million plot.

Federal investigators say they pursued Mr. Rigmaiden "through a virtual labyrinth of twists and turns." Eventually, they say they linked Mr. Rigmaiden to use of a mobile-broadband card, a device that lets a computer connect to the Internet through a cellphone network.

Investigators obtained court orders to track the broadband card. Both orders remain sealed, but portions of them have been quoted by the defense and the prosecution.

These two documents are central to the clash in the Arizona courtroom. One authorizes a "pen register" and clearly isn't a search warrant. The other document is more complex. The prosecution says it is a type of search warrant and that a finding of probable cause was made.

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But the defense argues that it can't be a proper search warrant, because among other things it allowed investigators to delete all the tracking data collected, rather than reporting back to the judge.

Legal experts who spoke with the Journal say it is difficult to evaluate the order, since it remains sealed. In general, for purposes of the Fourth Amendment, the finding of probable cause is most important in determining whether a search is reasonable because that requirement is specified in the Constitution itself, rather than in legal statutes, says Mr. Kerr.

But it is "odd" for a search warrant to allow deletion of evidence before a case goes to trial, says Paul Ohm, a professor at the University of Colorado Law School and a former computer-crime attorney at the Department of Justice. The law governing search warrants specifies how the warrants are to be executed and generally requires information to be returned to the judge.

Even if the court finds the government's actions acceptable under the Fourth Amendment, deleting the data is "still something we might not want the FBI doing," Mr. Ohm says.

The government says the data from the use of the stingray has been deleted and isn't available to the defendant. In a statement, the FBI told the Journal that "our policy since the 1990s has been to purge or 'expunge' all information obtained during a location operation" when using stingray-type gear.

As a general matter, Ms. Sabol says, court orders related to stingray technology "will include a directive to expunge information at the end of the location operation."

Ms. Sabol says the FBI follows this policy because its intent isn't to use the data as evidence in court, but rather to simply find the "general location of their subject" in order to start collecting other information that can be used to justify a physical search of the premises.

In the Rigmaiden example, investigators used the stingray to narrow down the location of the broadband card. Then they went to the apartment complex's office and learned that one resident had used a false ID and a fake tax return on the renter's application, according to court documents.

Based on that evidence, they obtained a search warrant for the apartment. They found the broadband card connected to a computer.

Mr. Rigmaiden, who doesn't confirm or deny ownership of the broadband card, is arguing he should be given information about the device and about other aspects of the mission that located him.

In the February hearing, Judge Campbell said he might need to weigh the government's claim of privilege against the defendant's Fourth Amendment rights, and asked the prosecution, "How can we litigate in this case whether this technology that was used in this case violates the Fourth Amendment without knowing precisely what it can do?"

Write to Jennifer Valentino-DeVries at Jennifer.Valentino-DeVries@wsj.com

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[redacted] (RMD) (FBI)

From: [redacted]
Sent: Friday, September 16, 2011 6:30 PM
To: Sabol, Sherry E.
Subject: RE: Wall Street Journal request -- legal status of "stingray" technology

b5 -1
b6 -1
b7C -1

One addition from OPA as follows. Let me know if you hear back from OTD. Thanks!

[redacted]

From: Sabol, Sherry E.
Sent: Friday, September 16, 2011 6:11 PM
To: [redacted]
Cc: Hess, Amy S.; Bryars, D Keith; Lammert, Elaine N.; Kortan, Michael P.; [redacted]
Subject: Re: Wall Street Journal request -- legal status of "stingray" technology

b6 -1
b7C -1

OTD-is this good to go?

From: Sabol, Sherry E.
To: Sabol, Sherry E.; [redacted]
Cc: Hess, Amy S.; Bryars, D Keith; Lammert, Elaine N.; Kortan, [redacted]
Sent: Fri Sep 16 16:48:15 2011
Subject: RE: Wall Street Journal request -- legal status of "stingray" technology

b6 -1
b7C -1

I inadvertently took OPA off the earlier version – I know they have a deadline of COB today.

From: Sabol, Sherry E.
Sent: Friday, September 16, 2011 4:12 PM
To [redacted]
Cc: Hess, Amy S.; Bryars, D Keith; Lammert, Elaine N.
Subject: RE: Wall Street Journal request -- legal status of "stingray" technology
Importance: High

b5 -1
b7E -1

[redacted]

[redacted]

b5 -1
b7E -1

From: [redacted]
Sent: Friday, September 16, 2011 1:49 PM
To [redacted] Sabol, Sherry E. [redacted]
Cc: Hess, Amy S.; Bryars, D Keith; Lammert, Elaine N.; Kortan, Michael P.
Subject: FW: Wall Street Journal request -- legal status of "stingray" technology

b6 -1
b7C -1

See update below. We will need a response by COB today if we are going to contribute to the article.

From [redacted]
Sent: Friday, September 16, 2011 1:44 PM
To [redacted]
Subject: RE: Wall Street Journal request -- legal status of "stingray" technology

Another update: It looks as though my editors might want to run it out for Monday's paper, which would put my deadline for comment to Sunday at midday. (And today would really be best.)

Thanks!

b6 -1, -2
b7C -1, -2

[redacted]

From: [redacted]
To [redacted](DO)(FBI)
Sent: Fri Sep 09 11:22:54 2011
Subject: Wall Street Journal request -- legal status of "stingray" technology

Hi.

b6 -1, -2
b7C -1, -2

Thanks so much for helping me out.

I'm [redacted] and am writing about the use of "stingray" type devices, which are used generally to locate or otherwise get data on cellular devices. As an example of the use of this technology, I'm writing about a case in U.S. District Court in the District of Arizona in which the FBI used one of these devices. (It's unclear whether what was used was a stingray, a triggerfish, or something else. The prosecution explains that "stingray" is the generic term used.)

Currently, the judge in the case is set to hear the defendant's motion for disclosure of more information on the device and techniques used; the prosecution says that these matters are law enforcement sensitive.

CELLSITE-13059

I understand this technology is very sensitive for the FBI; however, I would very much like to get the FBI's views on this technology. I do not want to only quote the ACLU in this matter and would appreciate your help.

Here's what I'm looking for:

LEGAL INFORMATION
(1) I would like to know what the FBI's guidelines are regarding what orders are required for the use of a stingray, particularly as it pertains to location information. Do they require a search warrant or a different type of order? Are agents instructed to try to get a warrant if possible but a lesser order if not? What is the legal analysis that supports this policy? Do the instructions vary by region? Things like that.

(2) I would like to know what the FBI policy is regarding data from stingrays being expunged. In the case I'm covering, the Agent, in the application for the use of device, requested that data obtained by the court order be expunged at the end of the mission to locate the cellular device. This request was granted, and that data was expunged.

USAGE INFORMATION
I would like any information that the FBI might be able to provide on how helpful these "stingray" type devices are, how frequently they are used and whether their use has increased or decreased in the past couple of years.

I'm not on a daily deadline for this story, but I am on a deadline. The story needs to be sent to my editors in the next few days, so I would hope to talk with someone as soon as possible.

Thank you.

Best Regards,

[redacted]

[redacted]

b6 -2
b7C -2

[redacted] (RMD) (FBI)

From: [redacted]
Sent: Wednesday, September 14, 2011 5:38 PM
To: Sabol, Sherry E.
Subject: Re: Wall Street Journal request -- legal status of "stingray" technology

b5 -1
b6 -1
b7C -1

Sherry

We have a meeting tomorrow morning here at OTD to draft a response [redacted]

[redacted]
Associate General Counsel
Unit Chief, Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation

From: Sabol, Sherry E.
To [redacted]
Cc [redacted]; Hess, Amy S.; Bryars, D Keith; Lammert, Elaine N.
Sent: Wed Sep 14 14:32:31 2011
Subject: FW: Wall Street Journal request -- legal status of "stingray" technology

b6 -1
b7C -1

All,

Please see the below request from the Wall Street Journal. A reporter is inquiring about our tracking technology based on the ongoing case in the District of Arizona.

[redacted]

b5 -1

Thanks, Sherry

From [redacted]
To [redacted] (DO)(FBI)
Sent: Fri Sep 09 11:22:54 2011
Subject: Wall Street Journal request -- legal status of "stingray" technology

b6 -1, -2
b7C -1, -2

Hi.

Thanks so much for helping me out.

I'm [redacted] and am writing about the use of "stingray" type devices, which are used generally to locate or otherwise get data on cellular devices. As an example of the use of this technology, I'm writing about a case in U.S. District Court in the District of Arizona in which the FBI used one of these devices. (It's unclear whether what was used was a stingray, a triggerfish, or something else. The prosecution explains that "stingray" is the generic term used.)

Currently, the judge in the case is set to hear the defendant's motion for disclosure of more information on the device and techniques used; the prosecution says that these matters are law enforcement sensitive.

CELLSITE-13061

I understand this technology is very sensitive for the FBI; however, I would very much like to get the FBI's views on this technology. I do not want to only quote the ACLU in this matter and would appreciate your help.

Here's what I'm looking for:

LEGAL INFORMATION
(1) I would like to know what the FBI's guidelines are regarding what orders are required for the use of a stingray, particularly as it pertains to location information. Do they require a search warrant or a different type of order? Are agents instructed to try to get a warrant if possible but a lesser order if not? What is the legal analysis that supports this policy? Do the instructions vary by region? Things like that.

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I'm not on a daily deadline for this story, but I am on a deadline. The story needs to be sent to my editors in the next few days, so I would hope to talk with someone as soon as possible.

Thank you.

Best Regards,

[redacted]

[redacted]

b6 -2
b7C -2

[redacted] (RMD) (FBI)

From: [redacted]
Sent: Monday, September 12, 2011 11:09 AM
To: Lammert, Elaine N.; Sabol, Sherry E.
Cc: Caproni, Valerie E.
Subject: RE: Wall Street Journal request -- legal status of "stingray" technology

b5 -1
b6 -1
b7C -1

Good morning SC Sabol and DGC Lammert. Per GC Caproni's email below, I wonder if you might have thoughts on the following

[redacted]

Thanks,

[redacted]
FBI Office of Public Affairs
[redacted]

From: Caproni, Valerie E.
Sent: Monday, September 12, 2011 9:31 AM
To: [redacted]
Cc: Lammert, Elaine N.; Sabol, Sherry E.
Subject: RE: Wall Street Journal request -- legal status of "stingray" technology

b6 -1
b7C -1

[redacted]

I think Sherry or Elaine can help.

VC

From: [redacted]
Sent: Monday, September 12, 2011 9:12 AM
To: Caproni, Valerie E.
Subject: FW: Wall Street Journal request -- legal status of "stingray" technology

Good morning Ms. Caproni. I wonder if you may be able to look at one more media inquiry? For old times' sake perhaps? Or else maybe point me in the right direction? Specific questions are listed below.

Many thanks,

b6 -1
b7C -1

[redacted]

From [redacted] (DO)(FBI)
Sent: Friday, September 09, 2011 11:55 AM
To: [redacted]
Subject: Fw: Wall Street Journal request -- legal status of "stingray" technology

[redacted]

Do you want to handle this? Looks like a legal issue.

From: [redacted]
To: [redacted] (DO)(FBI)

b6 -2
b7C -2

CELLSITE-13063

Sent: Fri Sep 09 11:22:54 2011
Subject: Wall Street Journal request -- legal status of "stingray" technology

Hi.

b6 -2
b7C -2

Thanks so much for helping me out.

I'm [redacted] and am writing about the use of "stingray" type devices, which are used generally to locate or otherwise get data on cellular devices. As an example of the use of this technology, I'm writing about a case in U.S. District Court in the District of Arizona in which the FBI used one of these devices. (It's unclear whether what was used was a stingray, a triggerfish, or something else. The prosecution explains that "stingray" is the generic term used.)

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(2) I would like to know what the FBI policy is regarding data from stingrays being expunged. In the case I'm covering, the Agent, in the application for the use of device, requested that data obtained by the court order be expunged at the end of the mission to locate the cellular device. This request was granted, and that data was expunged.

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I'm not on a daily deadline for this story, but I am on a deadline. The story needs to be sent to my editors in the next few days, so I would hope to talk with someone as soon as possible.

Thank you.

Best Regards,

[redacted]

b6 -2
b7C -2

[redacted]

[redacted] (RMD) (FBI)

From: [redacted]
Sent: Wednesday, September 21, 2011 3:43 PM
To: [redacted]
Cc: Sabol, Sherry E.
Subject: RE: WSJ fact check

Got it. Thank you. Fowarding to my editors now.

b6 -1,-2
b7C -1, -2

[redacted]

From: [redacted]
Sent: Wednesday, September 21, 2011 3:39 PM
To: [redacted]
Cc: Sabol, Sherry E.
Subject: RE: WSJ fact check

b6 -1, -2
b7C -1, -2

[redacted] Thanks for all your patience. Please see our comments in red below, and advise of any additional questions. Also, as we discussed, you may consider using a named source rather than "FBI official."

General Comment: Please note FBI will not comment on the capabilities or functionality of equipment or on ongoing litigation.

From: [redacted]
Sent: Tuesday, September 20, 2011 11:57 PM
To: Sabol, Sherry E.; [redacted]
Subject: WSJ fact check
Importance: High

Hi Chris and Sherry.

Below are sentences and paragraphs from the story, which is set to run in Thursday's paper. Please let me know if you are aware of any factual errors in any of them. I'll **need a response for my editors by midday** although we will have a bit of time after that to go back and forth. Sometimes the best thing to do is let me know early on which statements have problems so we can work it out, but it's up to you.

b6 -1, -2
b7C -1, -2

(Some items you may not have adequate information on, like very general statements, or statements about the specifics of the Arizona case. These are included mainly to provide you with context. We don't like subjects of stories to be surprised by anything when the story runs. If you feel you don't have enough information to evaluate a statement, just say so. Not a problem.)

Thanks so much for your help, again. I realize this is very sensitive and an important tool for you; I also feel like people have a lot of questions about this general topic and I want to make sure I present everything as accurately as possible.

I would appreciate it if you could tell me that you received this email.

Best,

[redacted]

* Stingrays are designed to locate a mobile phone even when it's not being used to make a call.

* A stingray works by mimicking a cellphone tower, getting a phone to connect to it and measuring signals from the phone. It allows the stingray operator to ping a phone and find it if it is powered on, according to documents reviewed by the Journal. The device has various uses, including helping police locate suspects and aiding search-and-rescue teams in finding people lost in remote areas or buried in rubble after an accident.

* Stingrays are one of several new technologies used by law enforcement to track people's locations, often without a warrant. The technologies are driving a broad Constitutional debate about whether the Fourth Amendment, which prohibits unreasonable searches and seizures, but which was written before the digital age, is keeping pace with the times.

FBI is concerned the first sentence (bullet above) is misleading. While the equipment may be used without a warrant, it is used only pursuant to lawful authority – court order issued pursuant to the Pen Register Statute and section 2703(d) of the Stored Communications Act.

* A stingray's role in nabbing the alleged "Hacker"—Daniel David Rigmaiden—is shaping up as a possible test of the legal standards for using these devices in investigations. The FBI says no warrant is required and that standards vary depending on the state and district.

The FBI believes the second sentence is misleading. The FBI uses this equipment pursuant to lawful authority – whether it be a search warrant or a court order issued pursuant to the Pen Register Statute and Stored Communications Act.

* The devices are so secret that the Federal Bureau of Investigation has a policy of deleting the data they gather out of a desire to keep the technology under wraps, an FBI official told The Wall Street Journal in response to inquiries about the device.

The FBI disagrees with the characterization of the technology being "so secret" – as noted previously, the FBI considers the equipment Law Enforcement Sensitive and our policy is intended to protect law enforcement capabilities so that subjects of law enforcement investigations do not learn how to evade or defeat lawfully authorized investigative activity.

* In Thursday's hearing, the government will argue that it should be able to withhold information on precisely what tool was used to locate Mr. Rigmaiden, according to documents filed by the prosecution.

* The FBI says information on stingrays and related technology is "considered Law Enforcement Sensitive, since its public release could harm law enforcement efforts by compromising future use of the equipment."

* The prosecutor, Mr. Battista, told the judge that the government's concern is that "if the actual information regarding ... this equipment is disclosed, it can be subject to being defeated or avoided or detected."

* In the case of the alleged hacker, Mr. Rigmaiden, the government faces the task of prosecuting him without disclosing details about the device it used to locate him.

* The government says "stingray" is a generic term, and in Mr. Rigmaiden's case it remains unclear which device or devices were actually used.

* "Location information continues to be a vital component in law enforcement investigations at the federal, state and local levels," an FBI official told the Journal.

* FBI and Department of Justice officials have said that investigators don't need to get search warrants to use stingray devices. Associate Deputy Attorney General James A. Baker and FBI General Counsel Valerie E. Caproni both said at a panel discussion at the Brookings Institution in May that devices like these fall into a category of tools called "pen registers" that require a lesser order than a warrant. Pen registers gather signals from phones, such as phone numbers dialed, but don't receive the content of the communications.

* To get a pen-register order, investigators must show only that the information likely to be obtained is "relevant to an ongoing criminal investigation." The Supreme Court has ruled that use of a pen register doesn't require a search warrant, because it doesn't involve interception of conversations.

Where the hybrid order is required, the standard cited is accurate for the Pen Register. Section 2703(d), however, requires that the information sought is "relevant and material" to an ongoing investigation. Also, from legal perspective, a pen register may be used because the subject does not have a "reasonable expectation of privacy" in the information sought. Pen register information is provided by the subject to a third party in order for the equipment to work, ie, the phone company.

* But with cellphones, data sent in real time includes location information, making the situation more complicated, because some judges have found that location information is more intrusive than data on the numbers dialed by a phone. Some courts have required a slightly higher standard for location information, but not a warrant, while others have held that a search warrant is necessary.

* The FBI advises agents to work with the local federal prosecutors to conform to the legal requirements of their particular district, an FBI official said. He added that it is FBI policy to obtain a search warrant if the FBI believes technology "may provide information on an individual while that person is in a location where he or she would have a reasonable expectation of privacy."

* Experts say lawmakers and the courts haven't yet settled whether locating a person or device in a home constitutes a "search" that requires a warrant.

* The FBI told the Journal that "with regard to the expungement of location information obtained through use of this type of equipment by the FBI, our policy since the 1990s has been to purge or 'expunge' all information obtained during a location operation."

* The FBI allows this policy because information gathered in these operations "is intended to be used only as lead information to assist investigators in identifying the general location of their subject and is not intended to be used as substantive evidence in a case," the official said.

* In the Rigmaiden case, the investigators used the stingray to narrow down the location of the broadband card. One of the Phoenix federal agents then said in a July 2008 email that the team needed "to develop independent probable cause" and that the "FBI does not want to disclose the [redacted] (understandably so)."

[redacted]

b6 -2
b7C -2

[redacted] (RMD) (FBI)

From: [redacted]
Sent: Wednesday, September 21, 2011 5:12 PM
To: [redacted]
Cc: Sabol, Sherry E.
Subject: final

b6 -1, -2
b7C -1, -2

OK, here's what we worked out. I think it addresses your concerns, albeit not in legal language.

We have a "no surprises" policy toward subjects in our articles, so I'm mainly sending this to make sure we are all on the same page in terms of what is going to be in the paper tomorrow.

Thank you for being so incredibly helpful. I think your comments have really made the article more balanced.

Best Regards,

[redacted]

*** The Federal Bureau of Investigation considers the devices to be so critical that it has a policy of deleting the data gathered in their use, mainly to keep suspects in the dark about their capabilities, an FBI official told The Wall Street Journal in response to inquiries.**

*** A stingray's role in nabbing the alleged "Hacker"—Daniel David Rigmaiden—is shaping up as a possible test of the legal standards for using these devices in investigations. The FBI says it obtains appropriate court approval to use the device.**

*** Stingrays are one of several new technologies used by law enforcement to track people's locations, often without a search warrant. (Those two paragraphs come one right after the other, so we are not going to repeat the same phrase.)**

*** To get a pen-register order, investigators don't have to show probable cause. The Supreme Court has ruled that use of a pen register doesn't require a search warrant because it doesn't involve interception of conversations. (Just took out all the technical legal requirements because it was going to get so confusing for our readers with the 2703(d) stuff and so forth.)**

b6 -2
b7C -2

[redacted]

[redacted]

From [redacted] b6 -1, -2 b7C -1, -2
Sent: Wednesday, September 21, 2011 3:39 PM
To: [redacted]
Cc: Sabol, Sherry E.
Subject: RE: WSJ fact check b6 -1, -2 b7C -1, -2

[redacted] Thanks for all your patience. Please see our comments in red below, and advise of any additional questions. Also, as we discussed, you may consider using a named source rather than "FBI official."

General Comment: Please note FBI will not comment on the capabilities or functionality of equipment or on ongoing litigation.

From: [redacted]
Sent: Tuesday, September 20, 2011 11:57 PM
To: Sabol, Sherry E.; [redacted]
Subject: WSJ fact check
Importance: High

H[redacted] and Sherry.

Below are sentences and paragraphs from the story, which is set to run in Thursday's paper. Please let me know if you are aware of any factual errors in any of them. **I'll need a response for my editors by midday** although we will have a bit of time after that to go back and forth. Sometimes the best thing to do is let me know early on which statements have problems so we can work it out, but it's up to you.

(Some items you may not have adequate information on, like very general statements, or statements about the specifics of the Arizona case. These are included mainly to provide you with context. We don't like subjects of stories to be surprised by anything when the story runs. If you feel you don't have enough information to evaluate a statement, just say so. Not a problem.)

Thanks so much for your help, again. I realize this is very sensitive and an important tool for you; I also feel like people have a lot of questions about this general topic and I want to make sure I present everything as accurately as possible.

I would appreciate it if you could tell me that you received this email.

b6 -2
b7C -2

Best,

[redacted]

* Stingrays are designed to locate a mobile phone even when it's not being used to make a call.

* A stingray works by mimicking a cellphone tower, getting a phone to connect to it and measuring signals from the phone. It allows the stingray operator to ping a phone and find it if it is powered on, according to documents reviewed by the Journal. The device has various uses, including helping police locate suspects and aiding search-and-rescue teams in finding people lost in remote areas or buried in rubble after an accident.

* Stingrays are one of several new technologies used by law enforcement to track people's locations, often without a warrant. The technologies are driving a broad Constitutional debate about whether the Fourth Amendment, which prohibits unreasonable searches and seizures, but which was written before the digital age, is keeping pace with the times.

FBI is concerned the first sentence (bullet above) is misleading. While the equipment may be used without a warrant, it is used only pursuant to lawful authority – court order issued pursuant to the Pen Register Statute and section 2703(d) of the Stored Communications Act.

* A stingray's role in nabbing the alleged "Hacker"—Daniel David Rigmaiden—is shaping up as a possible test of the legal standards for using these devices in investigations. The FBI says no warrant is required and that standards vary depending on the state and district.

The FBI believes the second sentence is misleading. The FBI uses this equipment pursuant to lawful authority – whether it be a search warrant or a court order issued pursuant to the Pen Register Statute and Stored Communications Act.

* The devices are so secret that the Federal Bureau of Investigation has a policy of deleting the data they gather out of a desire to keep the technology under wraps, an FBI official told The Wall Street Journal in response to inquiries about the device.

The FBI disagrees with the characterization of the technology being "so secret" – as noted previously, the FBI considers the equipment Law Enforcement Sensitive and our policy is intended to protect law enforcement capabilities so that subjects of law enforcement investigations do not learn how to evade or defeat lawfully authorized investigative activity.

* In Thursday's hearing, the government will argue that it should be able to withhold information on precisely what tool was used to locate Mr. Rigmaiden, according to documents filed by the prosecution.

* The FBI says information on stingrays and related technology is "considered Law Enforcement Sensitive, since its public release could harm law enforcement efforts by compromising future use of the equipment."

* The prosecutor, Mr. Battista, told the judge that the government's concern is that "if the actual information regarding ... this equipment is disclosed, it can be subject to being defeated or avoided or detected."

* In the case of the alleged hacker, Mr. Rigmaiden, the government faces the task of prosecuting him without disclosing details about the device it used to locate him.

* The government says "stingray" is a generic term, and in Mr. Rigmaiden's case it remains unclear which device or devices were actually used.

* "Location information continues to be a vital component in law enforcement investigations at the federal, state and local levels," an FBI official told the Journal.

* FBI and Department of Justice officials have said that investigators don't need to get search warrants to use stingray devices. Associate Deputy Attorney General James A. Baker and FBI General Counsel Valerie E. Caproni both said at a panel discussion at the Brookings Institution in May that devices like these fall into a category of tools called "pen registers" that require a lesser order than a warrant. Pen registers gather signals from phones, such as phone numbers dialed, but don't receive the content of the communications.

* To get a pen-register order, investigators must show only that the information likely to be obtained is "relevant to an ongoing criminal investigation." The Supreme Court has ruled that use of a pen register doesn't require a search warrant, because it doesn't involve interception of conversations.

Where the hybrid order is required, the standard cited is accurate for the Pen Register. Section 2703(d), however, requires that the information sought is "relevant and material" to an ongoing investigation. Also, from legal perspective, a pen register may be used because the subject does not have a "reasonable expectation of privacy" in the information sought. Pen register information is provided by the subject to a third party in order for the equipment to work, ie, the phone company.

* But with cellphones, data sent in real time includes location information, making the situation more complicated, because some judges have found that location information is more intrusive than data on the numbers dialed by a

CELLSITE-13070

phone. Some courts have required a slightly higher standard for location information, but not a warrant, while others have held that a search warrant is necessary.

* The FBI advises agents to work with the local federal prosecutors to conform to the legal requirements of their particular district, an FBI official said. He added that it is FBI policy to obtain a search warrant if the FBI believes technology "may provide information on an individual while that person is in a location where he or she would have a reasonable expectation of privacy."

* Experts say lawmakers and the courts haven't yet settled whether locating a person or device in a home constitutes a "search" that requires a warrant.

* The FBI told the Journal that "with regard to the expungement of location information obtained through use of this type of equipment by the FBI, our policy since the 1990s has been to purge or 'expunge' all information obtained during a location operation."

* The FBI allows this policy because information gathered in these operations "is intended to be used only as lead information to assist investigators in identifying the general location of their subject and is not intended to be used as substantive evidence in a case," the official said.

* In the Rigmaiden case, the investigators used the stingray to narrow down the location of the broadband card. One of the Phoenix federal agents then said in a July 2008 email that the team needed "to develop independent probable cause" and that the "FBI does not want to disclose the [redacted] (understandably so)."

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b6 -2
b7C -2

[redacted] (RMD) (FBI)

From: [redacted]
Sent: Wednesday, September 21, 2011 3:22 PM
To: Sabol, Sherry E.
Subject: Fw: WSJ fact check

b5 -1
b6 -1, -2
b7C -1, -2

[redacted]

Sent from my BlackBerry Wireless Handheld

From: [redacted]
To: [redacted]
Sent: Wed Sep 21 15:17:34 2011
Subject: RE: WSJ fact check

Yes. Thank you.

Also! We have changed at least one of the sentences that I know of to try to make it clearer that it's law enforcement techniques you are trying to protect, not the specific device.

Stingrays are designed to locate a mobile phone even when it's not being used to make a call. The devices are so secret that the Federal Bureau of Investigation has a policy of deleting the data they gather, out of a desire to keep its tactics under wraps, an FBI official told The Wall Street Journal in response to inquiries.

[redacted]

b6 -1, -2
b7C -1, -2

From: [redacted]
Sent: Wednesday, September 21, 2011 3:08 PM
To: [redacted]
Subject: Re: WSJ fact check

[redacted] I should have your response within 30 minutes. Is that okay?

Sent from my BlackBerry Wireless Handheld

From: [redacted]
To: Sabol, Sherry E.; [redacted]
Sent: Tue Sep 20 23:56:57 2011
Subject: WSJ fact check

b6 -1, -2
b7C -1, -2

H[redacted]and Sherry.

Below are sentences and paragraphs from the story, which is set to run in Thursday's paper. Please let me know if you are aware of any factual errors in any of them. I'll **need a response for my editors by midday** although we will have a bit of time after that to go back and forth. Sometimes the best thing to do is let me know early on which statements have problems so we can work it out, but it's up to you.

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Thanks so much for your help, again. I realize this is very sensitive and an important tool for you; I also feel like people have a lot of questions about this general topic and I want to make sure I present everything as accurately as possible.

I would appreciate it if you could tell me that you received this email.

Best,

[redacted]

b6 -2
b7C -2

* Stingrays are designed to locate a mobile phone even when it's not being used to make a call.

* A stingray works by mimicking a cellphone tower, getting a phone to connect to it and measuring signals from the phone. It allows the stingray operator to ping a phone and find it if it is powered on, according to documents reviewed by the Journal. The device has various uses, including helping police locate suspects and aiding search-and-rescue teams in finding people lost in remote areas or buried in rubble after an accident.

* Stingrays are one of several new technologies used by law enforcement to track people's locations, often without a warrant. The technologies are driving a broad Constitutional debate about whether the Fourth Amendment, which prohibits unreasonable searches and seizures, but which was written before the digital age, is keeping pace with the times.

* A stingray's role in nabbing the alleged "Hacker"—Daniel David Rigmaiden—is shaping up as a possible test of the legal standards for using these devices in investigations. The FBI says no warrant is required and that standards vary depending on the state and district.

* The devices are so secret that the Federal Bureau of Investigation has a policy of deleting the data they gather out of a desire to keep the technology under wraps, an FBI official told The Wall Street Journal in response to inquiries about the device.

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* The FBI says information on stingrays and related technology is "considered Law Enforcement Sensitive, since its public release could harm law enforcement efforts by compromising future use of the equipment."

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* The government says "stingray" is a generic term, and in Mr. Rigmaiden's case it remains unclear which device or devices were actually used.

* "Location information continues to be a vital component in law enforcement investigations at the federal, state and local levels," an FBI official told the Journal.

* FBI and Department of Justice officials have said that investigators don't need to get search warrants to use stingray devices. Associate Deputy Attorney General James A. Baker and FBI General Counsel Valerie E. Caproni both said at

CELLSITE-13073

a panel discussion at the Brookings Institution in May that devices like these fall into a category of tools called "pen registers" that require a lesser order than a warrant. Pen registers gather signals from phones, such as phone numbers dialed, but don't receive the content of the communications.

* To get a pen-register order, investigators must show only that the information likely to be obtained is "relevant to an ongoing criminal investigation." The Supreme Court has ruled that use of a pen register doesn't require a search warrant, because it doesn't involve interception of conversations.

* But with cellphones, data sent in real time includes location information, making the situation more complicated, because some judges have found that location information is more intrusive than data on the numbers dialed by a phone. Some courts have required a slightly higher standard for location information, but not a warrant, while others have held that a search warrant is necessary.

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* Experts say lawmakers and the courts haven't yet settled whether locating a person or device in a home constitutes a "search" that requires a warrant.

* The FBI told the Journal that "with regard to the expungement of location information obtained through use of this type of equipment by the FBI, our policy since the 1990s has been to purge or 'expunge' all information obtained during a location operation."

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[redacted]

b6 -2
b7C -2

[redacted] (RMD) (FBI)

From: [redacted]
Sent: Wednesday, September 21, 2011 8:13 AM
To: Sabol, Sherry E.
Subject: RE: WSJ fact check

b5 -1
b6 -1, -2
b7C -1, -2

[redacted]

From: Sabol, Sherry E.
Sent: Wednesday, September 21, 2011 7:39 AM
To: Hess, Amy S.; Bryars, D Keith
Cc: [redacted]
Subject: Fw: WSJ fact check
Importance: High

WSJ asked us to fact check certain statements.

[redacted]

b5 -1
b6 -1, -2
b7C -1, -2

Ill look at rest again in office.

They need an answer by mid-day.

From: [redacted]
To: Sabol, Sherry E.; Allen [redacted]
Sent: Tue Sep 20 23:56:57 2011
Subject: WSJ fact check

H[redacted]and Sherry.

Below are sentences and paragraphs from the story, which is set to run in Thursday's paper. Please let me know if you are aware of any factual errors in any of them. I'll **need a response for my editors by midday** although we will have a bit of time after that to go back and forth. Sometimes the best thing to do is let me know early on which statements have problems so we can work it out, but it's up to you.

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I would appreciate it if you could tell me that you received this email.

b5 -1
b6 -1, -2
b7C -1, -2

Best,

[redacted]

* Stingrays are designed to locate a mobile phone even when it's not being used to make a call.

CELLSITE-13075

* A stingray works by mimicking a cellphone tower, getting a phone to connect to it and measuring signals from the phone. It allows the stingray operator to ping a phone and find it if it is powered on, according to documents reviewed by the Journal. The device has various uses, including helping police locate suspects and aiding search-and-rescue teams in finding people lost in remote areas or buried in rubble after an accident.

* Stingrays are one of several new technologies used by law enforcement to track people's locations, often without a warrant. The technologies are driving a broad Constitutional debate about whether the Fourth Amendment, which prohibits unreasonable searches and seizures, but which was written before the digital age, is keeping pace with the times.

* A stingray's role in nabbing the alleged "Hacker"—Daniel David Rigmaiden—is shaping up as a possible test of the legal standards for using these devices in investigations. The FBI says no warrant is required and that standards vary depending on the state and district.

* The devices are so secret that the Federal Bureau of Investigation has a policy of deleting the data they gather out of a desire to keep the technology under wraps, an FBI official told The Wall Street Journal in response to inquiries about the device.

* In Thursday's hearing, the government will argue that it should be able to withhold information on precisely what tool was used to locate Mr. Rigmaiden, according to documents filed by the prosecution.

* The FBI says information on stingrays and related technology is "considered Law Enforcement Sensitive, since its public release could harm law enforcement efforts by compromising future use of the equipment."

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* The government says "stingray" is a generic term, and in Mr. Rigmaiden's case it remains unclear which device or devices were actually used.

* "Location information continues to be a vital component in law enforcement investigations at the federal, state and local levels," an FBI official told the Journal.

* FBI and Department of Justice officials have said that investigators don't need to get search warrants to use stingray devices. Associate Deputy Attorney General James A. Baker and FBI General Counsel Valerie E. Caproni both said at a panel discussion at the Brookings Institution in May that devices like these fall into a category of tools called "pen registers" that require a lesser order than a warrant. Pen registers gather signals from phones, such as phone numbers dialed, but don't receive the content of the communications.

* To get a pen-register order, investigators must show only that the information likely to be obtained is "relevant to an ongoing criminal investigation." The Supreme Court has ruled that use of a pen register doesn't require a search warrant, because it doesn't involve interception of conversations.

* But with cellphones, data sent in real time includes location information, making the situation more complicated, because some judges have found that location information is more intrusive than data on the numbers dialed by a phone. Some courts have required a slightly higher standard for location information, but not a warrant, while others have held that a search warrant is necessary.

CELLSITE-13076

* The FBI advises agents to work with the local federal prosecutors to conform to the legal requirements of their particular district, an FBI official said. He added that it is FBI policy to obtain a search warrant if the FBI believes technology "may provide information on an individual while that person is in a location where he or she would have a reasonable expectation of privacy."

* Experts say lawmakers and the courts haven't yet settled whether locating a person or device in a home constitutes a "search" that requires a warrant.

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b6 -2
b7C -2

[redacted] (RMD) (FBI)

From: Hess, Amy S.
Sent: Wednesday, September 21, 2011 10:55 AM
To: Sabol, Sherry E.; Bryars, D Keith [redacted]
Subject: Re: WSJ fact check

b5 -1
b6 -1, -2
b7C -1, -2

[redacted]

From: Sabol, Sherry E.
To: Hess, Amy S.; Bryars, D Keith
Cc: [redacted]
Sent: Wed Sep 21 07:38:43 2011
Subject: Fw: WSJ fact check

b5 -1
b6 -1, -2
b7C -1, -2

WSJ asked us to fact check certain statements.

[redacted]

Ill look at rest again in office.

They need an answer by mid-day.

From [redacted]
To: Sabol, Sherry E. [redacted]
Sent: Tue Sep 20 23:56:57 2011
Subject: WSJ fact check

H[redacted]and Sherry.

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b6 -1, -2
b7C -1, -2

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Best,

[redacted]

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CELLSITE-13078

* A stingray works by mimicking a cellphone tower, getting a phone to connect to it and measuring signals from the phone. It allows the stingray operator to ping a phone and find it if it is powered on, according to documents reviewed by the Journal. The device has various uses, including helping police locate suspects and aiding search-and-rescue teams in finding people lost in remote areas or buried in rubble after an accident.

* Stingrays are one of several new technologies used by law enforcement to track people's locations, often without a warrant. The technologies are driving a broad Constitutional debate about whether the Fourth Amendment, which prohibits unreasonable searches and seizures, but which was written before the digital age, is keeping pace with the times.

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CELLSITE-13079

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* Experts say lawmakers and the courts haven't yet settled whether locating a person or device in a home constitutes a "search" that requires a warrant.

* The FBI told the Journal that "with regard to the expungement of location information obtained through use of this type of equipment by the FBI, our policy since the 1990s has been to purge or 'expunge' all information obtained during a location operation."

* The FBI allows this policy because information gathered in these operations "is intended to be used only as lead information to assist investigators in identifying the general location of their subject and is not intended to be used as substantive evidence in a case," the official said.

* In the Rigmaiden case, the investigators used the stingray to narrow down the location of the broadband card. One of the Phoenix federal agents then said in a July 2008 email that the team needed "to develop independent probable cause" and that the "FBI does not want to disclose the [redacted] (understandably so)."

b6 -2
b7C -2

[redacted] (RMD) (FBI)

From: Sabol, Sherry E.
Sent: Wednesday, September 21, 2011 11:12 AM
To: Sabol, Sherry E.; Bryars, D Keith; DiClemente, Anthony P. [redacted]
Cc: Hess, Amy S.
Subject: RE: WSJ fact check

[redacted]

From: Sabol, Sherry E.
Sent: Wednesday, September 21, 2011 11:10 AM
To: Bryars, D Keith; DiClemente, Anthony P.; [redacted]
Cc: Hess, Amy S.
Subject: RE: WSJ fact check

b5 -1
b6 -1, -2
b7C -1, -2

[redacted]

Thanks!

From: [redacted]
Sent: Tuesday, September 20, 2011 11:57 PM
To: Sabol, Sherry E.; [redacted]
Subject: WSJ fact check
Importance: High

b6 -1, -2
b7C -1, -2

H[redacted] and Sherry.

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I would appreciate it if you could tell me that you received this email.

Best,

[redacted]

b6 -2
b7C -2

b5 -1

[redacted]

CELLSITE-13081

b5 -1

b6 -2
b7C -2

[redacted] (RMD) (FBI)

From: DiClemente, Anthony P.
Sent: Wednesday, September 21, 2011 11:17 AM
To: Sabol, Sherry E.; Bryars, D Keith; [redacted]
Cc: Hess, Amy S.
Subject: Re: WSJ fact check

b6 -1,-2
b7C -1,-2
b5 -1

[redacted]

Anthony DiClemente
Chief [redacted] Section
Operational Technology Division
Federal Bureau of Investigation
[redacted]

b7E -1

From: Sabol, Sherry E.
To: Bryars, D Keith; DiClemente, Anthony P.; [redacted]
Cc: Hess, Amy S.
Sent: Wed Sep 21 11:09:37 2011
Subject: RE: WSJ fact check

b5 -1
b6 -1, -2
b7C -1, -2

[redacted]

Thanks!

From: [redacted]
Sent: Tuesday, September 20, 2011 11:57 PM
To: Sabol, Sherry E.; [redacted]
Subject: WSJ fact check
Importance: High

b6 -1,-2
b7C -1,-2

H[redacted] and Sherry.

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CELLSITE-13084

I would appreciate it if you could tell me that you received this email.

Best,

[redacted]

b5 -1
b6 -1,-2
b7C -1,-2

b5 -1

b6 -1,-2
b7C -1,-2

[redacted] (RMD) (FBI)

From: DiClemente, Anthony P.
Sent: Wednesday, September 21, 2011 11:22 AM
To: Sabol, Sherry E.; Bryars, D Keith; [redacted]
Cc: Hess, Amy S.
Subject: Re: WSJ fact check

[redacted]

b5 -1
b6 -1,-2
b7C -1,-2

Anthony DiClemente
Chief [redacted] Section
Operational Technology Division
Federal Bureau of Investigation
[redacted] Office
Mobile

b7E -1

From: Sabol, Sherry E.
To: Sabol, Sherry E.; Bryars, D Keith; DiClemente, Anthony P. [redacted]
Cc: Hess, Amy S.
Sent: Wed Sep 21 11:12:07 2011
Subject: RE: WSJ fact check

[redacted]

b5 -1
b6 -1, -2
b7C -1, -2

From: Sabol, Sherry E.
Sent: Wednesday, September 21, 2011 11:10 AM
To: Bryars, D Keith; DiClemente, Anthony P. [redacted]
Cc: Hess, Amy S.
Subject: RE: WSJ fact check

[redacted]

Thanks!

b6 -1, -2
b7C -1, -2
b5 -1

From: [redacted]
Sent: Tuesday, September 20, 2011 11:57 PM
To: Sabol, Sherry E.; [redacted]
Subject: WSJ fact check
Importance: High

H[redacted]and Sherry.

Below are sentences and paragraphs from the story, which is set to run in Thursday's paper. Please let me know if you are aware of any factual errors in any of them. I'll **need a response for my editors by midday** although we will have a bit of time after that to go back and forth. Sometimes the best thing to do is let me know early on which statements have problems so we can work it out, but it's up to you.

CELLSITE-13087

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I would appreciate it if you could tell me that you received this email.

Best,

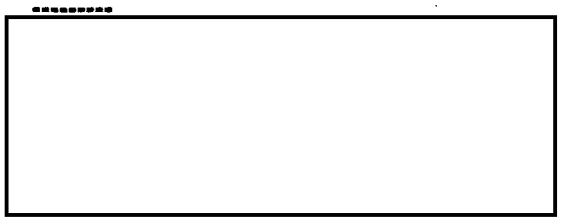
[redacted]

[redacted]

b5 -1
b6 -1, -2
b7C -1, -2

CELLSITE-13088

b5 -1



b6 -2
b7C -2

[redacted] (RMD) (FBI)

From: [redacted]
Sent: Wednesday, September 21, 2011 11:23 AM
To: Hess, Amy S.; Sabol, Sherry E.; Bryars, D Keith
Subject: Re: WSJ fact check

b5 -1
b6 -1
b7C -1

[redacted]

Sent from my BlackBerry Wireless Handheld

From: Hess, Amy S.
To: Sabol, Sherry E.; Bryars, D Keith; [redacted]
Sent: Wed Sep 21 10:55:09 2011
Subject: Re: WSJ fact check

[redacted]

From: Sabol, Sherry E.
To: Hess, Amy S.; Bryars, D Keith
Cc: [redacted]
Sent: Wed Sep 21 07:38:43 2011
Subject: Fw: WSJ fact check

b5 -1
b6 -1
b7C -1

WSJ asked us to fact check certain statements.

[redacted]

Ill look at rest again in office.

b6 -1, -2
b7C -1, -2

They need an answer by mid-day.

b5 -1

From [redacted]
To: Sabol, Sherry E.; [redacted]
Sent: Tue Sep 20 23:56:57 2011
Subject: WSJ fact check

Hi [redacted] and Sherry.

Below are sentences and paragraphs from the story, which is set to run in Thursday's paper. Please let me know if you are aware of any factual errors in any of them. I'll **need a response for my editors by midday** although we will have a bit of time after that to go back and forth. Sometimes the best thing to do is let me know early on which statements have problems so we can work it out, but it's up to you.

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I would appreciate it if you could tell me that you received this email.

CELLSITE-13091

Best,

[redacted]

b6 -2
b7C -2

* Stingrays are designed to locate a mobile phone even when it's not being used to make a call.

* A stingray works by mimicking a cellphone tower, getting a phone to connect to it and measuring signals from the phone. It allows the stingray operator to ping a phone and find it if it is powered on, according to documents reviewed by the Journal. The device has various uses, including helping police locate suspects and aiding search-and-rescue teams in finding people lost in remote areas or buried in rubble after an accident.

* Stingrays are one of several new technologies used by law enforcement to track people's locations, often without a warrant. The technologies are driving a broad Constitutional debate about whether the Fourth Amendment, which prohibits unreasonable searches and seizures, but which was written before the digital age, is keeping pace with the times.

* A stingray's role in nabbing the alleged "Hacker"—Daniel David Rigmaiden—is shaping up as a possible test of the legal standards for using these devices in investigations. The FBI says no warrant is required and that standards vary depending on the state and district.

* The devices are so secret that the Federal Bureau of Investigation has a policy of deleting the data they gather out of a desire to keep the technology under wraps, an FBI official told The Wall Street Journal in response to inquiries about the device.

* In Thursday's hearing, the government will argue that it should be able to withhold information on precisely what tool was used to locate Mr. Rigmaiden, according to documents filed by the prosecution.

* The FBI says information on stingrays and related technology is "considered Law Enforcement Sensitive, since its public release could harm law enforcement efforts by compromising future use of the equipment."

* The prosecutor, Mr. Battista, told the judge that the government's concern is that "if the actual information regarding ... this equipment is disclosed, it can be subject to being defeated or avoided or detected."

* In the case of the alleged hacker, Mr. Rigmaiden, the government faces the task of prosecuting him without disclosing details about the device it used to locate him.

* The government says "stingray" is a generic term, and in Mr. Rigmaiden's case it remains unclear which device or devices were actually used.

* "Location information continues to be a vital component in law enforcement investigations at the federal, state and local levels," an FBI official told the Journal.

* FBI and Department of Justice officials have said that investigators don't need to get search warrants to use stingray devices. Associate Deputy Attorney General James A. Baker and FBI General Counsel Valerie E. Caproni both said at a panel discussion at the Brookings Institution in May that devices like these fall into a category of tools called "pen registers" that require a lesser order than a warrant. Pen registers gather signals from phones, such as phone numbers dialed, but don't receive the content of the communications.

* To get a pen-register order, investigators must show only that the information likely to be obtained is "relevant to an ongoing criminal investigation." The Supreme Court has ruled that use of a pen register doesn't require a search warrant, because it doesn't involve interception of conversations.

* But with cellphones, data sent in real time includes location information, making the situation more complicated, because some judges have found that location information is more intrusive than data on the numbers dialed by a phone. Some courts have required a slightly higher standard for location information, but not a warrant, while others have held that a search warrant is necessary.

* The FBI advises agents to work with the local federal prosecutors to conform to the legal requirements of their particular district, an FBI official said. He added that it is FBI policy to obtain a search warrant if the FBI believes technology "may provide information on an individual while that person is in a location where he or she would have a reasonable expectation of privacy."

* Experts say lawmakers and the courts haven't yet settled whether locating a person or device in a home constitutes a "search" that requires a warrant.

* The FBI told the Journal that "with regard to the expungement of location information obtained through use of this type of equipment by the FBI, our policy since the 1990s has been to purge or 'expunge' all information obtained during a location operation."

* The FBI allows this policy because information gathered in these operations "is intended to be used only as lead information to assist investigators in identifying the general location of their subject and is not intended to be used as substantive evidence in a case," the official said.

* In the Rigmaiden case, the investigators used the stingray to narrow down the location of the broadband card. One of the Phoenix federal agents then said in a July 2008 email that the team needed "to develop independent probable cause" and that the "FBI does not want to disclose the [redacted] (understandably so)."

b6 -2
b7C -2

[redacted] (RMD) (FBI)

From: [redacted]
Sent: Wednesday, September 21, 2011 11:51 AM
To: Sabol, Sherry E.
Subject: Re: WSJ fact check

Thx!
Blackberry Message

b5 -1
b6 -1
b7C -1

From: Sabol, Sherry E.
To: DiClemente, Anthony P [redacted]
Sent: Wed Sep 21 11:49:50 2011
Subject: FW: WSJ fact check

[redacted]

From: Sabol, Sherry E.
Sent: Wednesday, September 21, 2011 11:49 AM
To: [redacted]
Cc: Hess, Amy S.; Bryars, D Keith
Subject: RE: WSJ fact check

[redacted]

b5 -1
b6 -1, -2
b7C -1, -2

From [redacted]
Sent: Tuesday, September 20, 2011 11:57 PM
To: Sabol, Sherry E.; [redacted]
Subject: WSJ fact check
Importance: High

Hi [redacted] and Sherry.

Below are sentences and paragraphs from the story, which is set to run in Thursday's paper. Please let me know if you are aware of any factual errors in any of them. I'll **need a response for my editors by midday** although we will have a bit of time after that to go back and forth. Sometimes the best thing to do is let me know early on which statements have problems so we can work it out, but it's up to you.

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b6 -2
b7C -2

I would appreciate it if you could tell me that you received this email.

Best,

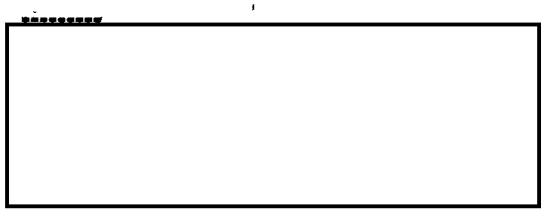
[redacted]

CELLSITE-13094

b5 -1

b5 -1

b6 -2
b7C -2



[redacted] (RMD) (FBI) b6 -1 b7C -1

From: DiClemente, Anthony P.
Sent: Wednesday, September 21, 2011 11:57 AM
To: Sabol, Sherry E.
Subject: Re: WSJ fact check

Thanks Sherry.

Anthony DiClemente
Chief, [redacted] Section
Operational Technology Division
Federal Bureau of Investigation
[redacted] Office
Mobile b7E -1

From: Sabol, Sherry E.
To: DiClemente, Anthony P.; Struyk, James L.; Mazel, Joseph W.; King, John E.
Sent: Wed Sep 21 11:49:50 2011
Subject: FW: WSJ fact check

[redacted]

From: Sabol, Sherry E.
Sent: Wednesday, September 21, 2011 11:49 AM
To: [redacted]
Cc: Hess, Amy S.; Bryars, D Keith
Subject: RE: WSJ fact check b5 -1 b6 -1, -2 b7C -1, -2

[redacted]

Sherry.

From: [redacted]
Sent: Tuesday, September 20, 2011 11:57 PM
To: Sabol, Sherry E. [redacted]
Subject: WSJ fact check
Importance: High

H[redacted] and Sherry.

Below are sentences and paragraphs from the story, which is set to run in Thursday's paper. Please let me know if you are aware of any factual errors in any of them. **I'll need a response for my editors by midday** although we will have a bit of time after that to go back and forth. Sometimes the best thing to do is let me know early on which statements have problems so we can work it out, but it's up to you.

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CELLSITE-13097

I would appreciate it if you could tell me that you received this email.

Best,

b5 -1
b6 -1, -2
b7C -1, -2

CELLSITE-13098

b5 -1

b6 -2
b7C -2

[redacted] (RMD) (FBI)

From: [redacted]
Sent: Wednesday, September 21, 2011 12:03 PM
To: Sabol, Sherry E.; DiClemente, Anthony P. [redacted]
Cc: [redacted]
Subject: RE: WSJ fact check

b6 -1
b7C -1

Sherry-

Here's my thoughts:

[redacted]

b5 -1
b6 -1
b7C -1

[redacted]
Assistant General Counsel
Science & Technology Law Unit
Federal Bureau of Investigation
Offi[redacted]
BB: [redacted]
E-Mai[redacted]

b6 -1
b7C -1

THIS COMMUNICATION MAY CONTAIN PRIVILEGED AND CONFIDENTIAL ATTORNEY-CLIENT AND ATTORNEY WORK PRODUCT MATERIAL. DO NOT DISCLOSE WITHOUT PRIOR PERMISSION FROM FBI OGC.

From: Sabol, Sherry E.
Sent: Wednesday, September 21, 2011 10:16 AM
To: DiClemente, Anthony P. [redacted]
Cc [redacted]
Subject: Fw: WSJ fact check

Please take a look at this and get me your thoughts/comments asap.

From: Hess, Amy S.
To: Sabol, Sherry E.; Bryars, D Keith
Cc [redacted]
Sent: Wed Sep 21 10:11:25 2011
Subject: Re: WSJ fact check

[redacted]

From: Sabol, Sherry E.
To: Hess, Amy S.; Bryars, D Keith
Cc [redacted]
Sent: Wed Sep 21 07:38:43 2011
Subject: Fw: WSJ fact check

b5 -1
b6 -1
b7C -1

WSJ asked us to fact check certain statements.

[redacted]

Ill look at rest again in office.

They need an answer by mid-day.

From [redacted]
To: Sabol, Sherry E. [redacted]
Sent: Tue Sep 20 23:56:57 2011
Subject: WSJ fact check

b6 -1, -2
b7C -1, -2

Hi [redacted] and Sherry.

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Best,

b6 -2
b7C -2

[redacted]

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b6 -2
b7C -2

[redacted] (RMD) (FBI)

From: [redacted]
Sent: Wednesday, September 21, 2011 12:14 PM
To: [redacted] Sabol, Sherry E.; DiClemente, Anthony P.; [redacted]
Cc: [redacted]
Subject: Re: WSJ fact check

b5 -1
b6 -1
b7C -1

[redacted]

[redacted]
Associate General Counsel
Unit Chief, Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation

From: [redacted]
To: Sabol, Sherry E.; DiClemente, Anthony P. [redacted]
Cc: [redacted]
Sent: Wed Sep 21 12:02:57 2011
Subject: RE: WSJ fact check

Sherry-

b5 -1
b6 -1
b7C -1

Here's my thoughts:

[redacted]

CELLSITE-13104

[redacted]

b5 -1
b6 -1
b7C -1

[redacted]
Assistant General Counsel
Science & Technology Law Unit
Federal Bureau of Investigation
Offic[redacted]
BB:
E-M[redacted]

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From: Sabol, Sherry E.
Sent: Wednesday, September 21, 2011 10:16 AM
To: DiClemente, Anthony P.; [redacted]
Cc [redacted]
Subject: Fw: WSJ fact check

b5 -1
b6 -1
b7C -1

Please take a look at this and get me your thoughts/comments asap.

From: Hess, Amy S.
To: Sabol, Sherry E.; Bryars, D Keith
Cc [redacted]
Sent: Wed Sep 21 10:11:25 2011
Subject: Re: WSJ fact check

[redacted]

From: Sabol, Sherry E.
To: Hess, Amy S.; Bryars, D Keith
Cc [redacted]
Sent: Wed Sep 21 07:38:43 2011
Subject: Fw: WSJ fact check

b5 -1
b6 -1
b7C -1

WSJ asked us to fact check certain statements.

[redacted]

Ill look at rest again in office.

CELLSITE-13105

They need an answer by mid-day.

From [redacted]
To: Sabol, Sherry E.; [redacted]
Sent: Tue Sep 20 23:56:57 2011
Subject: WSJ fact check

b6 -1, 2
b7C -1, 2

H[redacted] and Sherry.

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I would appreciate it if you could tell me that you received this email.

Best,

[redacted]

b6 -2
b7C -2

* Stingrays are designed to locate a mobile phone even when it's not being used to make a call.

* A stingray works by mimicking a cellphone tower, getting a phone to connect to it and measuring signals from the phone. It allows the stingray operator to ping a phone and find it if it is powered on, according to documents reviewed by the Journal. The device has various uses, including helping police locate suspects and aiding search-and-rescue teams in finding people lost in remote areas or buried in rubble after an accident.

* Stingrays are one of several new technologies used by law enforcement to track people's locations, often without a warrant. The technologies are driving a broad Constitutional debate about whether the Fourth Amendment, which prohibits unreasonable searches and seizures, but which was written before the digital age, is keeping pace with the times.

* A stingray's role in nabbing the alleged "Hacker"—Daniel David Rigmaiden—is shaping up as a possible test of the legal standards for using these devices in investigations. The FBI says no warrant is required and that standards vary depending on the state and district.

* The devices are so secret that the Federal Bureau of Investigation has a policy of deleting the data they gather out of a desire to keep the technology under wraps, an FBI official told The Wall Street Journal in response to inquiries about the device.

* In Thursday's hearing, the government will argue that it should be able to withhold information on precisely what tool was used to locate Mr. Rigmaiden, according to documents filed by the prosecution.

* The FBI says information on stingrays and related technology is "considered Law Enforcement Sensitive, since its public release could harm law enforcement efforts by compromising future use of the equipment."

* The prosecutor, Mr. Battista, told the judge that the government's concern is that "if the actual information regarding ... this equipment is disclosed, it can be subject to being defeated or avoided or detected."

* In the case of the alleged hacker, Mr. Rigmaiden, the government faces the task of prosecuting him without disclosing details about the device it used to locate him.

* The government says "stingray" is a generic term, and in Mr. Rigmaiden's case it remains unclear which device or devices were actually used.

* "Location information continues to be a vital component in law enforcement investigations at the federal, state and local levels," an FBI official told the Journal.

* FBI and Department of Justice officials have said that investigators don't need to get search warrants to use stingray devices. Associate Deputy Attorney General James A. Baker and FBI General Counsel Valerie E. Caproni both said at a panel discussion at the Brookings Institution in May that devices like these fall into a category of tools called "pen registers" that require a lesser order than a warrant. Pen registers gather signals from phones, such as phone numbers dialed, but don't receive the content of the communications.

* To get a pen-register order, investigators must show only that the information likely to be obtained is "relevant to an ongoing criminal investigation." The Supreme Court has ruled that use of a pen register doesn't require a search warrant, because it doesn't involve interception of conversations.

* But with cellphones, data sent in real time includes location information, making the situation more complicated, because some judges have found that location information is more intrusive than data on the numbers dialed by a phone. Some courts have required a slightly higher standard for location information, but not a warrant, while others have held that a search warrant is necessary.

* The FBI advises agents to work with the local federal prosecutors to conform to the legal requirements of their particular district, an FBI official said. He added that it is FBI policy to obtain a search warrant if the FBI believes technology "may provide information on an individual while that person is in a location where he or she would have a reasonable expectation of privacy."

* Experts say lawmakers and the courts haven't yet settled whether locating a person or device in a home constitutes a "search" that requires a warrant.

* The FBI told the Journal that "with regard to the expungement of location information obtained through use of this type of equipment by the FBI, our policy since the 1990s has been to purge or 'expunge' all information obtained during a location operation."

* The FBI allows this policy because information gathered in these operations "is intended to be used only as lead information to assist investigators in identifying the general location of their subject and is not intended to be used as substantive evidence in a case," the official said.

* In the Rigmaiden case, the investigators used the stingray to narrow down the location of the broadband card. One of the Phoenix federal agents then said in a July 2008 email that the team needed "to develop independent probable cause" and that the "FBI does not want to disclose the [redacted] (understandably so)."

b6 -2
b7C -2

[redacted] (RMD) (FBI)

From: [redacted]
Sent: Wednesday, September 21, 2011 12:17 PM
To: Sabol, Sherry E.
Cc: Hess, Amy S.; Bryars, D Keith [redacted]
Subject: Re: WSJ fact check

b5 -1
b6 -1
b7C -1

[redacted]

Sent from my BlackBerry Wireless Handheld

From: Sabol, Sherry E.
To: [redacted]
Cc: Hess, Amy S.; Bryars, D Keith; [redacted]
Sent: Wed Sep 21 11:56:59 2011
Subject: Re: WSJ fact check

[redacted]

From: Sabol, Sherry E.
To: [redacted]
Cc: Hess, Amy S.; Bryars, D Keith
Sent: Wed Sep 21 11:48:47 2011
Subject: RE: WSJ fact check

b5 -1
b6 -1
b7C -1

[redacted]

Sherry.

From [redacted]
Sent: Tuesday, September 20, 2011 11:57 PM
To: Sabol, Sherry E. [redacted]
Subject: WSJ fact check
Importance: High

b6 -1, -2
b7C -1, -2

Hi [redacted] and Sherry.

Below are sentences and paragraphs from the story, which is set to run in Thursday's paper. Please let me know if you are aware of any factual errors in any of them. I'll **need a response for my editors by midday** although we will have a bit of time after that to go back and forth. Sometimes the best thing to do is let me know early on which statements have problems so we can work it out, but it's up to you.

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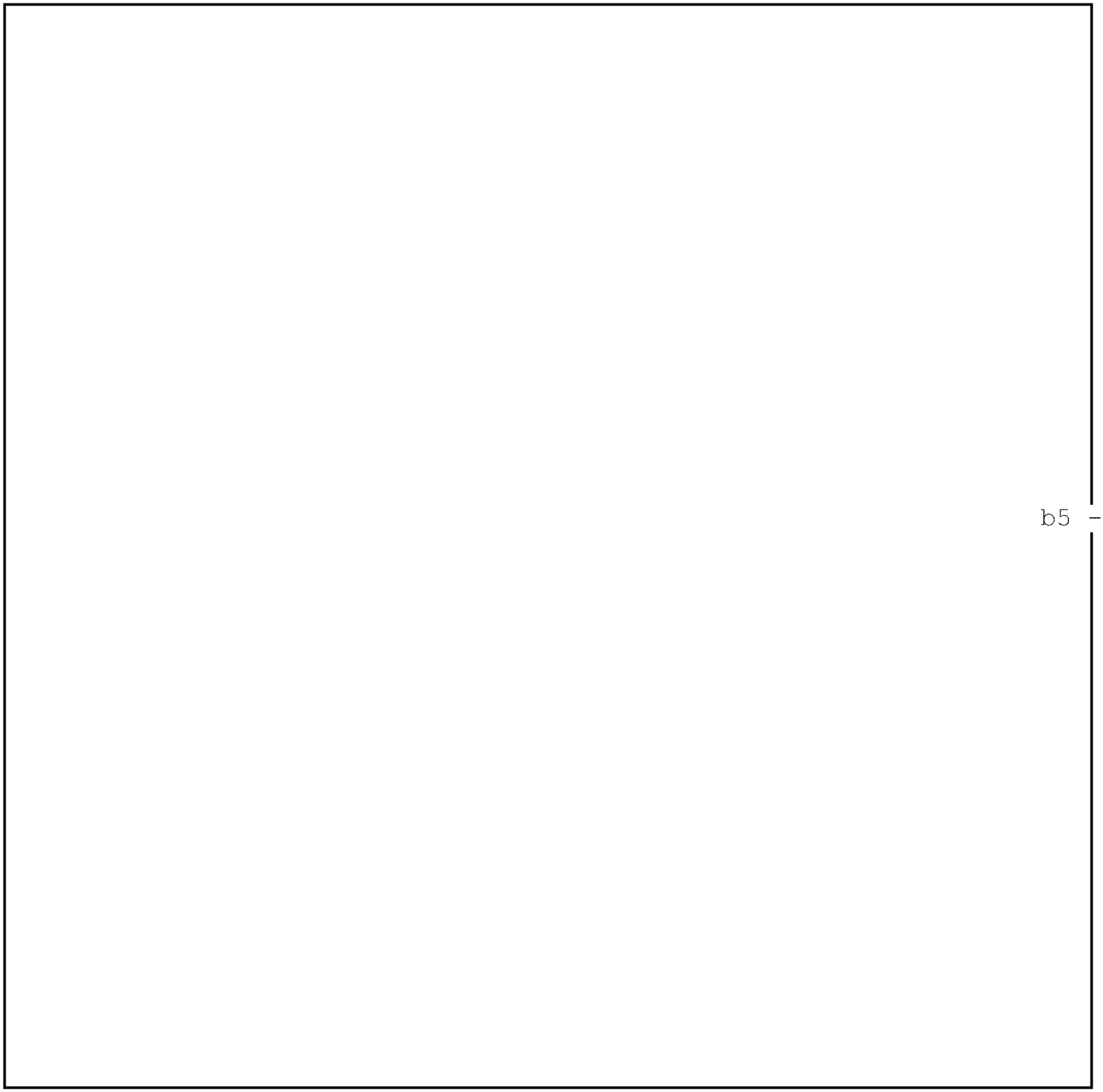
I would appreciate it if you could tell me that you received this email.

CELLSITE-13108

Best,

b6 -2
b7C -2

b5 -1



b5 -1

b6 -2
b7C -2

[redacted] (RMD) (FBI)

From: Sabol, Sherry E.
Sent: Wednesday, September 21, 2011 2:10 PM
To: Sabol, Sherry E.; [redacted]
Cc: [redacted]
Subject: RE: WSJ fact check

b5 -1
b6 -1
b7C -1

[redacted]

Thanks,

From: Sabol, Sherry E.
Sent: Wednesday, September 21, 2011 2:00 PM
To: [redacted]
Cc: [redacted]
Subject: RE: WSJ fact check

b5 -1
b6 -1
b7C -1

[redacted]

From [redacted]
Sent: Wednesday, September 21, 2011 12:03 PM
To: Sabol, Sherry E.
Cc: [redacted]
Subject: FW: WSJ fact check

Sherry-

[redacted]

[redacted]

Assistant General Counsel
Science & Technology Law Unit
Federal Bureau of Investigation
Offic[redacted]
BB: [redacted]
E-Ma[redacted]

b5 -1
b6 -1
b7C -1

THIS COMMUNICATION MAY CONTAIN PRIVILEGED AND CONFIDENTIAL ATTORNEY-CLIENT AND ATTORNEY WORK PRODUCT MATERIAL. DO NOT DISCLOSE WITHOUT PRIOR PERMISSION FROM FBI OGC.

From: Sabol, Sherry E.
Sent: Wednesday, September 21, 2011 11:49 AM
To: DiClemente, Anthony P.; [redacted]
Subject: FW: WSJ fact check

[redacted]

CELLSITE-13111

From: Sabol, Sherry E.
Sent: Wednesday, September 21, 2011 11:49 AM
To: [redacted]
Cc: Hess, Amy S.; Bryars, D Keith
Subject: RE: WSJ fact check

[redacted]

Sherry.

b5 -1
b6 -1, -2
b7C -1, -2

From [redacted]
Sent: Tuesday, September 20, 2011 11:57 PM
To: Sabol, Sherry E.; [redacted]
Subject: WSJ fact check
Importance: High

H[redacted]and Sherry.

Below are sentences and paragraphs from the story, which is set to run in Thursday's paper. Please let me know if you are aware of any factual errors in any of them. I'll **need a response for my editors by midday** although we will have a bit of time after that to go back and forth. Sometimes the best thing to do is let me know early on which statements have problems so we can work it out, but it's up to you.

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I would appreciate it if you could tell me that you received this email.

Best,

b5 -1
b6 -2
b7C -2

[redacted]

[redacted]

CELLSITE-13112

b5 -1

b5 -1

b6 -2
b7C -2

[redacted] (RMD) (FBI)

From: [redacted]
Sent: Wednesday, September 21, 2011 3:04 PM
To: Sabol, Sherry E.
Subject: Re: WSJ fact check

b5 -1
b6 -1
b7C -1

[redacted]

Sent from my BlackBerry Wireless Handheld

From: Sabol, Sherry E.
To [redacted]
Sent: Wed Sep 21 14:01:41 2011
Subject: Re: WSJ fact check

[redacted]

From [redacted]
To: Sabol, Sherry E.
Sent: Wed Sep 21 13:17:36 2011
Subject: FW: WSJ fact check

b5 -1
b6 -1
b7C -1

[redacted]

From [redacted]
Sent: Wednesday, September 21, 2011 12:14 PM
To [redacted] Sabol, Sherry E.; DiClemente, Anthony P.; [redacted]
Cc [redacted]
Subject: Re: WSJ fact check

[redacted]

Associate General Counsel
Unit Chief, Science and Technology Law Unit
Office of the General Counsel
Federal Bureau of Investigation

From [redacted]
To: Sabol, Sherry E.; DiClemente, Anthony P.; [redacted]
Cc [redacted]
Sent: Wed Sep 21 12:02:57 2011
Subject: RE: WSJ fact check

b5 -1
b6 -1
b7C -1

Sherry-

Here's my thoughts:

b5 -1

[redacted]

Assistant General Counsel
Science & Technology Law Unit
Federal Bureau of Investigation
Office
BB: (2
E-Mai [redacted]

b6 -1
b7C -1

THIS COMMUNICATION MAY CONTAIN PRIVILEGED AND CONFIDENTIAL ATTORNEY-CLIENT AND ATTORNEY WORK PRODUCT MATERIAL. DO NOT DISCLOSE WITHOUT PRIOR PERMISSION FROM FBI OGC.

From: Sabol, Sherry E.
Sent: Wednesday, September 21, 2011 10:16 AM

CELLSITE-13116

To: DiClemente, Anthony P.; [redacted]
Cc [redacted]
Subject: Fw: WSJ fact check

Please take a look at this and get me your thoughts/comments asap.

b5 -1
b6 -1
b7C -1

From: Hess, Amy S.
To: Sabol, Sherry E.; Bryars, D Keith
Cc: [redacted]
Sent: Wed Sep 21 10:11:25 2011
Subject: Re: WSJ fact check

[redacted]

From: Sabol, Sherry E.
To: Hess, Amy S.; Bryars, D Keith
Cc [redacted]
Sent: Wed Sep 21 07:38:43 2011
Subject: Fw: WSJ fact check

WSJ asked us to fact check certain statements.

[redacted]

b5 -1
b6 -1, -2
b7C -1, -2

Ill look at rest again in office.

They need an answer by mid-day.

From [redacted]
To: Sabol, Sherry E. [redacted]
Sent: Tue Sep 20 23:56:57 2011
Subject: WSJ fact check

Hi [redacted] and Sherry.

Below are sentences and paragraphs from the story, which is set to run in Thursday's paper. Please let me know if you are aware of any factual errors in any of them. **I'll need a response for my editors by midday** although we will have a bit of time after that to go back and forth. Sometimes the best thing to do is let me know early on which statements have problems so we can work it out, but it's up to you.

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b6 -2
b7C -2

Best,

[redacted]

CELLSITE-13117

* Stingrays are designed to locate a mobile phone even when it's not being used to make a call.

* A stingray works by mimicking a cellphone tower, getting a phone to connect to it and measuring signals from the phone. It allows the stingray operator to ping a phone and find it if it is powered on, according to documents reviewed by the Journal. The device has various uses, including helping police locate suspects and aiding search-and-rescue teams in finding people lost in remote areas or buried in rubble after an accident.

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---

b6 -2
b7C -2

[redacted] (RMD) (FBI)

From: DiClemente, Anthony P.
Sent: Saturday, September 17, 2011 4:26 PM
To: Sabol, Sherry E.
Subject: Fw: Wall Street Journal request -- legal status of "stingray" technology

FYI - I'll call you.

b6 -1
b7C -1
b7E -1

Anthony DiClemente
Chief, [redacted] Section
Operational Technology Division
Federal Bureau of Investigation
[redacted]

From: Bryars, D Keith
To: DiClemente, Anthony P.; Hess, Amy S.
Sent: Sat Sep 17 16:16:37 2011
Subject: Re: Wall Street Journal request -- legal status of "stingray" technology

Thanks Tony.

D. Keith Bryars
A/Deputy Assistant Director
Operational Technology Division
Innovation*Technology*Collaboration
[redacted]

From: DiClemente, Anthony P.
To: Hess, Amy S.; Bryars, D Keith
Sent: Sat Sep 17 15:44:16 2011
Subject: Re: Wall Street Journal request -- legal status of "stingray" technology

b5 -1
b6 -1
b7C -1
b7E -1

Amy/Keith,
[redacted]
Regards,

Anthony DiClemente
Chief, [redacted] Section
Operational Technology Division
Federal Bureau of Investigation
[redacted]

From: DiClemente, Anthony P.
To: Hess, Amy S.; Bryars, D Keith
Sent: Sat Sep 17 14:36:27 2011
Subject: Fw: Wall Street Journal request -- legal status of "stingray" technology

CELLSITE-13120

[redacted]

Anthony DiClemente
Chief [redacted] Section
Operational Technology Division
Federal Bureau of Investigation
[redacted]

b5 -1
b6 -1
b7C -1
b7E -1

From: Sabol, Sherry E.
To: DiClemente, Anthony P.
Sent: Sat Sep 17 14:23:18 2011
Subject: Re: Wall Street Journal request -- legal status of "stingray" technology

[redacted]

From: DiClemente, Anthony P.
To: DiClemente, Anthony P.; Sabol, Sherry E.; Hess, Amy S.; [redacted]; Bryars, D Keith
Sent: Sat Sep 17 14:19:03 2011
Subject: RE: Wall Street Journal request -- legal status of "stingray" technology

b5 -1
b6 -1
b7C -1

[redacted]

Anthony DiClemente
Chief [redacted] Section
Operational Technology Division

b7E -1

CELLSITE-13121

Federal Bureau of Investigation

[redacted]

From: DiClemente, Anthony P.
Sent: Saturday, September 17, 2011 1:16 PM
To: Sabol, Sherry E.; Hess, Amy S. [redacted] Bryars, D Keith
Subject: RE: Wall Street Journal request -- legal status of "stingray" technology

b5 -1
b6 -1
b7C -1
b7E -1

[redacted]

Anthony DiClemente
Chief [redacted] Section
Operational Technology Division
Federal Bureau of Investigation

[redacted]

From: Hess, Amy S.
Sent: Saturday, September 17, 2011 9:53 AM
To: [redacted] DiClemente, Anthony P.
Subject: Fw: Wall Street Journal request -- legal status of "stingray" technology

b5 -1
b6 -1
b7C -1
b7E -1

[redacted]

CELLSITE-13122

From: Bryars, D Keith
To: Hess, Amy S.
Sent: Sat Sep 17 06:16:30 2011
Subject: Fw: Wall Street Journal request -- legal status of "stingray" technology

Amy,

[redacted]

Thanks, Keith

b5 -1
b7E -1

D. Keith Bryars
A/Deputy Assistant Director
Operational Technology Division
Innovation*Technology*Collaboration
[redacted]

From: Sabol, Sherry E.
To: Bryars, D Keith
Sent: Fri Sep 16 23:49:17 2011
Subject: Fw: Wall Street Journal request -- legal status of "stingray" technology

[redacted]

From: [redacted]
To: DiClemente, Anthony P.
Cc: Kortan, Michael P.; Sabol, Sherry E.
Sent: Fri Sep 16 21:03:31 2011
Subject: Fw: Wall Street Journal request -- legal status of "stingray" technology

b5 -1
b6 -1
b7C -1

[redacted]

Sent from my BlackBerry Wireless Handheld

From: Sabol, Sherry E.
To [redacted]
Sent: Fri Sep 16 18:49:49 2011
Subject: Re: Wall Street Journal request -- legal status of "stingray" technology

[redacted]

b5 -1
b6 -1
b7C -1

From [redacted]
To: Sabol, Sherry E.
Sent: Fri Sep 16 18:30:28 2011
Subject: RE: Wall Street Journal request -- legal status of "stingray" technology

[redacted]

CELLSITE-13123

From: Sabol, Sherry E.
Sent: Friday, September 16, 2011 6:11 PM
To: [redacted]
Cc: Hess, Amy S.; Bryars, D Keith; Lammert, Elaine N.; Kortan, Michael P. [redacted]
Subject: Re: Wall Street Journal request -- legal status of "stingray" technology

[redacted]

b5 -1
b6 -1
b7C -1

From: Sabol, Sherry E.
To: Sabol, Sherry E. [redacted]
Cc: Hess, Amy S.; Bryars, D Keith; Lammert, Elaine N.; Kortan, Michael P. [redacted]
Sent: Fri Sep 16 16:48:15 2011
Subject: RE: Wall Street Journal request -- legal status of "stingray" technology

[redacted]

From: Sabol, Sherry E.
Sent: Friday, September 16, 2011 4:12 PM
To: [redacted]
Cc: Hess, Amy S.; Bryars, D Keith; Lammert, Elaine N.
Subject: RE: Wall Street Journal request -- legal status of "stingray" technology
Importance: High

[redacted]

++++++++++++++++++++

[redacted]

b5 -1
b6 -1
b7C -1

From: [redacted]
Sent: Friday, September 16, 2011 1:49 PM
To: [redacted] Sabol, Sherry E. [redacted]
Cc: Hess, Amy S.; Bryars, D Keith; Lammert, Elaine N.; Kortan, Michael P.
Subject: FW: Wall Street Journal request -- legal status of "stingray" technology

See update below. We will need a response by COB today if we are going to contribute to the article.

From: [redacted]
Sent: Friday, September 16, 2011 1:44 PM
To: [redacted]
Subject: RE: Wall Street Journal request -- legal status of "stingray" technology

b6 -1, -2
b7C -1, -2

Another update: It looks as though my editors might want to run it out for Monday's paper, which would put my deadline for comment to Sunday at midday. (And today would really be best.)

Thanks!

[redacted]

From: [redacted]
To: [redacted] (DO)(FBI)
Sent: Fri Sep 09 11:22:54 2011
Subject: Wall Street Journal request -- legal status of "stingray" technology

b6 -1, -2
b7C -1, -2

Hi.

Thanks so much for helping me out.

I'm [redacted] and am writing about the use of "stingray" type devices, which are used generally to locate or otherwise get data on cellular devices. As an example of the use of this technology, I'm writing about a case in U.S. District Court in the District of Arizona in which the FBI used one of these devices. (It's unclear whether what was used was a stingray, a triggerfish, or something else. The prosecution explains that "stingray" is the generic term used.)

Currently, the judge in the case is set to hear the defendant's motion for disclosure of more information on the device and techniques used; the prosecution says that these matters are law enforcement sensitive.

I understand this technology is very sensitive for the FBI; however, I would very much like to get the FBI's views on this technology. I do not want to only quote the ACLU in this matter and would appreciate your help.

Here's what I'm looking for:

LEGAL INFORMATION
(1) I would like to know what the FBI's guidelines are regarding what orders are required for the use of a stingray, particularly as it pertains to location information. Do they require a search warrant or a different type of order? Are agents instructed to try to get a warrant if possible but a lesser order if not? What is the legal analysis that supports this policy? Do the instructions vary by region? Things like that.

(2) I would like to know what the FBI policy is regarding data from stingrays being expunged. In the case I'm covering, the Agent, in the application for the use of device, requested that data obtained by the court order be expunged at the end of the mission to locate the cellular device. This request was granted, and that data was expunged.

USAGE INFORMATION

I would like any information that the FBI might be able to provide on how helpful these "stingray" type devices are, how frequently they are used and whether their use has increased or decreased in the past couple of years.

I'm not on a daily deadline for this story, but I am on a deadline. The story needs to be sent to my editors in the next few days, so I would hope to talk with someone as soon as possible.

Thank you.

Best Regards,

[redacted]

[redacted]

b6 -2
b7C -2

[redacted] (RMD) (FBI)

From: [redacted]
Sent: Friday, September 16, 2011 9:04 PM
To: DiClemente, Anthony P.
Cc: Kortan, Michael P.; Sabol, Sherry E.
Subject: Fw: Wall Street Journal request -- legal status of "stingray" technology

b5 -1
b6 -1
b7C -1

[redacted]

Sent from my BlackBerry Wireless Handheld

From: Sabol, Sherry E.
To: [redacted]
Sent: Fri Sep 16 18:49:49 2011
Subject: Re: Wall Street Journal request -- legal status of "stingray" technology

[redacted]

b6 -1
b7C -1
b5 -1

From: Allen, Christopher M.
To: Sabol, Sherry E.
Sent: Fri Sep 16 18:30:28 2011
Subject: RE: Wall Street Journal request -- legal status of "stingray" technology

[redacted]

From: Sabol, Sherry E.
Sent: Friday, September 16, 2011 6:11 PM
To: [redacted]
Cc: Hess, Amy S.; Bryars, D Keith; Lammert, Elaine N.; Kortan, Michael P.; [redacted]
Subject: Re: Wall Street Journal request -- legal status of "stingray" technology

[redacted]

b5 -1
b6 -1
b7C -1

From: Sabol, Sherry E.
To: Sabol, Sherry E.; [redacted]
Cc: Hess, Amy S.; Bryars, D Keith; Lammert, Elaine N.; Kortan, Michael P.; [redacted]
Sent: Fri Sep 16 16:48:15 2011
Subject: RE: Wall Street Journal request -- legal status of "stingray" technology

[redacted]

From: Sabol, Sherry E.
Sent: Friday, September 16, 2011 4:12 PM
To: [redacted]
Cc: Hess, Amy S.; Bryars, D Keith; Lammert, Elaine N.

CELLSITE-13127

Subject: RE: Wall Street Journal request -- legal status of "stingray" technology
Importance: High

b5 -1

From
Sent: Friday, September 16, 2011 1:49 PM
To Sabol, Sherry E.;
Cc: Hess, Amy S.; Bryars, D Keith; Lammert, Elaine N.; Kortan, Michael P.
Subject: FW: Wall Street Journal request -- legal status of "stingray" technology

b6 -1, -2
b7C -1, -2

See update below. We will need a response by COB today if we are going to contribute to the article.

From:
Sent: Friday, September 16, 2011 1:44 PM
To:
Subject: RE: Wall Street Journal request -- legal status of "stingray" technology

Another update: It looks as though my editors might want to run it out for Monday's paper, which would put my deadline for comment to Sunday at midday. (And today would really be best.)

Thanks!

CELLSITE-13128

[redacted]

b6 -1, -2
b7C -1, -2

From [redacted]
To [redacted] (DO)(FBI)
Sent: Fri Sep 09 11:22:54 2011
Subject: Wall Street Journal request -- legal status of "stingray" technology

Hi.

Thanks so much for helping me out.

I'm [redacted] and am writing about the use of "stingray" type devices, which are used generally to locate or otherwise get data on cellular devices. As an example of the use of this technology, I'm writing about a case in U.S. District Court in the District of Arizona in which the FBI used one of these devices. (It's unclear whether what was used was a stingray, a triggerfish, or something else. The prosecution explains that "stingray" is the generic term used.)

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Thank you.

Best Regards,

[redacted]

b6 -2
b7C -2

[redacted]

CELLSITE-13129

[redacted] (RMD) (FBI)

From: [redacted]
Sent: Friday, September 16, 2011 1:49 PM
To: [redacted] Sabol, Sherry E. [redacted]
Cc: Hess, Amy S.; Bryars, D Keith; Lammert, Elaine N.; Kortan, Michael P.
Subject: FW: Wall Street Journal request -- legal status of "stingray" technology

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Best Regards,

[redacted]

[redacted]

b6 -2
b7C -2

[redacted] (RMD) (FBI)

From: [redacted]
Sent: Wednesday, September 14, 2011 3:54 PM
To: [redacted] Sabol, Sherry E.; [redacted]
Cc: Hess, Amy S.; Bryars, D Keith; Lammert, Elaine N.
Subject: FW: Wall Street Journal request -- legal status of "stingray" technology

b5 -1
b6 -1, -2
b7C -1, -2

[redacted]

From [redacted]
Sent: Wednesday, September 14, 2011 3:43 PM
To: [redacted]
Subject: RE: Wall Street Journal request -- legal status of "stingray" technology

Thanks for keeping me up to date.

I do have some information so far on the legal theories and policies involved here, from the documents that already exist in the example case and from some online research. I'll lay them out for you here just so you have them, in case it is helpful.

(1) General Counsel Valerie E. Caproni and Associate Deputy Attorney General James A. Baker, at a Brookings panel in May, said they thought these types of devices are pen registers and that somebody would need a pen register order to use them.

(2) The prosecution in the example case I'm looking at says the device is a pen register device, because it's not getting content like a wiretap would.

(3) The prosecution also says "U.S. magistrate judges and district judges across the country have debated whether cell phone tracking requires a hybrid order, a tracking warrant, or both." They say "these decisions are made on a case-by-case basis when the application is presented."

(4) I have not seen a full explanation in terms of policy for the deletion of the data from the device, except that the application for the order that involved deleting data has been described by the prosecution as "standard procedure" and "not a unique scenario." Additionally, investigators involved say in documents filed in the case that they developed "independent probable cause" after using the device because the "FBI does not want to disclose the [tracking device]" -- indicating the extreme sensitivity of the device and data from it.

I hope this is helpful in expediting the request. I know the topic is extremely sensitive, but it does seem like my questions have been broached before in a number of places. I would prefer to get a more comprehensive answer, but I can use the other info if I need to.

The gist of my story as it stands currently (subject to change by editors, as always) is that this is a very hotly debated area of the law right now, and it shows how tough it is to use cutting-edge technology without disclosing it in a way that will help offenders, all while trying to use laws that just don't keep up with this kind of innovation.

Do you have any sense of how long the process might take on your end? I'd just like to know what to tell my editors.

[redacted]

b6 -2
b7C -2

[redacted] (RMD) (FBI)

From: [redacted]
Sent: Saturday, September 17, 2011 1:41 PM
To: Bryars, D Keith; DiClemente, Anthony P.; Sabol, Sherry E.; Hess, Amy S.
Subject: Re: Wall Street Journal request -- legal status of "stingray" technology

[redacted]y.

b5 -1
b6 -1
b7C -1

From: Bryars, D Keith
To: DiClemente, Anthony P.; Sabol, Sherry E.; Hess, Amy S.; [redacted]
Sent: Sat Sep 17 13:30:32 2011
Subject: Re: Wall Street Journal request -- legal status of "stingray" technology

[redacted]

D. Keith Bryars
A/Deputy Assistant Director
Operational Technology Division
Innovation*Technology*Collaboration
[redacted]

---

b5 -1
b6 -1
b7C -1
b7E -1

From: DiClemente, Anthony P.
To: Sabol, Sherry E.; Hess, Amy S. [redacted] Bryars, D Keith
Sent: Sat Sep 17 13:16:36 2011
Subject: RE: Wall Street Journal request -- legal status of "stingray" technology

[redacted]

CELLSITE-13133

[redacted]

b5 -1
b7E -1

Anthony DiClemente
Chief [redacted] Section
Operational Technology Division
Federal Bureau of Investigation
[redacted]

From: Hess, Amy S.
Sent: Saturday, September 17, 2011 9:53 AM
To: [redacted] DiClemente, Anthony P.
Subject: Fw: Wall Street Journal request -- legal status of "stingray" technology

[redacted]

From: Bryars, D Keith
To: Hess, Amy S.
Sent: Sat Sep 17 06:16:30 2011
Subject: Fw: Wall Street Journal request -- legal status of "stingray" technology

b5 -1
b6 -1
b7C -1
b7E -1

[redacted]

D. Keith Bryars
A/Deputy Assistant Director
Operational Technology Division
Innovation*Technology*Collaboration
[redacted]

From: Sabol, Sherry E.
To: Bryars, D Keith
Sent: Fri Sep 16 23:49:17 2011
Subject: Fw: Wall Street Journal request -- legal status of "stingray" technology

b5 -1
b6 -1
b7C -1

[redacted]

From: [redacted]
To: DiClemente, Anthony P.
Cc: Kortan, Michael P.; Sabol, Sherry E.
Sent: Fri Sep 16 21:03:31 2011
Subject: Fw: Wall Street Journal request -- legal status of "stingray" technology

CELLSITE-13134

[redacted]

Sent from my BlackBerry Wireless Handheld

b5 -1
b6 -1
b7C -1

From: Sabol, Sherry E.
To: [redacted]
Sent: Fri Sep 16 18:49:49 2011
Subject: Re: Wall Street Journal request -- legal status of "stingray" technology

[redacted]

From [redacted]
To: Sabol, Sherry E.
Sent: Fri Sep 16 18:30:28 2011
Subject: RE: Wall Street Journal request -- legal status of "stingray" technology

[redacted]

From: Sabol, Sherry E.
Sent: Friday, September 16, 2011 6:11 PM
To: [redacted]
Cc: Hess, Amy S.; Bryars, D Keith; Lammert, Elaine N.; Kortan, Michael P.; [redacted]
Subject: Re: Wall Street Journal request -- legal status of "stingray" technology

b5 -1
b6 -1
b7C -1

[redacted]

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To: Sabol, Sherry E. [redacted]
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Importance: High

b5 -1
b6 -1
b7C -1

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b5 -1

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b6 -1, -2
b7C -1, -2

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CELLSITE-13136

From: [redacted]
To: [redacted] DO)(FBI)
Sent: Fri Sep 09 11:22:54 2011
Subject: Wall Street Journal request -- legal status of "stingray" technology

b6 -1, -2
b7C -1, -2

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Best Regards,

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[redacted]

b6 -2
b7C -2

[redacted] (RMD) (FBI)

From: [redacted]
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To: Bryars, D Keith; DiClemente, Anthony P.; Sabol, Sherry E.; Hess, Amy S.
Subject: Re: Wall Street Journal request -- legal status of "stingray" technology

[redacted]

b5 -1
b6 -1
b7C -1

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b6 -1
b7C -1
b5 -1
b7E -1

[redacted]

CELLSITE-13138

[redacted]

Anthony DiClemente
Chief, [redacted] Section
Operational Technology Division
Federal Bureau of Investigation

b5 -1
b7E -1

[redacted]

From: Hess, Amy S.
Sent: Saturday, September 17, 2011 9:53 AM
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Subject: Fw: Wall Street Journal request -- legal status of "stingray" technology

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b5 -1
b6 -1
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[redacted]

b5 -1
b6 -1
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Cc: Kortan, Michael P.; Sabol, Sherry E.
Sent: Fri Sep 16 21:03:31 2011
Subject: Fw: Wall Street Journal request -- legal status of "stingray" technology

CELLSITE-13139

Sent from my BlackBerry Wireless Handheld

From: Sabol, Sherry E.
To
Sent: Fri Sep 16 18:49:49 2011
Subject: Re: Wall Street Journal request -- legal status of "stingray" technology

b5 -1
b6 -1
b7C -1

From
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Sent: Fri Sep 16 18:30:28 2011
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b6 -1
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b6 -1
b7C -1

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b7C -2

CELLSITE-13142